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***Army Regulation 600–52**

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Personal Affairs

Sexual Harassment/Assault Response and Prevention Program

By Order of the Secretary of the Army:

RANDY A. GEORGE
General, United States Army
Chief of Staff

Official:


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*Acting Administrative Assistant to the
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History. This publication is a mandated revision. The portions affected by this mandatory revision are listed in the summary of change.

Authorities. This regulation implements DoDD 1020.03; DoDI 6400.07; DoDI 6495.01; DoDI 6495.02, Volumes 1 through 3; and DoDI 6495.03.

Applicability. This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. Portions of this regulation that prescribe specific conduct are punitive, and violations may subject offenders to nonjudicial or judicial action under the Uniform Code of Military Justice.

Proponent and exception authority. The proponent of this regulation is the Deputy Chief of Staff, G–9. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific requirements.

Army internal control process. This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see appendix E).

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Deputy Chief of Staff, G–9 (DAIN–SF), usarmy.pentagon.hqda-dcs-g-9.mbx.publishing-team@army.mil.

Distribution. This regulation is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

*This regulation supersedes AR 600–52, dated 10 January 2025.

SUMMARY of CHANGE

AR 600–52

Sexual Harassment/Assault Response and Prevention Program

This mandated revision, dated 11 February 2025—

- Removes Diversity, Equity, Inclusion and Accessibility Policy and Programs per Executive Order 14151 (throughout).

This new Army regulation, dated 6 December 2024—

- Clarifies notification procedures for retaliation reports (para 1–6*d*, 3–10, and 9–2) and safety issues (para 3–10).
- Establishes the Sexual Assault Response Workforce (para 1–26).
- Incorporates Army Directive 2022–04 (Sexual Assault Line of Duty Determinations and Reporting) (chap 1 and para 10–6*d*).
- Updates lead sexual assault response coordinator responsibilities (para 1–29).
- Implements supervisory sexual assault response coordinator responsibilities (para 1–30).
- Implements DoDI 1020.03 (chaps 2 and 9).
- Incorporates Army Directive 2021 – 30 (Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians) (paras 3–3*b* and 3–4).
- Implements DoDI 6495.03 (chaps 3 and 6).
- Provides Department of the Army Civilians the option to file a restricted report of sexual assault using DD Form 2910 (Victim Reporting Preference Statement) (paras 3–3*d* and 3–4).
- Implements expanded eligibility to elect the option of a restricted report on DD Form 2910 (para 3–4).
- Implements Catch a Serial Offender Program (para 3–8).
- Incorporates Army Directive 2022 – 10 (Safe-to-Report for Victims of Sexual Assault) and implements the Safe to Report Program (para 3–9).
- Implements quarterly sexual assault response team (para 3–11).
- Updates policy on the request for release of personal property collected in restricted reports (para 3–14).
- Updates expedited transfer request policy (para 4–3).
- Implements DoDI 6400.09 (paras 5–2 and 5–3).

- Incorporates Army Directive 2018–16 (Suitability Criteria for Military Personnel in Specified Positions) (chap 6).
 - Expands pre- and post-deployment training requirements (para 7–2).
 - Adds Sexual Harassment/Assault Response and Prevention Learning Portal information (para 7–4).
 - Implements DoDI 6495.02, Volume 3 (chap 9).
 - Implements DoDD 6495.01 and DoDI 6495.02, Volume 1 and DoDI 6400.07 (throughout).
- Incorporates Army Directive 2022–13 (Reforms to Counter Sexual Harassment/Sexual Assault in the Army) (throughout).
- Prescribes the use of DA Form 7746 (Sexual Harassment Complaint), DA Form 7746–1 (Sexual Harassment Complaint Resolution Assessment), DA Form 7920 (SHARP Student Screening Sheet) (throughout).
- Supersedes chapter 7 and appendix F, G, H, I, J, K, L, M, and N of AR 600–20 (throughout).

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Chapter 1

Introduction

Section I

General

1–1. Purpose

This regulation prescribes policies and procedures and assigns responsibilities for the Sexual Harassment/Assault Response and Prevention (SHARP) Program. It also assigns responsibilities for support activities. The SHARP policy enhances Army readiness by fostering a culture free of sexual harassment, sexual assault, and associated retaliatory behaviors. This regulation does not apply to Department of the Army (DA) Civilian sexual harassment victims covered under AR 690–600 and AR 690–12. Portions of this regulation that prescribe specific conduct are punitive and violations may subject offenders to nonjudicial or judicial action under the Uniform Code of Military Justice (UCMJ).

1–2. References, forms, and explanation of abbreviations

See appendix A. The abbreviations, brevity codes, and acronyms (ABCAs) used in this electronic publication are defined when you hover over them. All ABCAs are listed in the ABCA database located at <https://armypubs.army.mil/abca/>.

1–3. Associated publications

This section contains no entries.

1–4. Responsibilities

Responsibilities are listed in section II of this chapter.

1–5. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this regulation are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are in Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

1–6. Overview of the Sexual Harassment/Assault Response and Prevention Program

a. The goal of the SHARP Program is to create a culture free of sexual harassment, sexual assault, and associated retaliatory behaviors through an environment of prevention, education and training, response capability, victim assistance, reporting procedures, and appropriate accountability that enhances the safety and well-being of all persons covered. The program has two legally required, overarching responsibilities: prevention and response. The Army is dedicated to the primary, secondary, and tertiary prevention of sexual harassment and sexual assault. Prevention of sexual harassment and sexual assault are the commander's responsibilities. The SHARP Program assists Army leadership in its approach to prevent and reduce harmful behaviors and in developing specific prevention activities to prevent and respond to sexual harassment and sexual assault. The Army's integrated primary prevention workforce is the commander's asset responsible for analyzing, developing, and implementing research-based practices to prevent the occurrence of these and other harmful behaviors. The Army's SHARP prevention specialists work collaboratively with the integrated primary prevention workforce on primary prevention of sexual harassment and sexual assault.

b. The SHARP program applies a victim-centered, trauma-informed, and recovery-oriented response and advocacy approach, systematically focusing on the victim and providing the necessary victim assistance that is appropriate to support victim recovery, minimize secondary victimization, and increase safety.

c. Within the SHARP program, a victim is a person who asserts direct physical, emotional, or pecuniary harm as a result of the commission of an act of sexual assault. For the purposes of the SHARP Program, individuals who make a sexual harassment complaint are also considered victims. All victims who

seek services from a SHARP professional will be assisted either by direct support or with an appropriate referral with the goal of obtaining timely care or advocacy.

d. The SHARP Program has two separate chains of command for oversight—

(1) Supervision of SHARP professionals. The independent chain of command for supervision of SHARP professionals led by the installation lead sexual assault response coordinator (SARC). The Lead SARC and supervisory SARCs will supervise SARCs and SHARP victim advocates (VAs). The Lead SARC will be the single source for SHARP Program advice and guidance to installation leadership (including tenant commands). The Lead SARC will be supervised and rated or evaluated by the SHARP Program Manager (PM) at their respective operational level (select Army command (ACOM), Army service component command (ASCC), and direct reporting unit (DRU)).

(2) Case management oversight. Commanders are responsible for all the case management requirements. The senior commander will be the chair and the Lead SARC will be the co-chair of the Sexual Assault Review Board (SARB) meetings and the quarterly Sexual Assault Response Team (QSART) meetings. They will also oversee the high-risk response teams (HRRTs) in order to ensure the victim's safety and the safety of retaliation reporters; facilitate adult sexual assault victim services (including medical and mental health care) and referrals for retaliation reporters; track reports of sexual assault and sexual harassment and associated retaliation reports; direct effective response system coordination across all sexual assault response agencies; efficiently and effectively address SHARP system issues; and ensure appropriate accountability. SARBs are conducted based on where the case management services are being provided for the victim. Since the response program is outside the operational chain of command, SARB will not be conducted by individual commands. Senior commanders will not directly supervise, evaluate, or rate SARCs. SARCs will have direct, unimpeded access to the senior commander.

e. Response workforce as the victim's asset. The response workforce and response activities (that is, SARB) is the victim's asset, responsible for providing victim advocacy and resource information outside of the direct supervision of the commander, to independently focus on the victim and to do what is necessary and appropriate to support victim recovery, without fear of reprisal. In the Army, the response workforce includes SHARP PM, Lead SARCs, supervisory SARCs, SARCs, VAs, and other victim support personnel. All commanders and SHARP professionals are responsible for supporting the response to sexual harassment and sexual assault, as prescribed in law and policy, and creating an environment where victims are encouraged to report these crimes and are supported throughout the recovery process without experiencing retaliation, reprisal, ostracism, or maltreatment.

f. Sexual harassment, sexual assault, and associated retaliatory behaviors are unlawful, incompatible with Army values, and destroy the Army's ability to accomplish the mission. Army leadership at all levels is committed to creating and sustaining an environment conducive to respect for human dignity. Army senior leaders will hold individuals and commanders accountable for their behavior consistent with applicable law, policy, and regulations.

g. The SHARP Program assists commanders at all levels in executing their responsibilities to prevent and respond to sexual harassment, sexual assault, and associated retaliatory behaviors. ACOM, ASCC, and DRU authorized SHARP PMs; Lead SARCs; Supervisory SARCs; SARCs; and VAs support the senior commander with training, program management, response coordination, case management, and victim advocacy.

h. Sexual assault and sexual harassment are unlawful and punishable under the Uniform Code of Military Justice (UCMJ) and other local, state, and Federal laws. Every Soldier and DA Civilian who is aware of a sexual assault or act of sexual harassment should report it immediately. The Army uses a comprehensive program of education, training, and leader development in support of its efforts to prevent sexual harassment, sexual assault, and associated retaliatory behaviors and to promote a compassionate response to victims.

i. Army leadership at all levels and the Army response workforce will do all that is possible within the limits of available resources, existing policy, and law to assist victims of sexual harassment, sexual assault, and associated retaliatory behaviors in accordance with DoDI 6400.07. The SHARP Program is victim centered. SHARP professionals will support victims from the initial report through offense disposition or until the victim no longer requests services.

j. The Army will treat every reported act of sexual harassment, sexual assault, and associated retaliatory behavior seriously by following Federal law, Department of Defense (DoD) and Army policy, and the provisions of this regulation. Information about reported acts of sexual assault and sexual harassment are

disclosed only on an official need-to-know basis; specifically, when necessary to conduct an investigation, for a fitness for duty or disability determination, or to provide for a victim's care and safety.

k. SARCs and VAs are the heartbeat of the military's victim care and support response. SARCs and VAs are exposed to trauma through working with victims of sexual harassment and sexual assault—whether these experiences are heard in person, in writing, over the phone, or through social media. Constant exposure to sexual trauma takes a toll on an advocate's well-being. Self-care is essential for preventing vicarious trauma compassion, fatigue, and burnout. Lead SARCs will work with their installation or regional Ready and Resilient Performance Center (R2PC) or other counselors (that is, chaplain, behavioral health, and so forth) to provide opportunities to enhance self-care among SHARP professionals.

1–7. Objectives

a. Enhance Army readiness through the prevention of sexual harassment, sexual assault, and associated retaliatory behaviors by fostering a culture of prevention and intervention efforts and providing comprehensive response capabilities.

b. Provide compassionate, victim-centered, trauma-informed, and recovery-oriented care for victims.

c. Establish a command climate that encourages everyone to report sexual assault and sexual harassment without fear of retaliatory behaviors and protects the rights and privacy of victims and Soldiers who may be the subject of a sexual assault report or sexual harassment complaint.

d. Create and sustain an environment of accountability in which commanders at every level take appropriate action against individuals and subordinate commanders for their behavior, actions, or failure to take prescribed action, regarding sexual assault and sexual harassment within their units.

e. Ensure commanders understand their responsibility to refer all reports of sexual assault to appropriate Army criminal investigation office or appropriate law enforcement activity for thorough investigation.

f. Ensure commanders refer all acts of sexual harassment that are brought to their attention for investigation.

g. Support the implementation of Secretary of Defense approved recommendations of the Independent Review Commission on Sexual Assault in the Military in accordance with "Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military."

1–8. Program eligibility

The SHARP Program provides assistance to—

a. Soldiers (all components), United States Army Military Academy Cadets, Reserve Officers' Training Corps (ROTC) Cadets on Title 10 orders, and their dependent Family members 18 years of age and older who are victims of sexual assault and sexual harassment. A Family member does not lose their right to file a report of sexual harassment with a SARC or VA if they are a DA Civilian.

b. Soldiers who report being sexually assaulted prior to entry into the Army. Reports of prior-to-military Service sexual assault will be addressed in accordance with the procedures for restricted and unrestricted reports prescribed in this regulation and DoD policy, as appropriate, based on the type of report made.

c. DA Civilians who are victims of sexual assault have the option to file either an unrestricted report or a restricted report using DD Form 2910–8 (Victim Reporting Preference Statement) and are eligible to receive victim advocacy services from SARCs and VAs. These services do not include expedited transfers, medical entitlements, or legal services unless otherwise authorized by law or policy. SARCs and VAs will help DA Civilians find on or off-post resources (for example, employee assistance program, rape crisis centers, or counseling services).

d. The following nonmilitary individuals in paragraphs 1–8d(1) through 1–8d(3) who experience sexual assault are only eligible to make an unrestricted report. The nonmilitary individuals listed in this paragraph will also be offered limited SHARP services, defined as assistance from the SARC and a VA, while undergoing emergency care at a military medical treatment facility (MTF).

(1) DA Civilian Family members 18 years of age and older when the DA Civilian is stationed or performing duties outside the continental United States (OCONUS) and eligible for treatment in the MTF at military installations or facilities OCONUS.

(2) U.S. citizen and DoD contractor personnel when they are authorized to accompany the Armed Forces in OCONUS contingency operations and their U.S. citizen employees.

(3) All victims who contact SHARP professionals for assistance, regardless of their military status, will be given all the assistance, support, and access to resources permitted by law and policy.

1–9. Legal authority

Statutory authority for the SHARP Program is derived from Public Law 108–375, Public Law 111–84, Public Law 111–383, Public Law 112–81, Public Law 113–66, and Section 1561, Title 10, United States Code (10 USC 1561). This regulation implements DoD Sexual Assault Prevention and Response (SAPR) Program policy as directed in DoDD 1020.03; DoDI 6495.01; DoDI 6495.02, Volumes 1–3; DoDI 6495.03. This regulation also implements provisions of DoDI 1020.03, DoDI 5505.18, DoDI 6400.09, DoDI 6310.09, and 6400.07. The Secretary of the Army and Chief of Staff of the Army (CSA) oversee implementation within the Army of law and policy governing the prevention of and response to sexual harassment and sexual assault.

Section II

Responsibilities

Commanders, leaders, and SHARP professionals at all levels are responsible for the effective implementation of SHARP policy and execution of the SHARP Program. Military and DA Civilian officials at all management levels will advocate for a strong SHARP Program and provide education and annual training that will enable Army personnel to prevent and appropriately respond to sexual assault and sexual harassment. Commanders and other leaders are responsible for the climate in their organizations and the health and welfare of those they are charged to lead.

1–10. Assistant Secretary of the Army (Manpower and Reserve Affairs)

The ASA (M&RA) will—

- a. Establish and oversee policies, doctrine, plans, and initiatives for the SHARP Program. The ASA (M&RA) will establish and maintain a SHARP Program fully aligned with the DoD strategy for the SAPR Program and the DoD harassment prevention and response strategy.
- b. Ensure Army civilian personnel policy is revised to address how disclosures of sexual assaults to DA Civilians serving as union representatives are handled.
- c. Serve as the tasking authority for Army Staff (ARSTAF) coordination and integration of SHARP Program and staffing actions.
- d. Support DoD-level requirement meetings with Army representation.

1–11. The Inspector General

TIG will ensure compliance with the implementation of Public Law 111–383 through oversight of field inspectors general to ensure their treatment of the sexual assault prevention and response programs as an item of special interest when conducting inspections of organizations and activities with responsibilities regarding the prevention and response to sexual assault.

1–12. Director, U.S. Army Criminal Investigation Division

The Director, USACID will—

- a. Establish criminal investigation processes and procedures for investigation of sexual assault that are in accordance with DoDI 5505.03, DoDI 5505.18, and AR 195–2.
- b. Establish procedures for USACID special agents to support the SHARP Program.
- c. Establish and maintain memorandums of understanding (MOUs) and memorandums of agreement (MOAs) with state and local law enforcement agencies to formalize agreements between installation law enforcement and state and local law enforcement for information sharing regarding sexual assault victims and subjects.
- d. Ensure adequate staffing of the USACID sexual assault investigator and special victim capability throughout the Army.
- e. Ensure the USACID agents assigned to a sexual assault investigation have notified the SARC as soon as possible after the investigation is initiated.
- f. Ensure the special agent in charge of installation USACID offices uses the U.S. Army Crime Records Center to support the completion of background checks for SHARP professionals.
- g. Supervise activities at the Defense Forensics Science Center to process evidence from sexual assault cases.
- h. In coordination with The Judge Advocate General (TJAG) and the Office of the Special Trial Counsel, execute special victim capability for sexual assault victims.

- i. Ensure the special agent in charge of the investigating USACID office provides input to the commander's Sexual Assault Incident Response Oversight (SAIRO) report.
- j. Ensure that when the special agent in charge of a USACID office initiates a sexual assault investigation, they initiate and conduct subsequent investigations related to suspected retaliation against the sexual assault victim, witnesses, and bystanders who intervened, in accordance with DoDI 5505.18. This includes physical assaults, threats, and damage to property.
- k. Ensure a USACID representative with detailed knowledge of the case attends the monthly SARBs and provides updates on the investigation without disclosing information that could hinder the investigation.
- l. The responsibility for a USACID representative with detailed knowledge of the case to attend the SARB will not be delegated.
- m. Ensure at least one USACID agent at each office is designated as the USACID sexual assault liaison, responsible for coordinating with the SARC for all sexual assault cases investigated by or involving the USACID. The USACID sexual assault liaison will—
 - (1) Immediately notify the SARC of all reports of adult sexual assault that fall under guidelines of the SHARP Program. The SARC will coordinate with Family Advocacy Program (FAP) personnel if the sexual assault involves intimate partner or dating partner violence (see AR 608–18 and 10 USC 928b).
 - (2) At a minimum, provide the SARC with the data necessary to open the case in the Defense Sexual Assault Incident Database (DSAID), if investigated or if being investigated by the supporting USACID office (a law enforcement report with assigned U.S. Army Crime Records Center number). This will include USACID investigation number, date of report to the supporting USACID office, victim's full name, and victim's DoD identification number, if available.
 - (3) Coordinate with the Lead SARC at least monthly to reconcile the Army Law Enforcement Reporting and Tracking System data regarding sexual assault investigations with unrestricted report case data in DSAID.
 - (4) Assist the Lead SARC with reconciling discrepancies involving investigations identified in the monthly DSAID quality control report provided by the Director, SHARP Program and assist with capturing retaliation data if applicable.
 - (5) Assist the Lead SARC in obtaining the state or local law enforcement agency case number for sexual assaults that the supporting USACID office does not investigate and provide an assigned U.S. Army Crime Records Center case number (for example, a non-DoD affiliated civilian sexually assaults a Soldier off the installation). In these cases, the supporting USACID office will not provide a case number and will advise the Lead SARC that the investigative agency is state or local law enforcement agency and not the supporting USACID office.
 - (6) Provide USACID agents to attend the Special Victims Capability Course, offered through the U.S. Army Military Police School.
 - (7) Request changes to Special Victims Capability Course curriculum through the critical task selection board for the advanced sexual assault training to ensure all training reflects current policy and law.
 - (8) Conduct periodic evaluations of criminal investigative services related to sexual assault cases.
 - (9) Provide annual and quarterly sexual assault reports to the Director, SHARP Program. Each report will be prepared as prescribed in DoDI 6495.02, Volume 1.
 - (10) Submit annual reports in accordance with HQDA guidance to the Director, SHARP Program.
 - (11) Provide sexual assault investigative data to the Director, SHARP Program, as needed.
 - (12) Provide the Director, SHARP Program weekly updates of newly opened sexual assault investigations.
 - (13) Provide the Director, SHARP Program quarterly updates that include a list of law enforcement report numbers on all sexual assault investigations opened and a list of law enforcement report numbers on all sexual assault investigations closed in each quarter.
 - (14) Develop sexual assault and sexual offense first responder training for USACID personnel. This will include coordination and submission of first responder training materials with the Director, U.S. Army SHARP Academy for policy reviews and training implementation.
 - (15) Assign agents to conduct inquiries against the Catch a Serial Offender (CATCH) system and notify the SHARP Program CATCH point of contact when a potential match occurs.
 - (16) Develop Army policy for the investigation of reports of sexual harassment that violates the UCMJ.

(17) Ensure the special agent in charge of an installation USACID office notifies each special victim investigation and prosecution (SVIP) member, as appropriate, within 24 hours after determining that a report meets the criteria of a special victim covered offense.

(18) Support quarterly meetings with the Deputy Chief of Staff (DCS), G–9, Director, SHARP Program, and TJAG to evaluate results from assessments of the program.

(19) Develop procedures for the return of personal property to victims who have filed a restricted or unrestricted report of sexual assault (see DoDI 6495.02, Volume 1).

1–13. Deputy Chief of Staff, G–1

The DCS, G–1 will—

a. In coordination with Force Management Director, Office of the DCS, G–3/5/7, review and approve tables of distribution and allowances authorizations for SHARP Program personnel in the Office of the DCS, G–9, Directorate for Prevention, Resilience, and Readiness (DPRR), and the SHARP Program Army-wide.

b. Through the Commanding General (CG), U.S. Army Human Resources Command (HRC)—

(1) Process 2-year tour stabilization actions for Soldiers filling full-time SARC and VA positions.

(2) Execute expedited transfer requests in accordance with AR 614–100 and AR 614–200.

(a) Provide a quarterly report to the Director, SHARP Program on the number of expedited transfer requests that ACOM, ASCC, DRU, and U.S. Army Reserve (USAR) commanders have approved or denied.

(b) Process expedited transfers and safety moves per commanders' requests to provide for victims' safety and recovery.

(3) Award and maintain records for the SHARP additional skill identifiers (ASIs) upon successful completion of SHARP training for Regular Army and USAR personnel (see para 6–13).

(a) Process ASI revocations as necessary.

(b) Provide annual ASI reports to the Director, SHARP Program.

(4) When a Soldier who made an unrestricted report of sexual assault and is recommended for involuntary separation within 1 year of the final disposition of their sexual assault case requests a review of the involuntary separation, ensure a general officer (GO) reviews the circumstances and grounds for the involuntary separation in accordance with DoDI 1332.14, DoDI 1332.30, and DoDI 6495.02, Volume 1.

1–14. Deputy Chief of Staff, G–9

The DCS, G–9 will ensure the Director, SHARP Program will—

a. Plan and supervise the execution of policies, plans, initiatives, implementation, evaluation, and assessment pertaining to the SHARP Program.

b. Coordinate with members of the ARSTAF to streamline reporting and implement investigative procedures in support of the Army's SHARP Program.

c. Execute policies to ensure the completion of requisite SHARP training, background screening, Defense Sexual Assault Advocate Certification Program (D–SAACP) certification (to include revocation of certification), and proper appointment of all SHARP professionals.

d. Facilitate accurate and impactful interpretation of data, evidence-based programs and policy, meaningful execution of those programs and policies, and continuous evaluation of their effectiveness, including through research, towards the goal of creating and implementing best practices in the SHARP Program.

e. Support the Army Campaign Plan objectives related to the SHARP Program and countering sexual violence across the Army.

f. Maintain and evaluate SHARP reporting database systems and all case-level data.

g. Manage and maintain the SHARP Organizational Inspection Program (OIP) and Staff Assistance Visit (SAV) Program using procedures prescribed in appendix C.

h. Implement requirements and selection criteria for SHARP professionals at all levels, to include short tours in geographically dispersed areas.

i. Coordinate SHARP Program training requirements for all Soldiers and DA Civilians with the CG, U.S. Army Training and Doctrine Command (TRADOC).

j. Coordinate with DCS, G–3/5/7 and CG, TRADOC to ensure SHARP training requirements are incorporated into AR 350–1.

k. Manage and provide oversight for SHARP budget actions for Regular Army and the USAR and advise on resourcing and allocation requirements. Coordinate with the Army Budget Office and DCS, G–8 to

ensure adequate SHARP funding and integration of all SHARP Program related activities. SHARP management decision evaluation package (MDEP) funding will only be used for approved SHARP Program functions.

l. Identify the fiscal and personnel resources necessary to implement, monitor, and evaluate the SHARP Program and report these resource totals annually to the DoD respective offices for oversight as required.

m. Prepare and submit SHARP Program reports through the ASA (M&RA) to the DoD SAPRO and the DoD Office for Civil Rights and Equality Opportunity Policy.

n. Monitor sexual harassment, sexual assault, and associated retaliatory behavior data, trends, and SHARP performance measures. Identify and report emerging trends and performance to Army leadership, as required.

o. Prepare and communicate annual guidance, as required, for the collection of input from designated Army organizations to support the preparation of annual reports and assessments.

p. Approve and monitor Sexual Harassment Integrated Case Reporting System (ICRS) and DSAID access.

q. Prepare monthly ICRS and DSAID reports and distribute to ACOM, ASCC, DRU, and USAR SHARP PMs.

r. Prepare monthly DSAID quality control reports and data quality metrics reports. Distribute reports to lead SARCs and ACOMs, ASCCs, DRUs, and USAR SHARP PMs.

s. Maintain the HQDA, DSAID, ICRS, CATCH, and Management Database Help Desk and assist Army users.

t. Coordinate DSAID change requests with DoD SAPRO to improve DSAID utility.

u. Analyze and identify trends related to SHARP questions contained in the command climate assessment.

v. Provide strategic communications, marketing, awareness, outreach, and leadership support to the ARSTAF; Army leadership; ACOM, ASCC, and DRU commanders; and the CG, U.S. Army Reserve Command (USARC).

w. Publicize the DoD Safe Helpline (<https://safehelpline.org/>) through marketing materials and other communications and outreach products.

x. Assign a CATCH point of contact within the SHARP Program. Ensure the CATCH point of contact works with the director or commander of the appropriate Army criminal investigation office and SARCs when a potential match has been identified.

y. Refer requests from victims or other parties for information stored in DSAID and ICRS to the Director, U.S. Army Crime Records Center and the Chief, Criminal Law Division, Office of the Judge Advocate General for processing in accordance with AR 25–55, AR 27–1, and AR 195–2.

z. Hold quarterly meetings with the sexual assault liaisons for each USACID office and TJAG to evaluate results from assessments of the program to develop process improvements, establish accountability, and ensure victim support services are being provided consistent with Army and DoD policy, Federal statute, and established best practices.

aa. Maintain geographic accessibility to SHARP services across the Army.

bb. Implement metrics to measure compliance and effectiveness of the SHARP Program, awareness, prevention, and response. These metrics should include reporting categories and specific goals prescribed in DoDI 6495.02.

1–15. Chief, National Guard Bureau

On behalf of and with the approval of the Secretary of the Army, the CNGB will coordinate with DoD SAPRO and the State Adjutants General to establish and implement SAPR policy and procedures for eligible Army National Guard personnel pursuant to law, regulations, and DoD policy.

1–16. Chief, Army Reserve

The CAR will—

a. Develop, implement, and monitor the SHARP Program and applicable USAR policies. The CAR may be required to modify approaches to ensure USAR compliance with the SHARP Program and policies in this regulation.

b. Standardize USAR policy and procedures that comply with all Army policies on sexual harassment and sexual assault.

- c. Ensure USAR SARCs who serve as designated individuals authorized to receive confidential communications for the purpose of determining line of duty (LOD) status for USAR Soldiers eligible to make sexual assault reports comply with AR 600–8–4.
- d. Ensure USAR unit commanders process LOD determinations for USAR Soldiers eligible to make sexual assault reports in accordance with AR 600–8–4.
- e. Monitor the execution of the SHARP Program in all commands, agencies, and activities under the CAR's area of responsibility (AOR).
- f. Ensure all USAR commanders use the DoD Safe Helpline as the DoD resource to provide crisis intervention and facilitate victim reporting through connection to the nearest SARC and other resources as warranted. The DoD Safe Helpline does not replace local base and SHARP professional contact information.
- g. Prepare and submit to the Director, SHARP Program the quality control audit reports for sexual harassment and sexual assault responder information posted on the DoD Safe Helpline and installation quality control audit reports for 24 hours a day/7 days a week (24/7) responder information by the 15th of each month.
- h. Maintain, monitor, and report incorrect information and SARC and VA non-response calls not returned within 60 minutes. Phone number changes will be reported to the USAR SHARP PM and Director, SHARP Program within 1 business day.
- i. Submit expedited transfer reports to the Director, SHARP Program by the 15th of the close of each quarter.
- j. Ensure full-time SHARP professionals are appointed in writing, trained, certified, and prepared to perform their duties both in garrison and deployed environments.
- k. Ensure USAR Soldiers receive annual, pre-deployment, and post-deployment SHARP training.
- l. Provide the Director, SHARP Program with the program objective memorandum (POM) and a mid-year report and quarterly reports for the year of execution budget information for the SHARP Program. SHARP MDEP funding will only be used for approved SHARP Program functions.
- m. Provide guidance and resources for Sexual Assault Awareness Prevention Month activities.
- n. Enforce the entry of sexual assault data into DSAID and the entry of sexual harassment data into ICRS.
- o. Include the SHARP Program as part of the inspection program and conduct periodic evaluations of SHARP Program implementation and compliance.
- p. Ensure the USAR SHARP PM reviews the monthly DSAID quality control reports provided by the Director, SHARP Program and enforces error correction and reconciliation of missing USACID sexual assault case investigation data no later than the 14th of the month.
- q. Submit annual reports in accordance with HQDA guidance to the Director, SHARP Program.
- r. Execute approval authority for the assignment of SHARP professionals within one grade of the grade required for their SHARP professional position.

1–17. The Surgeon General

TSG will—

- a. Coordinate with the Director, Defense Health Agency (DHA) to ensure directors of psychological health or appropriate mental health and counseling services providers participate in SARBs as required by DoD policy (see DoDI 6495.02).
- b. Coordinate with the CG, U.S. Army Materiel Command (AMC) to ensure MOUs or MOAs that comply with the requirements prescribed in DoDI 6495.02 are established and maintained with local private or public sector providers for sexual assault medical forensic examiner (SAMFE) services when an installation's supporting MTF does not have an emergency department that operates 24 hours a day and when a determination is made regarding the patient's need for the services of a SAMFE.
- c. Coordinate with the Director, DHA to ensure that at least one full-time SAMFE is assigned to each MTF that has an emergency department that operates 24 hours a day and that additional SAMFE are assigned based on the demographics of the patients who use the MTF.
- d. Coordinate with the Director, DHA to designate MTF personnel who are Soldiers and DA Civilians to complete initial and annual sexual assault first responder training.
- e. Coordinate with the Director, DHA, to ensure a SARC (or in geographically dispersed locations where there is no SARC onsite, the on-call VA) is notified by medical personnel for every report or disclosure of sexual assault, regardless of the reporting option.

- f. Coordinate with the Assistant Secretary of Defense for Health Affairs to ensure that Army senior commanders maintain an adequate supply of sexual assault forensic evidence kits (SAFE kits) in all locations where sexual assault forensic examinations (SAFEs) are conducted, including deployed locations.
- g. Ensure that medical personnel are appropriately trained on protocols for the use of the SAFE kit and comply with chain of custody procedures prescribed by the USACID.
- h. Ensure that each SAFE performed in the MTF is completed by a certified SAMFE and uses the DoD standardized physical evidence recovery kit and DD Form 2911 (DoD Sexual Assault Forensic Examination Report) for the medical forensic history.
- i. Coordinate with the Director, DHA to ensure that the victim's medical health provider or mental health and counseling services provider attends the monthly SARB and QSART meetings.

1–18. The Judge Advocate General

TJAG will—

- a. Advise the DCS, G–9 and the Director, SHARP Program on laws, regulations, and policies governing the SHARP Program.
- b. Ensure that policies for the provision of legal services and the execution of military justice by members of The Judge Advocate General's Corp implement applicable DoD sexual assault and sexual harassment prevention and response policies and procedures.
- c. Ensure the Army policy that governs administrative investigations regarding sexual harassment complaints complies with 10 USC 1561.

1–19. The Lead Special Trial Counsel

The LSTC will supervise and manage the independent Office of Special Trial Counsel, which is exclusively responsible for the prosecution of covered offenses, including sexual assault, rape and effective 1 January 2025, formal substantiated allegations of sexual harassment in violation of Article 134, UCMJ.

1–20. Chief of Chaplains

The CCH will—

- a. Assist the ASA (M&RA) develop Chaplain Corps policy for SHARP Program support through spiritual care and counseling services, clarifying that Chaplain Corps personnel are not SHARP professionals and are not authorized to take restricted or unrestricted reports.
- b. For the purposes of developing SHARP Program policy and Chaplain Corps training, advise the DCS, G–9, DCS, G–3/5/7, and CG, TRADOC on Chaplain Corps roles, responsibilities, and privileged communications when providing spiritual care and counseling services to victims of sexual harassment and sexual assault.
- c. Ensure a chaplain attends the SARBs and QSARTs. The responsibility for a chaplain to attend the SARB will not be delegated.

1–21. Provost Marshal General

The PMG will—

- a. Assist the ASA (M&RA) in developing sexual assault and sexual offense first responder training for law enforcement personnel and coordinate the submission materials with the Director, U.S. Army SHARP Academy for policy reviews, legal reviews, and Army-wide distribution.
- b. Ensure the Provost Marshal Office (PMO) attends the monthly SARBs and quarterly sexual assault response team meetings (Q-SARTs)
- c. Ensure DD Forms 2873 (Military Protection Order) are forwarded to U.S. Army Crime Records Center for entry into National Crime Information Center (NCIC).
- d. Conduct periodic evaluations of law enforcement services related to sexual assault cases.

1–22. Commanding General, U.S. Army Materiel Command

The CG, AMC, through the Commander, U.S. Army Installation Management Command, will—

- a. Ensure availability of sufficient workspace and buildings for SHARP professionals.
- b. Ensure Army Community Service directors and the leaders of other U.S. Army Installation Management Command agencies work with SHARP professionals on an as-needed basis (FAP, Army Substance Abuse Program).

- c. Ensure installation safety teams are involved with assisting in eliminating safety concerns that could elevate the risks of sexual offenses.
- d. Ensure availability of resources required to support military protection orders (MPOs).

1–23. Commanding General, U.S. Army Training and Doctrine Command

The CG, TRADOC will—

- a. Execute functions of SHARP Program Force Modernization Proponent in accordance with AR 5–22 with responsibilities relative to doctrine, organization, training, leadership and education, material, personnel, and facilities for SHARP program enabling functions.
- b. Operate and maintain the U.S. Army SHARP Academy in coordination with the DCS, G–9, to include the following:
 - (1) Develop and manage the SHARP professional training courses.
 - (2) Develop and manage all SHARP training support packages.
 - (3) Develop and provide oversight for initial SHARP training, pre-entry training, and professional education and training for recruiting personnel, personnel assigned to assist recruiters, instructors at foreign service schools, and drill sergeants.
 - (4) Coordinate designation of the appropriate ASI with HRC.
 - (5) Develop and implement SHARP training for all Soldiers and DA Civilians throughout the Army's life cycle of training (institutional, operational, and self-study).
 - (6) Ensure all SHARP training and education content is reviewed for program, policy, and legal compliance by the Commandant, Defense Equal Opportunity Management Institute for all sexual harassment content, validated by TJAG, and approved by the Director, SHARP Program prior to product release, pursuant to an MOU established between the DPRR, OTJAG, and U.S. Army SHARP Academy.
- c. Coordinate with TJAG and the Director, SHARP Program on curriculum development of the Special Victims' Counsel (SVC) Course taught at TJAG's Legal Center and School.
- d. Coordinate with The Judge Advocate General, the Lead Special Trial Counsel, the Director, USACID, and other special victim investigation and prosecution proponents when developing curriculum that discusses their respective roles and responsibilities for sexual harassment and sexual assault response.
- e. Develop and provide oversight for military law enforcement advanced sexual assault investigation and sensitivity training during basic courses, annual training, and subsequent professional development courses taught at the United States Army Military Police School.
- f. Ensure SHARP training conducted during initial military training (IMT) is conducted within the first 14 days of each training cycle.
 - (1) Ensure IMT Soldiers are instructed on and have access to 24/7 sexual assault reporting, to include the DoD Safe Helpline and installation 24/7 SHARP hotline.
 - (2) In environments where IMT training is conducted, evaluate processes to address sexual harassment and sexual assault. Ensure that commanders overseeing initial entry training and professional military education (PME) dispose of actions such as UCMJ proceedings and LOD investigations before Army National Guard Soldiers are returned to Title 32 status.
- g. Conduct and evaluate the effectiveness of required SHARP education and training in TRADOC Service schools and training centers.
- h. Conduct SHARP training at all levels of IMT and PME, to include brigade and battalion pre-command courses and GO and Senior Executive Service (SES), and at all levels of the DA Civilian Education System.
- i. Ensure proponent submitted sexual assault and sexual offense first responder training materials and receive policy and legal reviews coordinated through the U.S. Army SHARP Academy before being made available for Army-wide use.
- j. Train USACID agents to investigate sexual assault through the advanced sexual assault training at the United States Army Military Police School.

1–24. Commanders of Army commands, Army service component commands, direct reporting units, and the U.S. Army Reserve

The commanders of ACOMs, ASCCs, DRUs, and the USAR will—

- a. Develop and issue command policy on SHARP Program requirements; prevention of sexual harassment, sexual assault, and retaliatory behavior; response standards for reports and complaints; and the standards of care for treatment of victims.
- b. Ensure a commander's critical information requirement (CCIR) is prepared when required and forwarded to the Army Operations Center (AOC) and DCS, G-3/5/7 (see paras 8-10 and 8-11 for requirements). To protect victim privacy, ensure that the CCIR does not include victim personally identifiable information (PII).
- c. Ensure all commanders promote and maintain accurate information on the DoD Safe Helpline and the installation 24/7 SHARP Hotline to provide crisis intervention and facilitate victim reporting through connection to the nearest SARC and other first responder resources.
- d. Develop command policy, guidance, and other information for commanders and supervisors and first responders. Provide direction and guidance concerning internal reporting procedures, confidentiality, training, prevention, safety tips, and resources.

1-25. Commanders of Army commands, Army service component commands, direct reporting units, and the U.S. Army Reserve who have oversight of and responsibility for SHARP program response

The commanders of ACOMs, ASCCs, DRUs, and the USAR who have oversight of and responsibility for SHARP program response, in addition to paragraph 1-24, will—

- a. Monitor the execution of the SHARP Program in all commands, agencies, and activities under their jurisdiction.
- b. Ensure Army Training Requirements and Resources System entry for SHARP professionals to attend required training at the U.S. Army SHARP Academy.
- c. Ensure the assignment of trained and certified SHARP PMs at the select ACOM, ASCC, DRU, and USAR level to oversee the SHARP program, to include response, prevention, reporting, data collection, assessment, statistical analysis, and other requirements as necessary.
- d. Supervise and evaluate the SHARP PMs they appoint. This responsibility may not be delegated beyond the Deputy Commanding General.
- e. Execute approval authority for the assignment of trained and certified SHARP professionals within one grade (military only) required for their SHARP professional positions.
- f. Approve or disapprove military grade waiver requests for filling SARC and VA positions within the SHARP Program (excluding collateral duty). Ensure grade waiver requests exceeding 2 years are submitted for renewal no later than 60 days before the 2-year date.
- g. Provide and monitor resources to enable subordinate senior commanders to achieve and maintain compliance with SHARP Program policy.
- h. Budget for SHARP education, outreach and awareness activities, and materials (such as Sexual Assault Awareness Prevention Month) including outreach and educational materials authorized for procurement. Provide Director, SHARP Program with POM requirements and mid-year and annual reports for the year of execution budget information for the SHARP Program. Participate in the mid-year review and quarterly reviews. Submit annual reports in accordance with HQDA guidance to the Director, SHARP Program.
- i. Ensure the submission of the Director, SHARP Program test call reports for sexual harassment and sexual assault responder information posted on the DoD Safe Helpline (<https://safehelpline.org/>) and quality control audit reports by the 15th of each month. Maintain, monitor, and report incorrect information and calls to SARCs and VAs that are not immediately answered or returned within 60 minutes. Report phone number changes within 1 business day to Director, SHARP Program.
- j. Ensure senior commanders review, during each SARB, actions taken to resolve all DSAID data errors and the reconciliation of USACID sexual assault case investigations reported missing on the monthly DSAID quality control report provided to lead SARCs by the Director, SHARP Program.
- k. Ensure SHARP PMs review monthly DSAID quality control reports provided by the Director, SHARP Program and enforce error correction and reconciliation of missing USACID sexual assault case investigation data.
- l. Ensure SHARP PMs submit quarterly retaliatory behavior reports to the Director, SHARP Program.
- m. Ensure SHARP PMs conduct OIP inspections of subordinate commands including tenant command on these installations every 2 years.

- n.* Support requirements in coordination with the Civilian Personnel Advisory Center (CPAC) related to background screenings for SHARP professional positions.
- o.* Ensure SHARP first responder training is conducted and tracked in accordance with DoDI 6495.02, Vol. 1.
- p.* Ensure SARBs are not conducted below brigade level in a deployed environment.
- q.* Serves as the rater or higher-level reviewer for the SHARP Program Manager, this cannot be delegated below deputy commanding general.

1–26. All commanders

All commanders will—

- a.* Immediately notify the SARC and the supporting USACID office upon receipt of a report, information, or disclosure of sexual assault from any source, including a third party. A commander will not conduct any internal inquiries or investigations of sexual assaults or delay immediate contact to the supporting USACID office.
- b.* Immediately report, to the appropriate USACID agent, all adult sexual assaults of which they become aware involving persons affiliated with the DoD, including active-duty personnel and their dependents, DoD contractors, and DoD civilian employees.
- c.* Ensure all eligible victims have access to a well-coordinated and highly responsive SHARP Program.
- d.* Coordinate with the lead SARC within the first 30 days of taking command for one-on-one SHARP briefing. USAR commanders will have two multiple unit training assemblies (MUTAs)-4 periods to meet this requirement. The briefing will include trends brief for the unit and AOR, the confidentiality and official need-to-know requirements for both unrestricted and restricted reporting, and the requirements of the SAIRO report.
- e.* Maintain direct, unimpeded contact with the Lead SARC and other installation SARCs. This responsibility cannot be delegated.
- f.* Ensure the chaplain and senior enlisted advisor (first sergeant or command sergeant major) participate in the 30-day SHARP briefing with the commander.
- g.* Contact the supporting legal advisor within 30 days of assumption of command for training regarding legal responsibilities related to reports of sexual assault and sexual harassment.
- h.* Ensure procedures are in place to process and complete LOD determinations for USAR Soldiers in accordance with AR 600–8–4.
- i.* Publish a SHARP command policy at all levels from company, troop, or battery level to ACOM, ASCC, and DRU commanders and ensure the command policy for SHARP is in accordance with higher headquarters command policies.
- j.* Ensure that SHARP policy memorandums and a list of victim service resources are posted on unit bulletin boards and social media sites.
- k.* Ensure policy memorandums and letters include an overview of the command's commitment to the SHARP Program. They should include victims' rights, definition of sexual assault and sexual harassment, available resources to support victims, specific statements that state sexual assault and sexual harassment are criminal offenses and are punishable under the UCMJ, other Federal, State, and local laws that have impact on program, and retaliation is punishable under the UCMJ.
- l.* Ensure victim services resources include the DoD Safe Helpline number, installation 24/7 SHARP hotline, USAR Readiness Division (RD) 24/7 hotline (for USAR units only), and the names and contact information of their responsible SHARP office, to include the name of the SARC and VA.
- m.* Conduct periodic assessments of the command's responsibilities in the SHARP Program for process improvement.
- n.* Continually monitor the unit and assess SHARP policy implementation at all levels within the AOR. Identify problems or potential problems for commander's update.
- o.* Ensure that Defense Organizational Climate Surveys are conducted, and results are coordinated with the military equal opportunity professional and provided to the aligned SARC. Tracking of command climate assessments results is required by Section 1721, National Defense Authorization Act of 2014.
- p.* Continually assess the command climate through various methods (for example, focus groups, surveys, and discussions with Soldiers), as this is an important factor in preventing sexual harassment and sexual assault.

- q. Publish contact information for SARCs and VAs and provide takeaway information such as telephone numbers for unit and installation points of contact, hand booklets, and information on available victim services.
- r. Emphasize the prevention of sexual harassment and sexual assault in all holiday safety memorandums and briefings, pre-mobilization, annual training, pre-inactive duty training briefings, and de-mobilization, this harmful and unlawful behavior will be treated the same as any other harmful behavior that we are trying to decrease (for example, driving under the influence and domestic violence).
- s. Participate in Sexual Assault Awareness Prevention Month.
- t. Ensure that all units know of the installation's 24/7 SHARP response capability.
- u. Use good judgment and discretion in providing facilities, logistical support, and resources to ensure privacy and confidentiality to SARCs and VAs to respond to and support victims.
- v. Ensure all assigned tenant units and organizations (for example, FAP and chaplains) who support SARCs, and other SHARP professionals provide confidentiality and privacy to victims.
- w. Reinforce support for MPOs, temporary restraining orders (TROs), and civilian protection orders (CPOs).
- x. Ensure awareness of the SHARP Program and publicize on- and off-post crisis response resources available to assist victims.
- y. Establish and enforce procedures to protect SARCs, VAs, and other first responders from retaliation, reprisal, ostracism, intimidation, or maltreatment related to the execution of their duties and responsibilities. Unit commanders and supervisors will not interfere with or otherwise attempt to negatively influence SHARP professionals in the performance of their duties.
- z. Establish and enforce procedures to protect witnesses and bystanders who intervene to prevent or report sexual assault or sexual harassment, retaliation, reprisal, ostracism, intimidation, or maltreatment. Immediately notify the supporting USACID office whenever the victim of a sexual assault or act of sexual harassment, witnesses, or bystander who intervenes is threatened, assaulted, or suffers property damage.
- aa. Provide information to the Lead SARC regarding command actions and dispositions in response to reports of retaliatory behavior targeting victims of sexual assault and sexual harassment, SARCs, VAs, first responders, witnesses, and bystanders who intervened, upon request.
- bb. Support investigations by providing access to information, as appropriate, to ensure that investigations are impartial and timely.
- cc. Enter mandatory performance evaluation data in accordance with AR 623–3.
- dd. Provide all MPOs to installation law enforcement personnel for entry into the NCIC no later than 6 hours after determining that a victim needs or wants an MPO.
- ee. Ensure a pre-deployment unit readiness SHARP assessment is completed prior to deployment (see para 7–2 for additional information regarding pre-deployment training).
- ff. Ensure coordination with commanders of theater-specific units (higher headquarters) or ASCC headquarters to ensure SHARP support and services are available to their respective deploying units and personnel.
- gg. Encourage submission of packets for the Army Exceptional Advocate Award and the DoD Prevention Award.
- hh. Prepare the SAIRO report for all unrestricted reports of sexual assault and independent investigations with input from the USACID investigating agent and the SARC.
- ii. Inform victims that MPOs may not be enforceable by nonmilitary authorities and advise them of their ability to also seek a CPO issued by a judge, magistrate, or other authorized civilian official. Commanders will refer victims to SARCs, and the installation staff judge advocate (SJA) for assistance in obtaining a CPO. Commanders will also inform the subject of the MPO that violation of the MPO is a violation of Articles 90 and 92 of the UCMJ.
- jj. Access and use commanders' resources published by the SHARP Program Office at <https://www.armyresilience.army.mil/sharp/pages/resources-for-commanders.html>.
- kk. Ensure rating officials provide comments on how the rated Soldier promoted a climate of dignity and respect and adhered to the requirements of the SHARP program. This will include comments on any substantiated finding in a finalized Army or DoD investigation or inquiry that the rated Soldier committed an act of sexual assault or sexual harassment or failed to report or respond to a complaint or report of sexual assault or sexual harassment.

ll. Ensure a Soldier's request for convalescent leave (nonchargeable) for treatment and recuperation from their sexual assault or sexual harassment, is processed in accordance with AR 600–8–10.

mm. Provide a letter of input to the rater, senior rater, or higher-level reviewer of SHARP personnel concerning the professional performance of SHARP personnel. The commander providing input must have sufficient knowledge of the SHARP personnel's performance in order to provide input to the rater, senior rater, or higher-level reviewer.

1–27. Senior commanders

In addition to the responsibilities listed in paragraph 1–25, all senior commanders (to include the commanders of USAR RDs) who have oversight of and responsibility for SHARP Program response will—

a. Ensure coordinated execution of the SHARP Program across all commands and organizations, to include all subordinate and tenant units on installations and in deployed areas, with a primary focus on delivering seamless, timely, and efficient care for victims.

b. Maintain direct, unimpeded contact with all SARCs assigned to the installation. This responsibility cannot be delegated.

c. Ensure that all SARCs have direct, unimpeded access to all tenant commanders on the installation, to include the commander of the both the victim and the subject, regardless of whether the victim is a Servicemember or not. Report noncompliance to the Director, SHARP Program for resolution.

d. Ensure one trained and certified SARC and VA to support each brigade and brigade equivalent.

e. Ensure all SHARP professionals are on an appointment memorandum that acknowledges the SHARP professional has a current D–SAACP certification and a cleared background screening and is authorized to provide victim advocacy services.

f. Require the Lead SARC to review the HQDA monthly quality control reports and coordinate with SARCs and the special agent-in-charge of the supporting USACID office to ensure errors are resolved and missing or corrected data is entered into DSAID upon receipt of the monthly quality control report, no later than the 14th of the month. Require that lead SARCs immediately advise what other information should be maintained of any unresolved errors.

g. Ensure the Lead SARC co-chairs each SARB and addresses actions taken to resolve all DSAID data errors and reconciliation of USACID sexual assault case investigations reported as missing from DSAID on the monthly quality control report.

h. Ensure SARCs and VAs conduct non-clinical safety assessment during their first interaction with victims who report a sexual assault (restricted or unrestricted) and refer victims to mental health services provided by the MTF if needed.

i. Enable commanders and SARCs to refer a victim to behavioral health for a clinical safety assessment if they identify concerns for self-harm.

j. Identify personnel under the senior commander's command authority who have been trained and are able to perform a safety assessment of each sexual assault victim, regardless of whether the victim filed a restricted or unrestricted report. Ensure individuals tasked to conduct safety assessments occupy positions that do not compromise a sexual assault victim's reporting option and have specialized training, to include assessment of suicidal ideation and risk of harm to or from others.

k. Ensure HRRTs are initiated in accordance with paragraph 3–12.

l. Chair the monthly SARB (may be delegated to a deputy CG or civilian SES who serves as deputy to the CG).

m. Ensure commanders provide monthly updates within 72 hours of the monthly SARB to victims of sexual assault who filed an unrestricted report regarding the status of any ongoing investigative, medical, legal, command proceedings, or any other request made by the victim, until the final disposition of the reported assault. Ensure that the victim's commander does not further delegate this duty.

n. Ensure that contact information maintained on the DoD Safe Helpline is accurate and revisions are reported to the SHARP PM within 1 business day and that revisions not reflected within 2 business days are readdressed to the SHARP PM.

o. Maintain an installation 24/7 SHARP hotline. USAR RD commanders will have a 24/7 SHARP hotline. Ensure that calls to the installation 24/7 SHARP hotline number not immediately answered are returned within 60 minutes.

p. Ensure an installation 24/7 SHARP hotline number is published on the DoD Safe Helpline website and is accessible through the Safe Helpline.

- q. Implement procedures and standards of operations and actions for reports of retaliation, reprisal, ostracism, or maltreatment to protect the victim.
- r. Use the HQDA OIP checklist to ensure SHARP Program compliance and effectiveness.
- s. Upon request, meet with victims who have filed unrestricted reports using DD Form 2910 to discuss their case. Senior commanders will be responsive to a victim's request, either made directly to the senior commander by the victim or facilitated by the SARC. Prior to any meeting, the senior commander will coordinate with the SJA to ensure that meeting does not interfere with ongoing investigation or prosecution related to the report.
- t. Ensure the lead SARC maintains a record of every SHARP professional across the installation, including copies of the nomination, training certificate, ASI for Soldiers, D–SAACP certification, and appointment memorandum.
- u. Ensure commanders and senior enlisted advisors (command sergeants major and first sergeants) receive a SHARP briefing within 30 days of assuming command or change of responsibility.
- v. Ensure all SHARP professionals have access to the communication (mobile phone shared between on-call SHARP professionals) and authorized transportation motor pool resources needed to respond to sexual harassment and sexual assault.
- w. Upon learning of a report, information, or disclosure of sexual assault from a victim or a third party, ensure an investigation is completed in accordance with chapter 3 of this regulation.
- x. Upon learning of a complaint, report, information, or disclosure of sexual harassment, ensure an investigation is completed in accordance with chapter 2 of this regulation.
- y. Ensure all SHARP professionals under their commands are appropriately screened, trained, and certified prior to being placed on appointment orders.
- z. Integrate sexual harassment and sexual assault awareness into newcomer orientation briefings and provide contact information for all SHARP professionals.
- aa. Ensure sexual assault response services are provided to other service units in the DoD that are stationed within their AOR.
- bb. Attempt to establish MOU or MOA with civilian service organizations to maximize cooperation, reciprocal reporting of sexual assault information, and consultation.
- cc. Notify the Director, SHARP Program in writing of any change (suspension, revocation, appeal, or standardized position description changes) in a SHARP professional position (see chap 6 for submission of suspension, revocation, and appeal).
- dd. Ensure that the appointment of a Soldier or DA Civilian to a SHARP professional position does not create a conflict of interest, or the appearance of a conflict of interest, with other duty assignments such as equal opportunity leader, equal opportunity advisor, chaplain, religious affairs specialist, IG, law enforcement, or paralegal.
- ee. Ensure that acts of sexual assault that are not officially reported using DD Form 2910 but are disclosed to SHARP professionals are documented in the SAPR Related Inquiry module in DSAID.
- ff. Establish and maintain MOUs or MOAs with local private or public sector providers for SAMFE services when an installation's supporting MTF does not have an emergency department that operates 24 hours a day and when a determination is made regarding the patient's need for the services of a SAMFE. MOUs and MOAs must comply with requirements prescribed in DoDI 6495.02, Vol 1.
- gg. Establish local policy designating which level of commander is responsible for executing the requirements of the victim's or subject's immediate commander as prescribed in this regulation and include the designation in the organization's SHARP SOP.
- hh. Create an SOP for the installation that requires assistance providers outside of the sexual assault response workforce to respond to reports of sexual harassment and sexual assault, and implement a "Connect to Care" approach (aka "No Wrong Door") that requires these responders to provide a "warm handoff" (see Glossary) to the appropriate resource, service provider, or point of contact. Ensure all SHARP SOPs are forwarded to the assigned SHARP PM for review and approval.
- ii. Serve as the higher-level reviewer for the Lead SARC.

1–28. Sexual Harassment/Assault Response and Prevention Program professionals

All SHARP professionals (ACOM, ASCC, DRU, and USAR PMs, deputy PMs, Lead SARCs, supervisory SARCs, SARCs, VAs, SHARP instructors, SHARP Program compliance specialists, and SHARP Program support services specialists) will—

a. Have a cleared background screening, successfully completed the required training, and a signed appointment memorandum before performing SHARP duties. If an individual's certification expires, is suspended, or is revoked, then they are no longer authorized to serve in any SHARP professional position or perform any SHARP duties until their D-SAACP certification is renewed.

b. Devote maximum time, effort, and energy to meet the requirements of the SHARP mission. They will not serve in a position or perform any duties that would conflict with or be perceived to conflict with their code of ethics. SHARP professionals are expressly prohibited from serving as an officer in a command position, executive officer, command sergeant major, or first sergeant position. SHARP professionals cannot be assigned to duties not in direct support of the SHARP program. These include duties as Sergeant of the Guard, Charge of Quarters, or staff duty.

c. Perform their duties in accordance with the standards prescribed in DoDI 1030.02, DoDI 6400.07, DoDI 6495.03, and the SAPR professional code of ethics found in DD Form 2950 (Department of Defense Sexual Assault Advocate Certification Program (D-SAACP) Application Packet for New Applicants) and DD Form 2950-1 (Department of Defense Sexual Assault Advocate Certification Program (D-SAACP) Application Packet for Renewal Applicants) during all interactions with and intercessions for victims of sexual assault and sexual harassment and those who report retaliation.

d. Assist all commanders and leaders with annual SHARP training, pre-deployment training, and post-deployment training.

e. Inform the Lead SARC if they are under investigation or inquiry or if they become aware of another SHARP professional under investigation or inquiry.

1-29. Sexual Harassment/Assault Response and Prevention program managers for Army commands, Army service component commands, and direct reporting units

The SHARP Program Manager is a DA Civilian who is appointed as a supervisory SHARP Program Manager and serving in general schedule (GS)-14 grade or higher, who is supervised and evaluated by their deputy commanding general (higher-level reviewer is the commanding general). SHARP PMs will—

a. Be responsible for the oversight and coordination of the SHARP Program throughout their AOR.

b. Serve as principal advisor and special staff to the ACOM, ASCC, or DRU commander for all SHARP-related matters.

c. Be responsible for overseeing and supporting the activities carried out by SHARP professionals at the installation level through budget and personnel management, data collection or consolidation, and the development of installation-level policies and resources.

d. Obtain and maintain expertise in procedures and issues related to prevention, response, victim advocacy, reporting and investigative procedures, and decision points related to sexual harassment and sexual assault.

e. Possess special expertise in sexual assault victim advocacy with a minimum of 5 years of full-time experience providing SHARP victim assistance (for example, crisis intervention, accompaniment, safety assessment, safety planning, and providing referrals for adult victims of sexual assault) in the military or with a civilian organization (such as a rape crisis center, community crisis center, rape crisis hotline, family law center, or hospital).

f. Be thoroughly familiar with SHARP and SHARP related policies; Army and DoD regulations; and applicable local, state, Federal, and host nation laws.

g. Review and approve or disapprove senior commanders' SHARP SOPs, in accordance with guidance from the Director, SHARP Program.

h. Ensure DA Form 7920 (SHARP Student Screening Sheet) is completed for all SHARP professionals in their command who attend SHARP courses. DA Forms 7920 are an inspectable item, can be maintained electronically, and will be maintained for 3 years.

i. Conduct ongoing assessments to ensure consistency and effectiveness of the SHARP Program, victim services, and victim care throughout the command.

j. Refer Soldiers and eligible dependent Family members reporting sexual harassment to a SARC.

k. Develop mechanisms to ensure compliance with DoD and Army policy and for accountability throughout the command.

l. Serve as a liaison and conduit for information flow to and from the Director, SHARP.

m. Ensure that all SHARP training outside of the DPRR or TRADOC-approved curriculum is approved by the CG, TRADOC and Director, SHARP Program.

- n.* Maintain awareness of day-to-day operations and reporting requirements for the command. Prepare POM, spend plans, and manning requirements submissions as required by the Director, SHARP Program.
- o.* Submit quarterly and mid-year review budget execution to the Director, SHARP Program.
- p.* Conduct SHARP Program assessments, monitor trends, and identify systemic issues and best practices.
- q.* Conduct routine assessments of 24/7 SHARP hotlines and command websites and assist in facilitating corrective actions.
- r.* Facilitate development and coordination of SHARP public awareness campaigns.
- s.* Track and report case deletion requests in DSAID.
- t.* Attend and successfully complete the SHARP Basic, SHARP Intermediate, and SHARP Advanced courses. Obtain and maintain D–SAACP certification.
- u.* Conduct OIPs of subordinate commands every 2 years or after a change of command or departure of a SHARP PM.
- v.* Assist Lead SARCs and supervisory SARCs in creating a tailored self-care plan before the SARC has responded to a report of sexual harassment or sexual assault. Meet regularly with Lead SARCs and supervisory SARCs to establish that Lead SARCs and supervisory SARCs can provide victim-centric services and compassionate care while maintaining professional boundaries and their own well-being.
- w.* Confirm that Tier 3 background checks for SHARP professionals are being completed every 3 years.
- x.* Supervise and rate Lead SARCs.
- y.* Update the Director, SHARP Program on SHARP professional personnel changes monthly.
- z.* Counsel Lead SARCs on performance or behavior and initiate disciplinary actions, if required.
- aa.* Assign performance ratings to approve awards for and take performance-based corrective actions against Lead SARCs.
- bb.* Monitor and track Lead SARCs' progress toward certification and work with human resources of office personnel to as appropriate so that Lead SARCs can attain their certification levels within the required timeframe.
- cc.* Ensure the Director, SHARP Program receives the information and documentation necessary to grant access to DSAID, CATCH, and ICRS for SARCs within their command.

1–30. Sexual Harassment/Assault Response and Prevention Program Assistant Program Manager for Army commands, Army service component commands, and direct reporting units

- a.* Serve in a supervisory capacity at the operational level for installation level Lead SARCs making a full range of independent personnel decisions, assigning work, establishing performance expectations, and rating and reviewing employee performance.
- b.* Set program goals and administratively and technically direct the work of Lead SARCs and counsel them on performance or behavior and initiate disciplinary actions if required.
- c.* Monitor the training and D–SAACP certification status of all SHARP professionals within their organization and at lower command levels.
- d.* Collect data from their respective ACOM, ASCC, or DRU to support efforts to guide program priorities and determine resource needs across the organization.
- e.* Identify and advocate for resourcing to meet identified needs for the response workforce within the organization.
- f.* Assist the SHARP PM manage the response program budget for their organization, by managing resources, training, manpower, and specific response activities.
- g.* Provide response research from the strategic level into toolkits and other forms of technical assistance for response personnel within their organization.
- h.* Ensure the Lead SARC collects and consolidates data on response program implementation and evaluation from response personnel.
- i.* Advise operational level leadership and commanders on issues related to response.
- j.* Coordinate with response experts and other relevant response stakeholders within and outside the military to inform response activities.
- k.* Successfully complete the SHARP Basic, SHARP Intermediate, and SHARP Advanced Courses and maintain D–SAACP certification.

1–31. Lead sexual assault response coordinators

The Lead SARC is a DA Civilian who is appointed as a supervisory SARC (principal) and serving in general schedule (GS)–13 grade or higher, who is supervised and evaluated by their respective SHARP PM (the higher-level reviewer is the Senior commander) and operationally supports the senior commander in the implementation of the SHARP program. In the absence of the lead SARC, the supervisory SARC with appointment orders to serve as the lead SARC can perform lead SARC duties. The lead SARC will—

a. Serve the focal point of the senior commander's SHARP Program and the principal advisor and special staff to the senior commander for all matters relating to the SHARP Program.

b. Possess special expertise in sexual assault victim advocacy. The lead SARC should have a minimum of 5 years of full-time experience providing SHARP victim assistance (for example, crisis intervention, accompaniment, safety assessment, safety planning, and providing referrals for adult victims of sexual assault) in the military or with a civilian organization (such as a rape crisis center, community crisis center, rape crisis hotline, family justice center, or hospital).

c. Serve as the co-chair of the SARB and QSART; compile the SARB agenda, SARB minutes, slides, and roster; and ensure all retaliation cases are tracked until resolved. This responsibility is not further delegable.

d. Oversee and ensure assignment of SARCs and VAs to support victims of sexual harassment, sexual assault, and associated retaliatory behaviors.

e. Serve as the rater or senior rater or higher-level reviewer of supervisory SARCs, SARCs, and VAs on the installation with responsibility for instructing their work and facilitating sexual harassment and sexual assault reporting, victim assistance, and professional oversight.

f. Consider letters of input or feedback provided to them from commanders when preparing an evaluation for supervisory SARCs, SARCs, and VAs. The letter of input does not need to be included as an enclosure to the evaluation report."

g. Successfully complete the SHARP Basic, SHARP Intermediate, and SHARP Advanced Courses and maintain D–SAACP certification.

h. Perform SARC duties, including accepting reports of sexual harassment and sexual assault.

i. Collect and report retaliation data to their respective ACOM, ASCC, or DRU SHARP PM through DSAID.

j. Coordinate with the senior commander and tenant commanders and manage other SARCs to ensure an integrated and transparent response capability and system accountability.

k. Manage SARCs and coordinate resources and expertise with the heads of relevant agencies to provide quality victim care.

l. In consultation and coordination with the SJA for the senior commander and other concerned parties (for example, the special agent-in-charge of the supporting USACID office), attempt to establish MOAs or MOUs with off-post nonmilitary facilities or agencies as appropriate for victim care and compliance with the restricted reporting option.

m. Prepare POM submissions, spend plans, and manning requirements submissions as required by the Director, DPRR and coordinate them through their respective SHARP PMs.

n. Review the HQDA monthly quality control reports and coordinate with SARCs and the special agent-in-charge of the supporting USACID office to ensure errors are resolved and missing or corrected data is entered into DSAID upon receipt of the monthly quality control report.

(1) Immediately inform the Director, SHARP Program of any unresolved errors.

(2) Coordinate submission through the respective SHARP PM.

(3) To clear errors from the quality control report, ensure corrections are made no later than the 14th of the month.

o. At each SARB, address actions taken to resolve all DSAID data errors and reconciliation of USACID sexual assault case investigations reported as missing from DSAID on the monthly quality control report.

p. Track and report expedited transfer requests and ensure compliance with paragraph 4–3 of this regulation.

q. Track the disposition of all sexual harassment and sexual assault investigations and ensure the brigade commander or first O–6 in the subject's chain of command provides the disposition of investigations to the special agent in charge of the supporting USACID office in a timely manner.

r. Maintain records for all SHARP professionals in their command that include copies of the nomination; screening checklist and ASI for Soldiers; cleared screening for DA Civilians; D–SAACP certification applications (DD Form 2950 and DD Form 2950–1 with continuing education units (CEUs)); D–SAACP

certificates; appointment memorandum; and as applicable, command interviews and checklist; Safe Helpline, CATCH, PII, SAPR Related Inquiry, DSAID Basic, DSAID for SARC, DSAID 4.0 hours (previous), and SHARP Basic Course and SHARP Intermediate Course certificates.

s. Maintain the installation's on-call roster and ensure the installation's 24/7 hotline is appropriately staffed by trained and certified SHARP professionals capable of taking a report of sexual assault and sexual harassment at all times.

t. Ensure the SHARP PM receives an electronic copy of their appointment memorandum, D-SAACP certification, DD Form 2950, and DD Form 2950-1 packet, and all evidence of completing the required initial training and continuing education.

u. In coordination with supervisory SARCs, assist SARCs and VAs in creating a tailored self-care plan, before the SARC or VA has responded to a report of sexual harassment or sexual assault. Meet regularly with SARCs and VAs who have been assigned to cases to establish that SARCs and VAs are able to provide victim-centric services and compassionate care while maintaining professional boundaries and their own well-being.

v. Ensure that time on-call is distributed in such a way as to minimize the compassion fatigue and vicarious trauma of each SARC and VA.

w. Provide 24/7 sexual assault and sexual harassment response capability for all locations, including deployed areas they support.

x. Ensure SARCs, VAs, and other responders are trained to ensure those seeking assistance receive a confidential, in-person response unless otherwise requested by the victim.

y. Ensure all Soldier and military dependent victims of sexual assault receive timely and confidential access to comprehensive medical and psychological treatment, including emergency care and services.

z. Ensure that a report of sexual assault or report of retaliation is not impeded.

aa. Ensure all assigned SARCs and VAs maintain an active profile in DSAID, to include DoD identification number.

1-32. Supervisory sexual assault response coordinator

The supervisory SARC is a DA Civilian, GS-12 or higher, who is supervised and evaluated by their respective lead SARC (the higher-level reviewer is the SHARP PM. The supervisory SARC will—

a. In the absence of the Lead SARC, a supervisory SARC, or SARC who meets the requirements for Lead SARC, on appointment orders to serve as the Lead SARC, can perform Lead SARC duties.

b. Assist the Lead SARC in ensuring the equitable and appropriate distribution of advocacy duties among the pool of SARCs and VAs across the installation.

c. Enforce program compliance among SARCs and VAs.

d. Provide updates to the Lead SARC on the status of case management, victim advocacy, response, and personnel management of SARCs they supervise.

e. Serve as the rater for their assigned SARCs and VAs.

f. Assist the Lead SARC in ensuring all SARCs and VAs across the installation are screened, trained, D-SAACP certified, and appointed to perform duties.

g. Assist the Lead SARC in maintaining visibility and records of every SHARP professional they supervise, including copies of the nomination, screening checklist and ASI for Soldiers, cleared screening for DA Civilians, training certificates, D-SAACP certification, and appointment memorandum.

h. Assist the Lead SARC with administrative operations, to include hiring, and training requirements for all SARCs and VAs they supervise.

i. Assist the Lead SARC in ensuring displayed victim service resources include the DoD Safe Helpline number, installation 24/7 SHARP hotline, and the names and contact information of the SARCs that support operations.

j. Provide eligible victims with access to well-coordinated and highly responsive services.

k. Track, at a minimum, the roster of trained and certified SHARP professionals, the status of their D-SAACP certification, the continuing education they have completed, and their rotation dates (PCS and expiration term of service) using DSAID.

l. In coordination with Lead SARCs, assist SARCs and VAs in creating a tailored self-care plan before the SARC or VA has responded to a report of sexual harassment or sexual assault. Meet regularly with SARCs and VAs who have been assigned to cases to establish that SARCs and VAs are able to provide victim-centric services and compassionate care while maintaining professional boundaries and their own well-being.

- m.* Perform victim advocacy duties, including accepting reports of sexual harassment and sexual assault.
- n.* Successfully complete the SHARP Basic and SHARP Intermediate Courses and maintain D–SAACP certification.

1–33. Sexual assault response coordinators

The SARC is a DA Civilian or Soldier who is supervised and evaluated by their respective lead SARC or supervisory SARC (the higher-level reviewer is the lead SARC or SHARP PM. SARCs will be noncommissioned officers (sergeant first class or higher), warrant officers (chief warrant officer three or higher), officers (major or higher), or DA Civilians (GS–11 equivalent or higher). All SARCs are authorized to perform VA duties. All SARCs will—

- a.* Serve as the point of contact to ensure that sexual harassment and sexual assault victims receive appropriate and responsive care and assistance.
- b.* Ensure SHARP services are available 24/7 for all eligible victims of sexual harassment, sexual assault, and associated retaliatory behavior.
 - (1) Respond or direct a VA to respond to reports and disclosures of sexual harassment and sexual assault in person unless otherwise requested by the victim.
 - (2) Ensure a SARC or VA responds to notifications from a local private or public sector entity who provided medical attention to a sexual assault victim or conducted a SAFE outside of a military installation pursuant to an MOU or MOA.
- c.* Assist and support sexual assault and sexual harassment victims in accordance with DoDI 1020.03; DoDI 1030.02; DoDI 6400.07; and DoDI 6495.02, Volumes 1–3. Treat all victims with care and compassion and inform them about available support resources.
- d.* Coordinate and establish relationships with civilian resources off-post to refer victims to nonmilitary affiliated resources should the victim choose to use them.
- e.* Ensure VAs are in place to provide information and emotional support during administrative, medical, investigative, and legal procedures to ensure that victims understand the processes involved and to ensure that data is collected, reported, and maintained on cases.
- f.* Ensure sexual harassment and sexual assault victims are properly advised of victims' rights and the role and availability of a VA.
 - (1) Ensure sexual assault and sexual offense victims are properly advised of their eligibility for an SVC by coordinating with the supporting legal office.
 - (2) Ensure information regarding the availability of an SVC is provided to a victim immediately upon initial contact and then reoffered prior to USACID investigator or trial counsel interviews or requests of any statement from the victim.
 - (3) Ensure victims are informed that assistance from an SVC is available to eligible victims who have made a restricted or unrestricted report or no report at all.
- g.* Maintain liaisons with commanders and within the PMO, supporting USACID office, medical facility, and legal services office to facilitate immediate response to and accurate reporting of sexual harassment, sexual assault, and associated retaliatory behaviors.
- h.* Coordinate with the senior commander, tenant commanders, and the Lead SARC to ensure an integrated and transparent response capability and system accountability.
- i.* Ensure all unrestricted reports of sexual assault documented with a signed DD Form 2910 or DD Form 2910–8 (Reporting Preference Statement for DoD Civilian Employees to Report Adult Sexual Assault Within the SAPR Program) are reported to the special agent-in-charge of the supporting USACID office immediately. Inform the senior commander and the first battalion commander (lieutenant colonel or O–5) in the victim's chain of command of an unrestricted report within 24 hours of receipt.
- j.* Track services provided to victims of sexual assault and sexual harassment from initial report through disposition and resolution or until the victim no longer wishes to receive SHARP services.
 - (1) Enter information into DSAID within 48 hours of a report of sexual assault. In deployed locations that have internet connectivity issues, the timeframe is extended to 96 hours.
 - (2) Maintain in DSAID an account of the services referred to and requested by the victim for all reported sexual assaults from the time of the initial report through the final case disposition or until the victim no longer desires services. If the victim requests SHARP services from the SARC or VA after their case is closed, the SARC will reopen the case in DSAID and provide case review at the SARB.

- k. Safeguard confidential communications pertaining to victims and ensure that steps are taken to prevent unauthorized reading, printing, retaining, copying, or dissemination of information, messages, or correspondence revealing PII in accordance with governing rules and regulations.
- l. Maintain DD Forms 2910 electronically for 50 years within DSAID.
- m. Ensure all SHARP Program records are maintained under double lock and key.
- n. Maintain records (hardcopy or electronic) authenticating D–SAACP certification as a SARC and completion of required training.
- o. Ensure that no report of sexual assault is converted from restricted to unrestricted without signed permission from the victim, documented on DD Form 2910 or a DD Form 2910–8. If the Special agent in charge of the supporting USACID office opens an investigation based on a third-party report, ensure that investigation is included in DSAID as a case in “open with limited information” status, even if it is a duplicate of a restricted report. If the victim decides later to convert the restricted report to an unrestricted report, make appropriate changes to the restricted report in DSAID and contact the SHARP Program help desk to remove the duplicate report in DSAID.
- p. Attend the monthly SARB, whether or not assigned to case being reviewed.
- q. Conduct non-clinical safety assessments and safety planning during their first interaction with the victim to ensure their short-term safety.
- r. Conduct the 30-day commanders’ SHARP brief. Ensure the training includes trends for the unit and AOR, confidentiality, official need-to-know requirements for both unrestricted and restricted reporting, and the requirements of the SAIRO report.
- s. Successfully complete the SHARP Basic and SHARP Intermediate Courses and maintain D–SAACP certification.
- t. Serve as a VA when needed.
- u. Report the sexual assault of victims who choose the restricted reporting option to the senior commander without information that could reasonably lead to personal identification of the victim, within 24 hours from the time the victim signed the DD Form 2910 or DD Form 2910–8 and ensure that no other notification by a SARC or VA to any other commander takes place.
- v. Maintain an active profile in DSAID.
- w. Create and maintain an active DSAID profile for all assigned VAs.

1–34. Victim advocates

VAs are DA Civilians or Soldiers trained to provide advocacy services to victims of sexual assault and sexual harassment as their primary, full-time responsibility and duty. VAs will be noncommissioned officers (staff sergeant or higher), first lieutenant or chief warrant officer two for officers, or DA Civilian (GS–9 equivalent or higher). The VA reports directly to the SARC in the performance of their duties. VAs support the SHARP Program only. VAs may be authorized for areas considered geographically dispersed, training environments, or areas that do not warrant a full-time SHARP workforce physical presence and have an approved exception to policy memorandum by the Director, SHARP Program. These approved VAs will serve in a fulltime capacity and will be supervised and managed by a Lead SARC who supports their respective AOR. VAs will—

- a. Establish contact with each victim who reports that an act of sexual assault or sexual harassment occurred. Inform each victim of their victims’ rights and the role and availability of a VA. Ensure the victim makes an independent decision whether to accept the offer of victim advocacy.
- b. Assist and support sexual harassment and sexual assault victims in accordance with DoDI 1020.03, DoDI 1030.02, DoDI 6400.07, and DoDI 6495.02, Vol 1. Ensure victims are provided adequate protection and care and are informed about available support resources and their right to coordinate with the supporting legal office regarding SVC services.
- c. Inform sexual assault victims on their options for restricted and unrestricted reporting. Ensure victim acknowledges in writing their preference for restricted or unrestricted reporting using DD Form 2910 or DD Form 2910–8.
- d. Immediately report the sexual assault of a victim who chooses the restricted reporting option to the SARC as soon as the victim signs the DD Form 2910, or DD Form 2910–8 and make no other notifications regarding the report.
- e. Be informed about services available to sexual assault and sexual harassment victims on the installation and in the surrounding community.

- f.* Maintain awareness of agencies that provide victim services and be knowledgeable of the location, telephone number, confidentiality policies, and procedures for accessing service at these agencies.
- g.* Provide crisis intervention, referrals, and ongoing emotional support to victims of sexual assault and sexual harassment and be sensitive to the needs of each victim and tailor services to meet those needs.
- h.* Provide initial information to victims on their rights, to include the right to refuse services, and explain the scope and limitations of the VA's role as an advocate.
- i.* Immediately inform the SARC upon receiving a report or disclosure of sexual assault or sexual harassment.
- j.* Accompany the victim during investigative interviews and medical examinations, unless the victim chooses not to use the VA's services or does not wish to have the VA present during these processes. Do not make decisions for the victim, provide legal advice, or interfere with the official operations of medical, investigative, or legal processes.
- k.* Coordinate activities with the SARC to ensure the best services are provided to victims and avoid duplication of services.
- l.* Provide updates regarding victims' concerns and status to the SARC at an interval determined by the SARC or more frequently if the situation warrants.
- m.* Provide on-call services after normal duty hours to victims of sexual assault as needed.
- n.* Safeguard documents in their possession and always be mindful of the victims' right to confidentiality, until the documents can be turned over to the SARC, within 2 hours of the next duty day.
- o.* Conduct ongoing non-clinical safety assessments with the victim to ensure their short-term safety.
- p.* Attend ongoing training as required or recommended by the SARC.
- q.* Assist other VAs in the performance of their duties, as directed by the SARC.
- r.* Monitor the installation 24/7 SHARP hotline when assigned the duty.
- s.* Attend the SARB and brief updates for all active, assigned cases.
- t.* Successfully complete the SHARP Basic Courses and maintain D–SAACP certification.

1–35. Sexual Harassment/Assault Response and Prevention instructors

SHARP instructors are DA Civilians (GS–11 equivalent or higher). SHARP instructors will—

- a.* Educate SHARP professionals on the knowledge, skills, and attributes needed to perform their responsibilities in support of the SHARP Program.
- b.* Develop new and revise existing SHARP training and education materials to meet policy and mission objectives.
- c.* Maintain current, expert knowledge of the SHARP Program and related policies, processes, and procedures.
- d.* Meet all instructor certification and recertification requirements in accordance with TRADOC Regulation 350–16.
- e.* Complete the SHARP Basic, SHARP Intermediate, and SHARP Advanced Courses and the SHARP Instructor Course. Obtain and maintain D–SAACP certification.

1–36. Sexual Harassment/Assault Response and Prevention Program compliance specialists

The SHARP Program compliance specialist is a DA Civilian (GS–13 equivalent or higher) who reports to the SHARP PM. The SHARP Program compliance specialist will—

- a.* Assist the SHARP PM in developing criteria for evaluating the effectiveness of SHARP programs commandwide.
- b.* Recommend necessary corrective action or program changes for continuing evaluation.
- c.* Conduct business process reviews with the intent to increase efficiency and effectiveness of the program and minimize adverse impact of management practices on command productivity.
- d.* Analyze sexual harassment and sexual assault trends to identify individual and systematic problems in command policy, practices, and procedures. Develop solutions to problems identified.
- e.* Provide key management officials advisory and consultant services on systemic barriers and problems that impact the accomplishment of identified program goals and objectives.
- f.* Prepare and provide input to detailed short and long-term command SHARP action plans to eliminate sexual harassment and sexual assault and report accomplishments.
- g.* Assist the SHARP PM in the development of SHARP briefs to leadership on a monthly, quarterly, and annual basis, including annual reports. Ensure annual reports include the SHARP annual report, retaliation data call, sexual harassment data call, and SHARP cost report.

- h.* Plan, coordinate, and assist with executing external inspections (including, but not limited to, IG inspections and quality assurance site visits), investigations, and inquiries conducted by higher level commands (for example, DA and DoD) and assist in providing input to the OIP evaluation and SAV.
- i.* Evaluate functions of organizations inspected, including prudent and efficient management of personnel, funds, material, time, and information. Perform follow-ups of inspections of findings to ensure adequate resolution of deficiencies identified. Prepare the final inspection reports for inspected organization.
- j.* Conduct on-site data gathering, closely monitor data, draw conclusions, and ensure compliance with policy, advising on the development of program objectives, policies, and performance measures for program effectiveness.
- k.* Complete the SHARP Basic, SHARP Intermediate, and SHARP Advanced Courses. Obtain and maintain D–SAACP certification.

1–37. Sexual Harassment/Assault Response and Prevention Program support services specialist

The SHARP Program support services specialist is a DA Civilian (GS–12 equivalent or higher) who reports to the SHARP PM, Assistant PM, or Lead SARC. The SHARP Program support services specialist will—

- a.* Develop, implement, and maintain administrative practices and records management that comply with law, regulations, DoD, and Army policy to create efficient and effective organization business processes and all aspects of SHARP operations.
- b.* Communicate policy, goal, mission, and philosophy to all levels of the organization. Ensure efficient and effective flow of administrative information between DPRR and subordinate units.
- c.* Develop guidance on administrative techniques and methods of process improvement.
- d.* Prioritize administrative issues based on the unit's overall mission and instruct leadership and subordinate offices on the full range of administrative matters to achieve a high degree of compliance.
- e.* Serve as focal point for strategic and change management, business process improvement and reengineering, organizational capability maturity, and governance.
- f.* Support the SHARP Program's organizational activities for business process management, enterprise architecture, business intelligence, enterprise portfolio management, and cost management.
- g.* Successfully complete the SHARP Basic and SHARP Intermediate Courses and maintain D–SAACP certification.

1–38. Sexual Harassment/Assault Response and Prevention Program prevention specialist

The SHARP Program prevention specialist is a DA Civilian (GS–12 equivalent or higher) who reports to the SHARP PM, deputy PM, or lead SARC. The SHARP Program prevention specialist will—

- a.* Directly support the senior commander and is responsible for supporting the coordination and implementation of prevention activities that address sexual harassment and sexual assault.
- b.* Analyze, assess, and clearly communicate program objectives, policies, operations, and resource data to ensure efficiency in the development and execution of the command's SHARP-related prevention activities.
- c.* Be responsible for initiating, designing, monitoring, reviewing, and assessing SHARP Program prevention activities and providing recommendations and conclusions to the Director, SHARP Program.
- d.* Conduct compliance reviews to assess the extent, adequacy, and rationale of organizational interaction or liaison between agencies or activities that are designed to support the SHARP Prevention Program.
- d.* Provide technical and policy assistance in resolving problem areas.
- e.* Use professional knowledge to compile and analyze sexual assault and sexual harassment data that summarizes trends, prevalence, incidence, and outcomes within the community. Recognize existing or potential risk factors that can lead to sexual harassment or sexual assault.
- f.* Identify protective factors that can minimize the risk or prevent sexual harassment and sexual assault.
- g.* Collaborate with the integrated primary prevention workforce to support prevention activities for the installation that span across the socio-ecological model to address potential risk factors and bolster protective factors.
- h.* Collaborate with the integrated primary prevention workforce to support the development of methods and techniques required to execute the primary prevention capability.

- i. Collect and consolidate data from diverse sources such as DoD or DA prevalence surveys, administrative data sources, unit health promotion teams, Commanding General's Ready and Resilient Council working groups, academia, non-profit organizations, and industry, as needed.
- j. Provide input and support the development of various reports, information papers, white papers, presentations, and other deliverables that succinctly characterize the problem in layperson language. Use data to plan and evaluate prevention activities for sexual harassment and sexual assault.
- k. Collaborate with the integrated primary prevention workforce to support senior commander or CG and unit or tenant commanders in the implementation and evaluation of primary prevention activities for sexual violence.
- l. Complete required SHARP courses and training.
- m. Obtain and maintain Level 2 credentialing through the DoD Credentialing Program for Prevention Personnel (D-CPPP). SHARP Program prevention specialists will not obtain or maintain D-SAACP certification.

Chapter 2

Sexual Harassment

2-1. Sexual harassment reporting eligibility

- a. Soldiers (including Delayed Entry Program participants and United States Military Academy Cadets), ROTC Cadets placed on valid Title 10 orders, and Family members 18 years of age and older may file a sexual harassment report with a SARC or VA. Complaints from DA Civilian personnel (to include those against Soldiers) reporting sexual harassment are addressed in accordance with AR 690-600, AR 690-12, or as provided for in any applicable collective bargaining agreement.
- b. Victims of sexual harassment committed by an unmarried intimate partner or dating partner may receive SHARP services when the subject is not—
 - (1) A current or former spouse.
 - (2) A person with whom the victim shares a child in common.
 - (3) A current or former intimate partner with whom the victim shares or has shared a common domicile.
- c. A commander who receives a complaint of sexual harassment will ensure an investigation is conducted in accordance with DoDI 1020.03, AR 15-6, and this regulation. The commander will consult with their supporting legal advisor to determine if the complaint contains a violation of the UCMJ.

2-2. Sexual harassment

- a. Certain sexual harassment conduct is an offense under Article 134, UCMJ.
- b. Sexual harassment conduct is also punishable under the provisions of this regulation. Paragraph 2-2c of this regulation is punitive, and violations may be punished under Article 92, UCMJ.
- c. Sexual harassment conduct punishable under this paragraph is—
 - (1) Conduct that—
 - (a) Involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when—
 - (b) Submission to such conduct is, either explicitly or implicitly, made a term or condition of a person's job, pay, or career;
 - (c) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or
 - (d) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
 - (2) Is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.
 - (3) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a member of the Armed Forces or a civilian employee of the DoD.
 - (4) Any deliberate or repeated unwelcome verbal comments or gesture of a sexual nature by any member of the Armed Forces or civilian employee of the DoD.
 - (5) There is no requirement for concrete psychological harm to the victim for behavior to constitute sexual harassment. Behavior is sufficient to constitute sexual harassment if it is so severe or pervasive

that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

(6) Sexual harassment can occur through electronic communications including social media, other forms of communication, and in person.

d. The use of sexist and misogynistic language or behavior that targets any protected class contributes to a hostile environment will not be tolerated. Leaders at all levels will protect their teams, Soldiers, DA Civilians, and Family members against sexual harassment and proactively ensure that their environments are free from all forms of sexual harassment.

e. Leaders who fail to properly process sexual harassment complaints policy may be subject to punitive or adverse administrative action under UCMJ.

f. Commanders will consult with their supporting SJA before taking action on sexual harassment offenses.

g. Soldiers are required to follow sexual harassment and SHARP policy 24/7, on and off-post, during duty and non-duty hours. Policies apply to work, living, and recreational environments, including both on and off-post housing.

h. Categories of sexual harassment.

(1) *Verbal*. Examples of verbal sexual harassment may include telling sexual jokes; using sexually explicit profanity, threats, sexually oriented cadences, or 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 of endearment such as "honey," "babe," "sweetheart," "dear," "stud," in referring to Soldiers, DA Civilians, or Family members.

(2) *Nonverbal*. Examples of nonverbal sexual harassment may include cornering or blocking a passageway, inappropriately or excessively staring at someone, 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 electronic communications; or sending sexually oriented texts, faxes, notes, or letters.

(3) *Physical contact*. Examples of physical sexual harassment may include touching, patting, pinching, bumping, grabbing, kissing, or providing unsolicited back or neck rubs. There is significant overlap between physical contact that constitutes sexual assault and physical contact that constitutes sexual harassment. SARCs who receive a report of sexual harassment that involves physical contact that is not clearly sexual assault will coordinate with their supporting legal office without identifying the victim (that is, using non-PII) concerning the determination as to whether the physical contact is sexual assault. If such a determination is made, the SARC will inform the victim that the unwanted physical contact will be addressed as a sexual assault; advise each victim of the role and availability of a VA; advise each victim of their rights and their right to an SVC; explain to the victim their option for restricted and unrestricted reporting; and clearly describe the required response protocol for each type of report. All commanders who receive a complaint of sexual harassment that involves physical contact that is not clearly sexual assault will coordinate with their supporting legal office. Any doubts will be resolved in favor of reporting the physical contact to the special agent-in-charge of the supporting USACID office. Unwanted physical touching that does not meet the legal definition of sexual assault may still be addressed using the sexual harassment reporting process.

i. Types of sexual harassment.

(1) *Quid pro quo*. "Quid pro quo" is a Latin term meaning "this for that." This term refers to conditions placed on a person's career or terms of employment in return for favors. Examples include offering a promotion, award, or favorable assignment in exchange for sexual favors; a Soldier who is not recommended for promotion and who believes that their squad leader recommended another Soldier in the squad for promotion based on provided or promised sexual favors, not upon merit or ability.

(2) *Hostile environment*. A hostile environment, to include the work environment, can occur when Soldiers or DA Civilians are subjected to offensive, unwanted, and unsolicited comments, behavior, or images (verbal and nonverbal, including through the use of electronic devices and communications) that are sexual in nature. An abusive or hostile environment need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive. A hostile environment brings the topic of sex into the environment in any one of several forms. Conduct considered under the hostile environment definition generally includes nonviolent, sexist behaviors (for example, the use of misogynistic terms, comments about body parts, suggestive pictures, requests for sexual favors, repeated requests for dates

or a romantic or sexual relationship, sending unsolicited pictures of genitalia or using AI-enabled tools or applications to generate non-consensual intimate images of another person, and explicit jokes).

j. Mandatory reporters of sexual harassment are—

(1) Commanders at all levels. Commanders will ensure that all acts of sexual harassment of which they become aware are properly investigated.

(2) Anyone in the chain of command, to include supervisors, first sergeants, and senior enlisted advisors (not required to be in the victim's chain of command). All individuals in a supervisory position are required to report all acts of sexual harassment of which they become aware.

(3) TRADOC instructors. This does not include United States Military Academy, Army SHARP Academy instructors, and D-SAACP certified drill instructors on appointment orders to provide victim advocacy and assistance.

(4) Law enforcement, military police, and USACID agents (both on and off duty).

(5) Army Military OneSource providers.

2-3. Requests for direct intervention

a. A Soldier may make a request for direct intervention, if the desired remedy for the aggrieving behavior can be achieved by peer intervention, counseling, or training. Requests for direct intervention will be made only to those individuals who are not in a supervisory or command position.

b. SARCs and VAs can assist with understanding of options for direct intervention, but SHARP professionals will not intervene or confront the subject.

c. If any commander becomes aware of a request for direct intervention, they are required to initiate an investigation.

d. Requests for direct intervention will not be entered into ICRS.

e. Individuals who are not in a supervisory or command position who receive requests for direct intervention may not be able to offer confidentiality. Attorneys and chaplains have a professional obligation to maintain confidentiality under certain circumstances.

f. Direct intervention cannot be used to address harassment that involves physical contact or attempted physical contact, quid pro quo, or attempted quid pro quo, or where the subject is a superior and is in a superior-subordinate relationship. Additionally, criminal offenses under the UCMJ or local, state, Federal, or host nation law cannot be addressed through direct intervention and will be reported to commanders and the special agent-in-charge of the supporting USACID office.

g. Examples of direct intervention would be telling a Soldier or DA Civilian that their behavior is unacceptable and needs to stop or take down offensive material from a common area.

2-4. Sexual Harassment/Assault Response and Prevention professional response to sexual harassment

a. SARCs and VAs will respond to every report or disclosure of sexual harassment. Victims have the option to discuss reporting options and services in person, telephonically, or electronically.

b. SARCs and VAs will—

(1) Provide crisis intervention.

(2) Invite the victim to provide as much information as they are comfortable providing to ascertain the type of aggrieving behavior that the victim was subjected to, in a manner that will not re-traumatize the victim.

(3) Explain that reports of specific offenses (Article 117a, Article 120c, and Article 130, UCMJ) cannot be investigated by commanders and will be reported to the special agent-in-charge of the supporting USACID office if the victim wants them investigated.

(4) Explain to victims of sexual harassment committed by an unmarried intimate or dating that they partner may receive SHARP services when the subject is not—

(a) A current or former spouse.

(b) A person with whom the victim shares a child in common.

(c) A current or former intimate partner with whom the victim shares or has shared a common domicile.

(5) Explain offenses that meet the definition of sexual harassment. Victims of these offenses are entitled to the victim services.

(6) Explain the different reporting options and methods of filing a complaint, along with the benefits and limitations of each.

(7) Explain that working with a SARC or VA is completely voluntary. Victims can file a complaint with their commander or supervisor directly without involving the SARC or VA.

(8) Explain the assistance, services, and resources (both on and off-post) available to the victim.

(9) Explain the protected nature of the communication between a victim and the SARC and VA.

(10) Explain that the SARC and VA cannot maintain confidentiality when there is a clear and present risk to the health or safety of the Soldier making a confidential report or another person.

c. SARCs will consult with the supporting legal office to determine if an exception to confidentiality applies.

d. SARCs or VAs will complete a non-clinical safety assessment for each victim.

e. Upon the victim electing to file a formal complaint, the SARC or VA will—

(1) Assist the victim in completing the DA Form 7746 (Sexual Harassment Complaint).

(2) Contact the special agent-in-charge of the supporting USACID office if the victim chooses to report a criminal offense.

(3) Notify the victim's brigade commander of the formal complaint.

(4) SARC will assign a VA at the victim's request.

(5) Enter relevant information into ICRS within 48 hours.

f. SHARP PMs, instructors, program compliance specialists, and program support services specialists will refer all victims to a SARC or VA while maintaining confidentiality.

g. Communications between a sexual harassment victim and a SHARP professional, not intended to be disclosed to third persons, are confidential when providing professional advice or assistance to the victim. Information regarding sexual harassment reports will only be shared on a need-to-know basis to successfully process the report and provide services to victims.

(1) Any questions regarding the release of information will be coordinated by the Lead SARC with the supporting legal office.

(2) Improper disclosure by a SHARP professional of covered communications, and improper release of medical information are prohibited and may result in discipline under the UCMJ, loss of certification, or other adverse personnel or administrative actions.

2-5. Confidential reporting

a. A confidential report allows the victim to receive victims' services and assistance from the SARC and VA. This option does not allow a SHARP professional to confront the subject or resolve the sexual harassment.

b. A Soldier may report sexual harassment, confidentially, to a SARC or VA. The SARC and VA will—

(1) Inform the victim that they are eligible for victims' services and assistance from the SARC and VA.

(2) Maintain confidentiality.

(3) Explain that confidential reporting will not resolve the issue as it possibly would have been resolved through a formal complaint or an anonymous complaint.

(4) Make clear to the victim that unless the sexual harassment is investigated, the subject will not be held accountable.

(5) Explain that the SARC and VA cannot maintain confidentiality when there is a clear and present risk to the health or safety of the victim or another individual.

(6) Explain that the SARC can assign a VA to assist the victim at their request.

2-6. Types of complaints

Within the SHARP program, there are two mechanisms by which Soldiers and Family members 18 years of age and older can submit a sexual harassment complaint—

a. Anonymous complaint.

b. Formal complaint.

2-7. Anonymous complaints

a. An anonymous complaint is a report of sexual harassment from an unknown or unidentified source received by a commanding officer or supervisor, regardless of the means of transmission. The individual reporting the information is not required to disclose any PII. Commanders will publicize and enable anonymous reporting through organizational hotlines, email, and official telephone lines and through the SARC and VA.

b. Anonymous complaints are a method for Soldiers and Family members (18 years of age and older) to have their concerns investigated and addressed without revealing the victim's identity.

c. Anonymous reports of sexual harassment occurring in confinement facilities involving military inmates will adhere to requirements of the Prison Rape Elimination Act of 2003.

d. All anonymous complaints, even those that cannot be investigated, will be referred to the subject's brigade commander for evaluation. In cases where the subject's supervisor is a DA Civilian, it will be reported to the first GS-15 (0-6 equivalent) within their supervisory chain, and SARC will enter the anonymous complaint into ICRS.

(1) SARCs and VAs can provide information to assist victims in preparing an anonymous complaint so that it can be investigated. Once the complaint is completed, it must be submitted in accordance with paragraph 2-7a.

(2) SARCs and VAs will inform those making anonymous complaints that there is a possibility of the victim's identity being discovered during the investigation.

(3) The SARC will provide anonymous complaints to the subject's commander and enter them into ICRS.

2-8. Actions of the brigade commander upon receipt of an anonymous complaint

a. If an anonymous complaint contains sufficient information to permit the initiation of an investigation (such as who committed the sexual harassment, what acts of sexual harassment occurred, when the sexual harassment occurred, where the sexual harassment occurred, victim's desired outcome, and subject's unit), the subject's commander (or civilian supervisor equivalent) will initiate an investigation as the appointing authority in accordance with this regulation, DoDI 1020.03, and AR 15-6.

b. Commanders (or civilian supervisor equivalent) will appoint investigating officers from outside the victim's and subject's assigned brigade-sized element or separate command on the installation, subject to authorized exceptions addressed in paragraph 2-8c.

c. Exceptions to the requirement in paragraph 2-8b will be approved by the first GO in the chain of command and included as an enclosure to the investigation. This authority may not be delegated. Reasons for exceptions may include unit geographic location and type of mission.

d. If an anonymous complaint does not contain sufficient information to permit the initiation of an investigation, the information will be documented by the brigade commander (or civilian supervisor equivalent) in a memorandum for record and retained by the SARC under double lock and key. The memorandum for record will contain the following information, if available:

- (1) Date and time the information was received.
- (2) A detailed description of the facts and circumstances included in the complaint.
- (3) Date and time the complaint was resolved and by whom.
- (4) Any other pertinent information.
- (5) The commander's signature.

2-9. Formal complaints

a. Formal complaints require specific actions prescribed in this chapter, are subject to timelines, and require documentation of the actions taken. Unless otherwise stated, this assumes that the victim and subject of the complaint are assigned with the same brigade and, therefore, are under the command of the same brigade commander.

b. Victims are encouraged to file formal complaints in a timely manner from the date of the aggrieving behavior to ensure there is enough information for an investigating officer to investigate.

c. Upon the victim's election to file a formal complaint, the SARC or VA will assist the victim with completing the DA Form 7746. The victim will complete DA Form 7746 by—

- (1) Specifying the concern.
- (2) Providing the names of the parties involved and any witnesses.
- (3) Describing the aggrieving acts and behaviors.
- (4) Indicating the dates of the occurrences.
- (5) Entering the requested resolution, which the brigade commander may consider upon completion of the investigation and when considering resolution actions in the "Requested Remedy" portion of DA Form 7746. The information in this block can vary in terms of the victim's expectations of the investigative process. If the victim's requested remedy is not likely to be met through the investigation process, the

commander or the designated officer will explain the potential and possible outcomes of the required investigation during receipt of the complaint.

(6) Once the victim and the SARC or VA complete the DA Form 7746, the SARC will arrange a date and time for the SARC to accompany the victim to deliver the complaint to the subject's brigade commander (or designated officer)

(7) Upon receipt of the report, the subject's brigade commander or the commander's designated officer will administer the oath to the victim and swear the victim to the truthfulness of the complaint.

2–10. Actions of the subject's brigade commander to receive a formal complaint

a. Once the subject's brigade commander (or civilian supervisor equivalent) has been informed by the SARC that a victim wishes to make a formal complaint, the brigade commander will—

(1) Coordinate with the officer designated to receive the complaint and administer the oath. The officer administering the oath will confirm with the victim that the statement is accurate and that they are not making it under coercion, unlawful influence, or unlawful inducements.

(2) Ensure the focus of the SARC and VA is advocacy during this process.

b. In cases where the victim and subject are in different units, complaints may be elevated to the first commander in the chain of command at brigade level or echelon above who has command authority over both the victim and the subject. Commanders (or civilian supervisor equivalent) will ensure victim confidentiality is protected to the maximum extent possible.

c. If the subject's brigade commander determines that a complaint of sexual harassment includes unwanted physical contact that is not clearly sexual assault, the subject's brigade commander will coordinate with the supporting legal office regarding the requirement to inform the special agent-in-charge of the supporting USACID office. Any doubts will be resolved in favor of reporting the physical contact to the special agent-in-charge of the supporting USACID ID office. Every victim report of sexual assault to the chain of command will be reported to the special agent-in-charge of the supporting USACID office.

d. If sufficient information exists to initiate an investigation, brigade commanders will appoint an investigating officer pursuant to the requirements prescribed in AR 15–6. The investigation will be initiated within 72 hours of notification of the complaint and the complaint, or a detailed description of the complaint will be forwarded to the first commander in the chain of command with GCMCA authority within 72 hours of receipt. The investigation will be conducted at the level in which a thorough examination of the facts can be achieved.

e. To the extent practicable, investigations should be completed no later than 14 calendar days after the date on which the investigation is initiated. Within 20 calendar days of initiation of an investigation, the subject's brigade commander will forward a progress report or final report of the investigation to the GCMCA. Progress reports will be submitted to the GCMCA every 14 calendar days until completion. All investigations require a review for legal sufficiency before they are complete. Final reports will include the results of the investigation and the approval authority's actions taken on the findings and recommendations of the investigation. The subject's brigade commander will forward the final investigative report to the GCMCA.

f. MPOs ensure the safety of Soldiers, Family members, and DA Civilians. When warranted by facts and circumstances, MPOs are necessary mechanisms to Soldiers, Family members, and DA Civilians who report sexual harassment or sexual assault. A DD Form 2873 (Military Protective Order) is a written lawful order issued by a commander that orders a Soldier to avoid contact with those persons identified in the order (see 32 CFR 635.19 and AR 190–45).

g. No later than 6 hours after determining an MPO is warranted (such as the presence of a threat of physical harm), the first O–6 in the subject's chain of command will ensure that the subject's commander issues DD Form 2873 to the Soldier subject, submits it to the installation Directorate of Emergency Services or PMO, and provides a copy to the victim.

(1) Pursuant to AR 190–45, any commanding officer in the subject's chain of command has authority to sign MPOs. Commanders will follow all procedures prescribed in AR 190–45.

(2) Commanders will educate victims to ensure they understand the limitations and ramifications of an MPO, to include informing victims that MPOs may not be enforceable by nonmilitary authorities. Commanders will ensure, to the maximum extent practicable, that victims and subjects avoid contact in accordance with the MPO.

(3) Commanders will inform victims of their ability to also seek a CPO issued by a judge, magistrate, or other authorized civilian official. Commanders will refer victims to the SARC and the installation SJA for

assistance in obtaining a CPO. Commanders will also inform the subject of the MPO that violation of the MPO is likely to constitute a violation of Articles 90 and 92 of the UCMJ.

(4) The installation Directorate of Emergency Services or PMO record the MPO and make notifications in accordance with AR 190–45.

(5) Company commanders will flag Soldiers who are subjects of an investigation in accordance with AR 600–8–2.

2–11. Retaliation and reprisal plan

a. The victim's brigade commander, in coordination with the subject's commander, will establish and implement a retaliation and reprisal plan to protect the victim and any named witnesses. The plan will include discussions with the victim's SARC and necessary members of the chain of command and coworkers. Discretion will be used to determine the extent of information provided and the number of personnel addressed in the discussions with the chain of command and coworkers. However, no messaging can interfere with an accused Soldier's due process right to investigate a report, obtain witness testimony on their own behalf, or present a defense in a criminal or administrative investigation.

b. Content of the discussions with the named individuals will encourage individuals to report acts and threats of retaliation and reprisal and will include—

(1) The definitions of retaliation and reprisal with examples of such behavior.

(2) The Army's policy prohibiting retaliation and reprisal, the victim's rights, and whistleblower protection afforded to victims, witnesses, and subjects under DoDD 7050.06.

(3) The procedures to report acts and threats of retaliation and reprisal, in accordance with chapter 9 of this regulation.

(4) The consequences of retaliation and reprisal.

(5) Possible sanctions against violators.

(6) A reminder of the roles and responsibilities of the leadership in the prevention of retaliation and reprisal and the protection of all parties involved.

(7) The command's support of a thorough, expeditious, unbiased investigation and good faith in attempting to resolve the complaint.

(8) The need to treat all parties in a professional manner both during and following the investigation.

c. Contents of the written plan will include actions to be accomplished and annotation of names of personnel addressed. The commander will initial and date actions as completed and provide a copy of the plan to the investigating officer and the victim's SARC.

d. The investigating officer will include the commander's plan to prevent retaliation and reprisal as an exhibit in the investigative findings.

e. The SARC will retain a copy of the commander's plan to prevent retaliation and reprisal with the completed case file and use the plan to conduct follow-up assessment of the complaint.

f. The subject's brigade commander, in coordination with victim's brigade commander, has the responsibility to provide the retaliation and reprisal plan prescribed in paragraph 2–11b to the subject.

2–12. Conducting the investigation

a. The purpose of any investigation of sexual harassment is to determine to the maximum extent possible what occurred, to assess the validity of the complaint, to advise the commander of any leadership or management concerns that might contribute to a climate that is contrary to good order and discipline, and to recommend appropriate corrective actions. The subject's brigade commander, as the appointing authority for the investigation, is responsible for ensuring the investigation is complete, thorough, and unbiased.

b. The subject's brigade commander, as the appointing authority, will consult their supporting legal advisor on the law and policy governing the investigation.

c. The subject's brigade commander will appoint an investigating officer pursuant to the requirements prescribed in AR 15–6, and provide the investigating officer with a copy of the DA Form 7746 that identifies the complaint to be investigated. The investigating officer will review AR 15–6 and this regulation prior to conducting the investigation.

d. Investigating officers will meet with the supporting legal advisor to review how the investigation should be conducted under AR 15–6. The investigating officer will interview every individual who may have firsthand knowledge of the facts surrounding the complaint. The investigating officer should also interview everyone who can substantiate the relationship or corroborate the relationship between the victim

and the subject. The investigating officer should interview the person who initially received the formal complaint, the victim, any named witnesses, and the subject. When conducting the investigation, the investigating officer will do everything possible to prevent secondary victimization by ensuring that the victim is treated with care, compassion, fairness, and respect for the victim's dignity and privacy.

e. The investigating officer should normally interview the subject after interviewing other witnesses so that they will have a complete understanding of the reported harassment. If needed prior to the conclusion of the investigation, the investigating officer should conduct a second interview of the victim and the subject. The investigating officer may choose to re-interview certain witnesses for clarification of conflicting statements. Should unit policies or procedures be called into question as contributing factors to perceptions of a hostile environment, the investigating officer will interview responsible members of the chain of command. It may be advisable to interview coworkers of the victim and the subject for knowledge they may have about the reported harassment or the relationship that exists between the victim and subject.

f. The investigating officer should secure copies of any documents that might substantiate or refute the statement of the victim, subject, or named witnesses. These documents may include copies of unit and personnel records and the victim's personal documents. The investigating officer will also procure a copy of the commander's plan to prevent retaliation and reprisal to be included in the final report of the investigation.

g. When the investigation is completed, the investigating officer should review the evidence, determine if the investigation adequately addresses the complaint, make factual findings about what occurred, and provide recommendations consistent with the findings. During the investigation, the investigating officer should note concerns or observations of unit policy, procedures, and individual leadership or management techniques that may have a dysfunctional effect upon unit climate and foster a hostile environment.

h. The subject's brigade commander will notify a victim when an investigation begins and provide them with information about the investigation process, victim support resources that are available on-post and off-post, and any appeal rights. When the investigation is complete, the subject's brigade commander will notify the victim in writing and verbally as to whether the complaint was substantiated or unsubstantiated. The subject's commander will consult with their supporting SJA to ensure compliance with any investigation updates or disposition notifications required by law or policy.

i. Absent a written exception from the GCMCA, the investigation will be completed within 14 calendar days of receipt. If the investigation is not completed within 14 days, the commander will submit a report on the progress 20 days after the commencement of the investigation to the GCMCA and every 14 calendar days after that until the investigation is completed.

j. Upon completion of the investigation, a final report of the investigation will be submitted, including any action taken, to the GCMCA. The report presented to the appointing authority must include the following required enclosures:

- (1) Orders of appointment as investigating officer.
- (2) Copy of DA Form 7746 with attached continuation sheets.
- (3) Copy of the completed and initialed commander's plan to prevent retaliation and reprisal.
- (4) List of questions asked.
- (5) Statements or synopses of interviews with victims, named witnesses, subjects, and relevant members of the chains of command.
- (6) Copies of supporting documents.
- (7) Description or assessment of unit policies and procedures that may have contributed to sexual harassment.
- (8) Written explanation of extenuating circumstances that prevented the investigating officer from interviewing any named witnesses, victim, or subjects.
- (9) Documentation of any approved extensions.

k. SARCs and VAs will not be involved in the investigation.

2-13. Actions by the subject's brigade commander upon receipt of the report of the investigation

If the subject's brigade commander is also the approval authority for the investigation, pursuant to AR 15-6, the subject's brigade commander will decide whether further investigation is necessary, whether a suspension of favorable personnel action must be initiated against a Soldier, and whether to approve, disapprove, modify, or add to the findings and recommendations consistent with the evidence included in the report of the investigation.

a. If the subject's commander is the approval authority, the subject's commander will request a review of the report of investigation for legal sufficiency from the supporting judge advocate. After the legal review is completed, the approval authority will decide whether further investigation is necessary or whether to approve, disapprove, modify, or add to the findings and recommendations. See AR 15–6 for referral of adverse information regarding an officer.

b. The subject's brigade commander will take corrective action to minimize recurrence of sexual harassment within their brigade and address any management deficiencies or other contributing factors that caused the complaint to be filed. The subject's brigade commander will review the investigation to assess factors, causes, or perceptions that may have contributed to the reporting of an unsubstantiated complaint. The subject's brigade commander will also inform the victim and the subject of their right to appeal and make them aware of timelines and procedures to file that appeal (see para. 2–16). The subject's brigade commander will provide the victim and subject with a memorandum that states whether the complaint was substantiated or unsubstantiated. The subject's brigade commander will consult with their supporting judge advocate to ensure that the memorandum complies with law, regulations, and policy.

c. Subjects of a substantiated complaint will, at a minimum, receive counseling by the subject's brigade commander. The subject's brigade commander may delegate this responsibility to a member of the subject's chain of command, preferably the subject's company commander. If the substantiated sexual harassment complaint can be disposed of at the brigade commander's level, the subject's brigade commander must first consult with their supporting SJA to determine if the substantiated conduct was minor. If the conduct was not minor, the subject's brigade commander must dispose of the complaint in accordance with the policy prescribed in paragraph 2–15a. If the conduct was minor, the subject's brigade commander has the full range of disciplinary actions available to dispose of the complaint, which may include administrative actions (for example, bar to reenlistment, adverse performance evaluations, relief for cause, administrative reduction, admonition, reprimand, administrative withholding of privileges, rehabilitative transfer to another unit, and administrative separation), nonjudicial actions, or courts-martial. The subject's brigade commander may direct follow-on action by a subordinate commander that is consistent with this policy.

d. The subject's brigade commander may announce to the members of the subject's unit the judicial sentence, nonjudicial punishment, or administrative action taken against the subject of the investigation (including letters of reprimand) regardless of the grade of the Soldier (see AR 27–10). Brigade commanders may elect to post the sentence, punishment, or adverse action via unit newsletters, bulletin boards, and other communications channels. Brigade commanders may delegate this responsibility to the subject's company commander. Commanders will consult with their supporting judge advocate before announcing or posting the sentence, punishment, or adverse action.

e. The subject's brigade commander will provide the victim's SARC with the completed report of the investigation for entry into ICRS and storage under double lock and key for 50 years.

2–14. Status updates

a. The subject's brigade commander will provide written or verbal updates to the victim and the subject on the status of the investigation. Updates will be provided every 14 calendar days (next MUTA–4 and every MUTA–4 thereafter for USAR) until the investigation is complete and actions to resolve the complaint are taken.

b. The subject's brigade commander will inform the victim's SARC of each update for entry into ICRS. Written updates should incorporate any verbal status updates provided to the victim. Whenever possible, the subject's brigade commander should meet with the victim to discuss the status of the investigation, victim support resources available on- and off-base, and any appeal rights. When the investigation is complete, the brigade commander must notify the victim whether the victim's complaint was substantiated or unsubstantiated. The subject's brigade commander will consult with their supporting legal advisor before disclosing any information regarding the investigation to the victim or the subject of the investigation.

c. Members of the victim's and subject's chain of command will ensure that the disclosure of investigation information complies with law, regulations, and policy. Members of these chains of command will consult with their SJA to ensure any disclosures required by law or policy are properly made.

2–15. Rehabilitation, elimination, and involuntary separation

a. Commanders will initiate elimination proceedings for officers and involuntary administrative separation proceedings for enlisted Soldiers against whom there is a substantiated complaint of sexual

harassment in accordance with AR 135–175, AR 135–178, AR 600–8–24, and AR 635–200. Commanders must coordinate with the Office of Special Trial Counsel before initiating elimination or separation proceedings for substantiated formal complaints of sexual harassment occurring after 1 January 2025 that violate Article 134, UCMJ.

b. The requirement to initiate elimination proceedings for officers or involuntary administrative separation proceedings for enlisted Soldiers against whom there is a substantiated sexual harassment complaint will not interfere with the officer's or enlisted Soldier's right to appeal an administrative investigation substantiating a complaint of sexual harassment. Elimination proceedings or involuntary administrative separation proceedings will be initiated after the officer's or enlisted Soldier's appellate rights have been exhausted as they relate to an administrative investigation substantiating a sexual harassment complaint.

c. A commander may rehabilitate a Soldier against whom there is a minor substantiated complaint of sexual harassment, as determined by the approval authority in consultation with their supporting SJA. If the conduct is minor and the command is going to rehabilitate the Soldier, then there is no requirement to initiate elimination or administrative separation proceedings.

d. Efforts to rehabilitate a Soldier deemed to have engaged in a minor substantiated complaint of sexual harassment will include the following components: sexual harassment refresher training, individual corrective counseling, and monitoring of behavior for a period as determined appropriate by the first O–6 commander in the Soldier's chain of command.

e. Rehabilitation will not be used to dispose of substantiated complaints wherein the offender attempted or engaged in quid pro quo behavior, sexual touching offenses, where the offender was the superior in a superior-subordinate relationship, or substantiated complaints involving repeat offenders.

2–16. Appeal process for victims and subjects

a. If an administrative finding substantiates a complaint of sexual harassment against a Soldier, the commander is not required to withhold appropriate administrative or disciplinary action while an appeal is pending.

b. The administrative appeal process is not applicable to findings rendered pursuant to command action under UCMJ (for example, nonjudicial punishment or court-martial) and is distinct from a request for reconsideration under AR 15–6.

c. The brigade commander will ensure that both the victim and the subject are informed of the appeal process.

d. The victim and the subject have the right to submit an appeal. The victim may not appeal the actions taken against the subject if any were taken. The first appeal level is the first commander in the chain of command with special court-martial convening authority, or a commander in the chain of command at least two organizational levels above the level at which the appellant is assigned. When a complaint is processed by a commander with special court-martial convening authority, the appeal will be processed with the first commander in the chain of command with GCMCA. The second and final appeal will be forwarded to the Corps, ACOM, ASCC, or DRU commander with GCMCA. If the first-level appeal was processed at the ACOM, ASCC, or DRU level, then the second and final appeal will be forwarded to the DCS, G–9 by the ACOM, ASCC, or DRU commander. The Director, SHARP Program will advise the ASA (M&RA) or other designated official who will decide the final appeal. Sexual harassment appeals that may leave the Army chain of command for other military Services will be forwarded to Director, SHARP Program.

e. An administrative finding concerning a complaint resolved through the formal Army process may be appealed by the victim or the subject within 30 duty days of receiving notice of the finding.

f. The Army appeal procedure is not an adversarial process that provides for personal appearances or hearing rights.

g. The final Army appeal authority will decide the appeal based on the written record and any written arguments submitted with the appeal. The Army appeal authority may sustain or overrule the finding or remand the matter for further fact-finding.

h. The victim's brigade commander will inform the SARC of the outcome of any appeal filed by either the victim or the subject for entry into ICRS.

2–17. Follow-up assessment

Upon completion of the investigation, the SARC will—

a. Conduct a follow-up assessment of all formal sexual harassment complaints (substantiated and unsubstantiated) 30 to 45 calendar days (three to four MUTA–4 drill periods for USAR) following the final action rendered on the investigation of the complaint. The purpose of the assessment is to measure the effectiveness of the actions taken and to detect and deter any acts or threats of reprisal. The SARC will also assess the victim's satisfaction with the procedures followed in the complaint process, to include timeliness, staff responsiveness, helpfulness, and resolution of the complaint. The findings of this assessment will be annotated on DA Form 7746–1 (Sexual Harassment Complaint Resolution Assessment) and maintained by the SARC under double lock and key.

b. Present findings and recommendations to the subject's brigade commander for further consideration or action within 15 calendar days (second MUTA–4 drill period for Reserve Components (RCs)) of the start of the assessment. After the brigade commander receives the SARC's findings and recommendations, the assessment is attached to the original complaint and entered into ICRS and maintained with the rest of the file.

2–18. Documentation and reporting of formal complaints

a. After the investigation is closed, the entire complaint packet will be retained by the assigned SARC.

b. Complaints will be retained on file in accordance with AR 25–400–2 for 50 years under double lock and key from the date of the final decision on the case.

c. In addition to the completed DA Form 7746 and DA Form 7746–1, the SARC will retain the following information (using the memorandum for record format) for each case:

(1) The name, grade, and organization of the individual who conducted the investigation.

(2) The complete report of investigation.

(3) The status or results of any judicial action, nonjudicial punishment, or other action taken to resolve the complaint.

2–19. Processing sexual harassment complaints from Department of the Army Civilians

a. DA civilian personnel may file complaints of sexual harassment in accordance with AR 690–600.

b. SHARP professionals approached by DA Civilians concerning a sexual harassment complaint will assist them in finding the appropriate supporting EEO office.

2–20. Complaints filed with The Inspector General

a. Complaints filed with TIG are investigated in accordance with AR 20–1.

b. Complaints of impropriety or misconduct (including criminal behavior) and complaints against senior Army officials are investigated by TIG in accordance with AR 20–1.

c. Victims who have filed sexual harassment complaints with TIG may make a confidential report to the SARC or VA to receive victim services. IG personnel will encourage victims to reach out to the SARC or VA to receive victim services and advocacy.

2–21. Acts of sexual harassment that violate the Uniform Code of Military Justice

Any act of sexual harassment and some acts of harassment may result in punitive action. Soldier victims of stalking (Article 130), wrongful broadcast or distribution of intimate visual images (Article 117a), and other sexual misconduct (Article 120c) are eligible for an expedited transfer and may be eligible for a safety move pursuant to AR 614–100 or AR 614–200.

a. Certain reports of sexual misconduct and harassment will be investigated by an Army criminal investigation office rather than an investigating officer. If an investigation reveals that an act initially reported as sexual harassment is an act of sexual misconduct or other offense under the UCMJ (for example, Article 120, Article 120c, Article 128, or Article 130), the commander will halt the investigation and refer the case to the special agent-in-charge of the supporting USACID office or other military criminal investigation organization (MCIO) or law enforcement activity, as appropriate.

b. Certain reports of sexual misconduct and harassment will be evaluated and prosecuted by the Office of Special Trial Counsel. Allegations of wrongful broadcast or distribution of intimate visual images, stalking, and other sexual misconduct fall under the exclusive authority of the Office of Special Trial Counsel. Beginning 1 January 2025, formal, substantiated acts of sexual harassment that violate Article 134, UCMJ will also fall under this exclusive authority.

c. Victims of stalking, wrongful broadcast or distribution of intimate visual images, and other sexual misconduct are eligible for SHARP services from a SARC and VA.

d. For victims of stalking, wrongful broadcast or distribution of intimate visual images, and other sexual misconduct, the SARC will explain that these offenses cannot be investigated by the commander and will be referred to the special agent-in-charge of the supporting USACID office, if the victim wants them to be investigated.

Chapter 3

Sexual Assault

3–1. Overview

a. Sexual assault is a crime. Sexual assault is intentional sexual contact characterized by use of force, threats, or 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 specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these offenses.

b. The Army will treat every reported sexual assault seriously by following proper guidelines. Mandatory reporters of sexual assault include—

(1) Commanders at all levels. Commanders are required to immediately report to the special agent-in-charge of the supporting USACID office all acts of sexual assault that they become aware of. This includes acts of sexual assault involving personnel affiliated with DoD, including Soldiers and their dependents, DoD Civilians, and DoD contractors.

(2) Anyone in the chain of command, to include supervisors, first sergeants, and senior enlisted advisors (not required to be in the victim's chain of command). All individuals in a supervisory position are required to report all acts of sexual assault of which they become aware.

(3) TRADOC instructors. This does not include United States Military Academy, Army SHARP Academy instructors, and D–SAACP certified drill instructors on appointment orders.

(4) Law enforcement, military police, and USACID agents (both on and off duty).

(5) Army Military OneSource providers.

c. Leaders will educate personnel on mandatory reporting requirements and ensure that information about the DoD Safe Helpline and other resources that can maintain a victim's confidentiality are widely publicized so that victims have avenues to discuss sexual harassment and sexual assault without triggering an investigation.

d. When a sexual assault occurs as a result of domestic violence, the SARC or VA will provide immediate crisis support, complete a safety assessment, and offer the victim a warm handoff to the installation FAP staff, as applicable.

e. Mandatory reporters have the responsibility to report to law enforcement, commander, or SARC.

3–2. Eligibility

a. Soldiers (including Delayed Entry Program participants and United States Military Academy cadets), ROTC Cadets on Title 10 orders, Family members 18 years of age and older, and DA Civilians may file a sexual assault report with a SARC or VA using DD Form 2910 or a DD Form 2910–8.

b. Soldiers who were victims of sexual assault prior to enlistment or commissioning are eligible to receive SHARP services and can elect either reporting option, regardless of when or where the sexual assault took place. This will include—

(1) Prior-to-military service sexual assault includes adult sexual assault and sexual assault that was perpetrated on Soldiers while they were still a child.

(2) Reports of prior-to-military service sexual assault will be handled in accordance with the procedures for restricted and unrestricted reports prescribed in this regulation, as appropriate based on the type of report made (restricted or unrestricted).

c. Reports and disclosures of sexual assault involving intimate partners will be referred to FAP. Victims of sexual assault committed by an unmarried intimate partner or dating partner (see AR 608–18, 10 USC 928b) may receive SHARP services when the subject is not—

(1) A former spouse.

(2) A person with whom the victim shares a child in common.

(3) A current or former intimate partner with whom the victim shares or has shared a common domicile.

3-3. Types of reporting

There are two reporting options for sexual assault: unrestricted and restricted.

a. Unrestricted reporting for military and military dependents (18 years and older).

(1) Unrestricted reporting requires an investigation and command notification and allows a person who reports sexual assault to access healthcare treatment and the assignment of a SARC and a VA. When a sexual assault is reported through unrestricted reporting, a SARC will be notified, respond, or assign a VA to respond, offer the victim healthcare treatment, offer an optional SAFE, inform the victim of available resources, and explain the contents of DD Form 2910. If the victim elects the unrestricted reporting option, a victim may not change their report to a restricted report. When the unrestricted option is elected, the completed DD Form 2701 (Initial Information for Victims and Witnesses of Crime) will be distributed to the victim by USACID agents. These forms provide victims their rights and points of contact to assist them through the process.

(2) The victim will have access to healthcare treatment, SAFE, counseling, advocacy support, victim assistance and consideration for protection orders, and expedited transfers. If the victim chooses to file an unrestricted report, the SARC, victim's chain of command, and law enforcement will be notified that a sexual assault was reported. All unrestricted reports, with the exception of those filed by USAR Soldiers, will be referred to the special agent in charge of the supporting USACID office, regardless of severity. USAR SARCs will contact appropriate state or local law enforcement organizations.

(3) The assigned VA will prepare a "Victim's Commander's Package" using the DOD SAPRO standardized template and with the victim's consent as to the contents. The "Victim's Commander's Package" will contain recommendations provided to the victim's commander for the victim's immediate and ongoing care, to include any known safety concerns or retaliation. The SARC will relay "Victim's Commander's Package" to the commander within 24 hours of a victim signing a DD Form 2910. The commander must review the "Victim's Commander's Package" and either approve or disapprove the package in writing. If the commander does not agree with all or some of the recommendations in the "Victim's Commander's Package," the SARC will collaborate with the commander to consider other options to gain approval. If consensus cannot be reached, the SARC will forward the "Victim's Commander's Package" to the next general officer in the chain of command for review and appropriate action. If approved, the victim's commander will sign the package.

(a) Upon receipt of an unrestricted report of sexual assault, the SARC will contact the special agent-in-charge of the supporting USACID office immediately.

(b) The SARC will inform the senior commander and first O-5 in the victim's chain of command within 24 hours of receiving an unrestricted report of sexual assault.

(c) The SARC will enter the unrestricted report into DSAID and inform the lead SARC and supervisory SARC within 48 hours of receiving an unrestricted report.

(4) A commander who receives an unrestricted report of a sexual assault will immediately refer the matter to the SARC and the special agent in charge of the supporting USACID office.

(5) If a supervisor of a Soldier becomes aware of a sexual assault involving a Soldier, the supervisor is required to inform the Soldier's commander immediately.

(6) If a victim is assessed to be high risk, the SARC will immediately contact the senior commander, who will stand up a HRRT.

b. Unrestricted reporting for Department of the Army Civilians.

(1) DA Civilians authorized to file an unrestricted report of adult sexual assault with the Army pursuant to the provisions of this regulation.

(2) The authorization for a DA Civilian to file an unrestricted report does not confer any additional benefits or entitlements beyond that which is contained in paragraph 3-3b, or as provided in DoDM 1000.13, Vol. 2.

(3) DA Civilians who report experiencing adult sexual assault shall be offered the assistance of a SARC and VA to assist with filing a restricted report, immediate crisis intervention, and referral to available resources.

(4) DA Civilians may be provided victim assistance through the Army SHARP Program if available, or through other available resources, including advocacy, support, and referrals available through workplace violence prevention and response programs in accordance with DoDI 1438.06 and DoD policy.

(5) If a DA Civilian files an unrestricted report, law enforcement will be notified. In addition, the victim's commander, or civilian supervisor and the OSTC concerned will be notified of the sexual assault report.

(6) Army personnel will comply with collective bargaining obligations, as applicable.

(7) Disclosure of an adult sexual assault incident to a union representative does not constitute an official report of sexual assault to the SHARP Program. Additionally, union representatives who are not credentialed SARCs or VAs are not authorized to accept an unrestricted report of sexual assault.

(8) Unrestricted reporting procedures.

(a) DA Civilians who are not adult dependents of a Service member or a member of a Service's Reserve Component who elect to file a report of sexual assault through the Army SHARP Program will use DD Form 2910–8 (Reporting Preference for DoD Civilian Employees to Report Sexual Assault).

(b) If the sexual assault victim is a DA Civilian who is also an adult military dependent or a member of a Service's Reserve Component eligible for DoD sexual assault and response services, the victim will only use the DD Form 2910 to file a report and will not file a DD Form 2910–8, because their status as a military dependent or Reserve Component member may make them eligible for additional services. A victim would never file both forms.

(c) The DD Form 2910–8 report does not confer any additional entitlements to civilian employment for which DoD civilian employees are not otherwise entitled.

(9) Filing an unrestricted report through the SHARP Program does not toll or otherwise supersede timeframes established by law or regulation pertaining to federal employment programs.

(10) The supporting CPAC or human resources office can provide assistance with employment questions.

(11) Allegations of retaliation by DA Civilians will be made through existing programs and procedures independent of the SHARP Program.

(a) The SHARP Program does not accept retaliation allegations from DA Civilian employees.

(b) DA Civilians who believe they are experiencing retaliation should consult with the Army Equal Opportunity Office, Inspector General's Office, or human resources office.

(12) The DD Form 2910–8 will be retained for 50 years for sexual assault reports involving a Service member.

c. Restricted reporting for Soldiers and active-duty dependents (18 years and older).

(1) Restricted reporting does not trigger an investigation. The senior commander is notified that a sexual assault has been reported but is not given the victim's name or other personally identifying information. Restricted reporting, through the filing of DD Form 2910, allows Soldiers and Family members 18 years of age and older to confidentially disclose sexual assault to specified individuals (that is, a SARC, VA, and healthcare personnel) and receive healthcare treatment, a SAFE, counseling, and the assignment of a SARC and VA for advocacy services. If a victim elects this reporting option, they may convert a restricted report to an unrestricted report at any time. Converting to an unrestricted report requires a signature by both the victim and SARC or VA in the appropriate block on DD Form 2910.

(2) A victim can disclose a sexual assault report to a SARC, VA, or healthcare professional without losing the option to file a restricted report.

(3) If the victim tells someone outside of the restricted reporting chain (for example, a friend, Family member, roommate, or others), the victim can still elect to submit a restricted report.

(4) For restricted reporting, a victim may disclose information to healthcare personnel; however, a SARC or VA will explain reporting options and complete DD Form 2910 with the victim.

(a) If the victim chooses the restricted reporting option, the SHARP VA will provide information to the SARC, who will in turn, for the purposes of public safety and command responsibility, report the sexual assault, without information that could reasonably lead to personal identification of the victim, to the senior commander within 24 hours from the time the victim signed DD Form 2910. No other notification to any other commander will take place.

(b) The SARC will enter the restricted report into DSAID and inform the lead SARC within 48 hours of receiving a restricted report.

(5) Unless DD Form 2910 is filed with a SARC or VA, a report to a chaplain or SVC will not result in the rendering of SHARP services. A victim should be advised to consult with a SARC to understand the full scope of services available.

d. Restricted reporting for Department of Army Civilians.

(1) DA Civilians are authorized to file a restricted report of adult sexual assault with the Army pursuant to the provisions of this regulation.

(2) The authorization for a DA Civilian to file a restricted report does not confer any additional benefits or entitlements beyond that which is contained in paragraph 3–3d, or as provided in DoDM 1000.13, Vol. 2.

(3) DA Civilians who report experiencing adult sexual assault shall be offered the assistance of a SARC and a VA to assist with filing a restricted report, immediate crisis intervention, and referral to available resources.

(4) DA Civilians may be provided victim assistance through the Army SHARP Program if available, or through other available resources, including advocacy, support, and referrals available through workplace violence prevention and response programs in accordance with DoDI 1438.06 and DoD policy.

(5) DA Civilians who are not adult dependents of a Service member or a member of a Service's Reserve Component who elect to file a report of sexual assault through the Army SHARP Program will use DD Form 2910–8 (Reporting Preference for DoD Civilian Employees to Report Sexual Assault).

(a) If the sexual assault victim is a DA Civilian who is also an adult military dependent or a member of a Service's Reserve Component eligible for DoD sexual assault and response services, the victim will only use the DD Form 2910 to file a report and will not file a DD Form 2910–8, because their status as a military dependent or Reserve Component member may make them eligible for additional services. A victim would never file both forms.

(b) The DD Form 2910–8 report does not confer any additional entitlements to civilian employment for which DoD civilian employees are not otherwise entitled.

(6) Army personnel will comply with collective bargaining obligations, as applicable.

(7) Disclosure of an adult sexual assault incident to a union representative does not constitute an official report of sexual assault to the SHARP Program. Additionally, union representatives who are not credentialed SARCs or VAs are not authorized to accept a restricted report of sexual assault.

(8) Filing a restricted report through the SHARP Program does not toll or otherwise supersede timeframes established by law or regulation pertaining to federal employment programs.

(9) The receipt of a restricted report by a SARC or VA will not be construed as imputing actual or constructive knowledge of an alleged incident of sexual assault to the DoD or the Department of the Army for any purpose.

(10) Allegations of retaliation by DA Civilians will be made through existing programs and procedures independent of the SHARP Program.

(a) The SHARP Program does not accept retaliation allegations from DA Civilians.

(b) DA Civilians who believe they are experiencing retaliation should consult with the Army Equal Employment Opportunity Office, Inspector General's Office, or human resources office.

(11) The DD Form 2910–8 will be retained for 50 years for sexual assault reports involving a Service member.

3–4. Expanded eligibility to elect the option of a restricted report on DD Forms 2910 and 2910–8

a. Soldiers and their Family members who are 18 years of age and older who are victims of sexual assault unrelated to domestic abuse or domestic violence are eligible to a restricted report, provided they did not personally report the sexual assault to law enforcement, to include the USACID, and did not previously make an unrestricted report by signing a DD Form 2910 or a DD Form 2910–8 with a SARC or VA for the same sexual assault. Eligible victims may elect the option of a restricted report on a DD Form 2910 or a DD Form 2910–8 even if—

(1) The sexual assault was inadvertently or previously disclosed to a commander or to personnel in the chain of command by the victim, subject, or third party.

(2) There is an ongoing MCIO investigation of the sexual assault reported by a third party and not due to the victim's disclosure to law enforcement.

(3) The MCIO investigation into the sexual assault is closed.

b. A commander retains their duty pursuant to law, DoD policy, and this regulation to immediately contact the supporting USACID office upon being notified of a sexual assault, whether or not the sexual assault victim or subject is in the commander's own chain of command. The policy, which expands the eligibility of a victim to elect a restricted report, does not relieve the commander of the statutory requirement to inform the special agent-in-charge of the supporting USACID office when the commander is made aware of a sexual assault.

c. Commanders and personnel in the chain of command will encourage individuals who disclose or report experiencing a sexual assault to meet with a SARC or VA.

d. Commanders and personnel in the chain of command will inform the individual disclosing the sexual assault of their respective reporting requirements, including notifying the SARC and special agent-in-charge of the supporting USACID office. Commanders will also inform the victim that this action has no

impact on the victim electing the option of a restricted or unrestricted report nor does it require the victim to participate in the investigation.

e. Expanded eligibility allows for victims to elect the option of restricted reporting on DD Form 2910 when victims disclose their sexual assault to another person.

(1) A victim's communication with another person (for example, a roommate, friend, or Family member) does not, in and of itself, prevent the victim from later electing to make a restricted report. Restricted reporting is confidential, not anonymous, reporting.

(2) A victim may disclose a sexual assault to someone in their chain of command without realizing that, as a result of doing so, personnel in the chain of command are required to immediately notify the commander and the commander is required to notify the special agent-in-charge of the supporting USACID office. In this circumstance, while a victim may still elect to file a restricted report, such an election does not preclude the initiation of an investigation into the sexual assault.

f. Expanded eligibility allows victims to elect the option of restricted reporting when there is an independent investigation.

(1) An independent investigation by a USACID agent will not preclude the victim from being eligible to file a restricted report. If there is an ongoing investigation of a sexual assault and a USACID agent notifies the SARC of the investigation before the victim makes a restricted report, the victim is still eligible to file a restricted report. Even though the restricted report does not directly impact the status of the investigation, the restricted report provides the victim with a level of privacy.

(2) Commanders, leaders, and civilian supervisors, once they know about the restricted report status of the victim, and unless an exception to restricted reporting applies (see DoDI 6495.02, Vol. 1), will not ask the SARC or VA about the restricted report.

(3) Commanders, leaders, and supervisors will not speak to the victim about the reported sexual assault.

(4) SARCs and VAs will provide services as they would for any other restricted report, even if the victim's commander is aware of the sexual assault. If a Soldier files a restricted report of sexual assault and requests an expedited transfer, the Soldier must affirmatively change their reporting option to unrestricted reporting on the DD Form 2910 in order to be eligible for an expedited transfer. Adult military dependent sexual assault victims are eligible to request expedited transfers if the victim filed an unrestricted report through a DD Form 2910 in accordance with this regulation. Commander's issue MPOs for unrestricted reporting cases only.

(5) Victims retain eligibility for a restricted report after the investigation has closed to facilitate access to SHARP advocacy services. After filing a restricted report, victims will receive the completed DD Form 2910 to file with the Department of Veterans Affairs as documentation of their sexual assault report when seeking healthcare services or filing a disability claim.

3-5. Confidentiality policy for restricted and unrestricted reporting

This paragraph establishes the Army's policy for restricted and unrestricted reporting by victims of sexual assault.

a. The Army is committed to ensuring victims of sexual assault are protected; treated with dignity and respect; and provided support, advocacy, compassion, and care. Army policy strongly supports effective command awareness and prevention programs and law enforcement and criminal justice activities that will maximize accountability and prosecution of sexual assault perpetrators.

b. Protecting privacy and providing a confidential disclosure option for sexual assault victims is critical to discharging our commitment to treating victims with care and compassion and respect for their dignity and privacy. Sexual assault is one of the most under-reported violent crimes in our society and the military. Although the victim's decision to report is a crucial step following a sexual assault, reporting is often precluded by the victim's desire for no one to know what happened. Commanders have a responsibility to ensure community safety and due process of law, but they will also recognize the importance of protecting the privacy of victims under their command. Subject matter experts agree that a system that promotes privacy and confidentiality can have a positive impact in bringing victims forward to provide information about being sexually assaulted.

c. Confidentiality for victims is a fundamental principle at the core of victims' services and one of the cornerstones of the SHARP Program. Preventing the release of information regarding their victimization preserves a victim's dignity, empowers victims, and establishes trust between victims and the SHARP Program. Regardless of a victim's choice in how they report, either restricted or unrestricted, victims'

communication will be confidential and released only on an official need-to-know basis. All CCIRs will not include victim PII.

d. Restricted reporting allows a sexual assault victim to confidentially disclose the details of their assault to specifically identified individuals and receive healthcare treatment and counseling without triggering the official investigative process. Restricted reporting is intended to give victims additional time and increased control over the release and management of their personal information and to empower them to seek relevant information and support to make more informed decisions about participating in the criminal investigation. A victim who receives appropriate care and treatment and is provided an opportunity to make an informed decision about participating in the criminal investigation is more likely to develop increased trust that their needs are of primary concern to the command and may eventually decide to pursue an investigation. Even if the victim chooses not to pursue a criminal investigation, this additional reporting avenue gives commanders a clearer picture of the sexual violence within their command and enhances a commander's ability to provide an environment that is safe and contributes to the well-being and mission readiness of all its members. A Soldier or Family member (18 years and older) or DA Civilian who is sexually assaulted and desires medical care, counseling, and victim advocacy without initiating the investigative process should use the restricted reporting option.

e. Details regarding the sexual assault will be limited to only those personnel who have an official need-to-know, or as required by law or regulation. Specific personnel with an official need-to-know include those involved in the sexual assault investigation, when necessary for the Disability Evaluation System to render a fitness for duty or disability determination, and those necessary for ensuring the victim's care.

f. Whether the victim elects restricted or unrestricted reporting, confidentiality of medical information is maintained in accordance with the Privacy Act of 1974 and other applicable laws and regulations.

g. If information about a sexual assault is disclosed to the commander from a source independent of the restricted reporting avenues or to law enforcement from other sources, the commander will report the information to the special agent in charge of the supporting USACID office and the special agent in charge of the supporting USACID office is authorized to initiate an independent investigation of the sexual assault. In these cases, SHARP professionals are prevented from disclosing confidential communications under restricted reporting, unless an exception applies.

h. A victim's disclosure of their sexual assault to persons outside the chain of command may result in an investigation of the sexual assault. SHARP professionals will not disclose covered communications, including the existence of a restricted report or prior contact with the victim, unless and until the victim authorizes the disclosure in writing or another exception applies.

i. Disclosing covered communications, improper release of medical information, and other violations are prohibited and may result in discipline under the UCMJ, loss of certification, or other adverse personnel or administrative actions.

(1) The special agent in charge of the supporting USACID office remains authorized to initiate its own independent investigation. Additionally, a victim's disclosure of their sexual assault to personnel who are not authorized to receive a restricted report may result in an investigation of the disclosure.

(2) Restricted reporting does not create any actionable rights for the subject or the victim or constitute a grant of immunity for any actionable conduct by the offender or the victim. Covered communications that have been disclosed may be used in disciplinary proceedings against the offender or the victim, even if such communications were improperly disclosed.

3-6. Required notifications

To ensure unrestricted reports of sexual assault are properly investigated and that resources are sufficiently allocated for victim assistance, the victim's brigade commander will—

a. Submit a CCIR with the limited or redacted information prescribed in paragraphs 8-10 and 8-11 to maintain the dignity and privacy of those involved to the senior commander within 24 hours of receiving the sexual assault report notification. Ensure that no victim PII is included.

b. Ensure the victim's commander provides the victim monthly updates regarding the status of the sexual assault investigation from the date the investigation was initiated until there is a final disposition of the case and initiates follow-up with the victim within 45 calendar days after disposition of the case.

c. Ensure immediate commanders submit the SAIRO report in accordance with paragraph 3-12 and that no victim PII is included.

3–7. Commanders' actions upon notification of an unrestricted report of sexual assault

Commanders have significant leadership responsibility for actions after a report of sexual assault. Commanders will ensure the following actions are taken in response to an unrestricted report of sexual assault:

- a. Ensure the immediate physical safety of the victim. Determine if the subject is still nearby and if the victim needs protection.
- b. Ensure the victim receives timely access to medical care, to include a SAFE, post-exposure prophylaxis, and mental healthcare. Sexual assault victims will be given priority and treated as emergency cases by commanders.
- c. Notify the SARC, the special agent-in-charge of the supporting USACID office or appropriate law enforcement, and the appropriate OSTC as soon as the victim's immediate safety is ensured.
- d. Advise the victim of the need to preserve evidence (for example, by not bathing, showering, or washing clothing).
- e. If needed, assist with, or provide immediate military transportation for the victim to the hospital or other appropriate treatment facility.
- f. Ask if the victim needs a support person (for example, a friend or Family member, VA, or chaplain) to immediately join the victim. Ensure the victim understands the availability of victim advocacy and assistance as well as the benefits of accepting advocacy and support.
- g. Notify the chaplain if the victim requests spiritual counseling or assistance.
- h. Inform the victim of their right to an SVC.
- i. Notify the special agent-in-charge of the supporting USACID office (see AR 195–2), the supporting legal office, the appropriate OSTC, and commanders in the chain of command (as appropriate) within 24 hours as soon as the victim's safety is established, and victim's medical treatment procedures are in motion.
 - (1) Strictly limit the details regarding the sexual assault to only those personnel who have an official need-to-know, specifically, those who are involved in the investigation or ensuring the victim's safety and care.
 - (2) Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except by those personnel with an official need-to-know, including the USACID investigators and trial counsel, or as required by law or regulation.
 - (3) Collect only the necessary information (for example, victim's identity, location and time of the sexual assault, and name or description of subjects). Do not ask detailed questions or pressure the victim for responses.
 - (4) Do not conduct AR 15–6 investigations or commander inquiries to determine if a sexual assault occurred.
 - (5) Collaborate closely with the SARC, legal, medical, chaplain offices, and other service providers to ensure timely, coordinated, and appropriate responses to sexual assault issues and concerns.
- j. Ensure the victim is made aware of the USACID investigation and encouraged to exercise their options during each phase of the medical, investigative, and legal processes.
- k. Ensure the victims and witnesses know their rights and receive a completed DD Form 2701 in accordance with AR 27–10.
- l. Provide emotional support to the victim, including—
 - (1) Throughout the investigation, consult with the victim and, to the extent practicable, accommodate the victim's wishes regarding safety, health, and security, as long as neither a critical mission nor a full and complete investigation is compromised.
 - (2) Listen to and support the victim. Be available in the weeks and months following the sexual assault and assure the victim that they can rely on the commander's support.
 - (3) Emphasize to the victim the availability of additional avenues of support. Refer to available counseling resources and other victim services.
 - (4) Ensure that victims of sexual assault receive sensitive care and support and do not experience secondary victimization as a result of making a report.
 - (5) As appropriate, refer the victim's Family to available resources (that is, counseling, information, and medical care).
 - (6) Continue to monitor the victim's well-being, particularly if there are any indications of suicidal ideation, and ensure appropriate intervention occurs as needed.
- m. Ensure the continued safety of the victim.

(1) Confirm that a safety assessment has been conducted for sexual assault victims who filed an unrestricted report. Instruct the SARC to facilitate additional safety monitoring or assessments, as needed.

(2) If needed, confer with victim's healthcare providers, and based on their recommendation, determine the need for other administrative or convalescent leave options in accordance with AR 600–8–10.

(3) Brigade commanders will issue an MPO if the victim is in fear for their safety, no later than 6 hours, particularly if the victim and the subject are assigned to the same command, unit, duty location, or living quarters. Coordination with other commanders may be necessary if the subject is assigned to a different commander. MPOs are an effective tool for commanders to maintain the safety of victims and witnesses. See AR 190–45 for Army policy governing use of DD Form 2873, including documentation, initial notification, and civilian-authority notification, and compliance with CPOs on Army installations. Commanders will—

(4) Ensure that any threat to life or safety of a victim is immediately reported to the commander and special agent-in-charge of the supporting USACID office and a request to transfer the victim under these circumstances will be handled in accordance with AR 614–100 and AR 614–200. In addition, inform the victim that the MPO is not enforceable by civilian authorities off-post. Advise victims who want additional protection to seek a TRO or CPO.

n. Commanders will make every reasonable effort to minimize disruption to the normal career progression of a Soldier who reports that they are a victim of a sexual assault. Commanders must communicate with victims regarding any decisions made about the victim's career or future duties after a report of sexual assault is made. Commanders must explain to Soldier victims who report a sexual assault or sought mental health treatment for sexual assault that they have the opportunity to discuss with a GO issue related to their military career that the victim believes are associated with the sexual assault.

o. Protect the victim's legal rights.

(1) Inform the victim of their right to confer with an SVC.

(2) Inform the victim of their right to request an expedited transfer.

(3) Inform the victim of the resources available through the Victim/Witness Assistance Program (see AR 27–10).

(4) Ensure the victim understands the availability of other referral organizations staffed with personnel who can explain the medical, investigative, and legal processes and advise the victim of their victim support rights.

(5) Remind personnel that discussion of a sexual assault might compromise an ensuing investigation.

(6) Ensure Soldiers or their Family members are not retaliated against for reporting sexual assault.

(7) Require that witnesses, bystanders who intervened, SARCs, VAs, responders, and other individuals associated with the reported sexual assault are not retaliated against because of their involvement with the victim's unrestricted report of sexual assault.

(8) Discourage Soldiers from participating in gossip or speculation about the case or investigation.

(9) Advise those who may have knowledge of the events leading up to or surrounding the sexual assault to fully cooperate with any investigation involved.

(10) Continuously monitor the unit's overall climate to ensure that neither the victim nor the subject is being ostracized. Take actions to prevent organizational splintering.

p. Commanders of subjects of sexual assault investigations will ensure the following actions are taken in response to an unrestricted report of sexual assault:

(1) Notify the special agent-in-charge of the supporting USACID office or law enforcement activity and SARC immediately after receiving a report of a sexual assault. Do not conduct any independent investigations of sexual assault reports.

(2) Avoid questioning the subject about the sexual assault, to the extent possible, because doing so may jeopardize the criminal investigation. However, if questioning does occur, advise the Soldier of their rights under Article 31, UCMJ.

(3) Contact the supporting legal office for guidance.

(4) No later than 6 hours after determining an MPO is warranted (such as the presence of a threat of physical harm), the first O–6 in the subject's chain of command will ensure that the subject's commander fills out DD Form 2873, provides the victim and the Soldier subject with copies of the completed form, and submits it to the installation Directorate of Emergency Services or PMO.

(5) Safeguard the subject's rights and preserve the integrity of a full and complete investigation, including limitations on any formal or informal investigative interviews or inquiries by personnel other than by those with an official need-to-know.

- (6) Strictly limit information pertinent to an investigation to those who have an official need-to-know.
 - (7) Ensure procedures are in place to inform the subject about available counseling support. As appropriate, refer the subject to available counseling resources and other services.
 - (8) Consult with the SARC, supporting legal advisor, or the investigating officer to determine the need for an MPO. See AR 190–45 for Army policy governing use of DD Form 2873.
 - (9) Monitor the well-being of the subject, particularly for any indications of suicidal ideation and homicidal tendencies, and ensure appropriate intervention occurs if indicated.
 - (10) Flag (suspend favorable personnel actions) any Soldier under charges, restraint, or investigation for sexual assault in accordance with AR 600–8–2 and suspend the Soldier’s security clearance in accordance with AR 380–67.
 - (11) If the subject is a foreign national or from a coalition force, consult with the supporting legal advisor on responsibilities, options, and victims’ rights.
 - (12) Advise those who may have knowledge of the events leading up to or surrounding the sexual assault to fully cooperate with any investigation.
 - (13) Continuously monitor the unit’s overall climate to ensure that neither the victim nor the subject is being ostracized.
 - (14) Take actions to maintain good order and discipline.
 - (15) Ensure procedures are in place to inform the subject, as appropriate, about the investigative and legal processes that may be involved. Ensure the subject is provided the opportunity to contact Trial Defense Services.
- q. If a commander becomes aware of a sexual assault, by any means, but the victim has not had the opportunity to elect a restricted reporting option using DD Form 2910 or DD Form 2910–8, the commander will—
- (1) Ensure the immediate physical safety of the victim and determine if the subject is still nearby and if the victim needs protection.
 - (2) Ensure the victim receives timely access to medical care, to include a SAFE, post-exposure prophylaxis, and mental healthcare. Sexual assault victims will be given priority and treated as emergency cases by commanders.
 - (3) Notify the SARC and special agent-in-charge of the supporting USACID office or appropriate law enforcement as soon as the victim’s immediate safety is ensured.
 - (4) Advise the victim of the need to preserve evidence (for example, by not bathing, showering, or washing clothing).
 - (5) If needed, assist with, or provide immediate military transportation for the victim to the hospital or other appropriate treatment facility.
 - (6) Ask if the victim needs a support person (for example, a friend or Family member, VA, or chaplain) to immediately join them. Ensure the victim understands the availability of victim advocacy and the benefits of accepting advocacy and support.
 - (7) Notify the chaplain if the victim requests spiritual counseling or assistance.
 - (8) Inform the victim of their right to an SVC.
 - (9) Notify the special agent-in-charge of the supporting USACID office (see AR 195–2), the supporting legal office, and commanders in the chain of command (as appropriate) within 24 hours as soon as the victim’s safety is established, and victim’s medical treatment procedures are in motion.
 - (10) Strictly limit the details regarding the sexual assault to only those personnel who have an official need-to-know, specifically, those who are involved in the investigation or in ensuring the victim’s safety and care.
 - (11) Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except by those personnel who may have a need-to-know, including the USACID investigators and trial counsel.
 - (12) Collect only the necessary information (for example, victim’s identity, location and time of the sexual assault, and name and description of offenders). Do not ask detailed questions or pressure the victim for responses.
 - (13) Sexual assault will be treated as a medical emergency, whether the victim has made an unrestricted report, a restricted report, or no report at all.

3–8. Catch a Serial Offender Program

a. The CATCH Program is voluntary and allows an eligible adult sexual assault victim to submit an anonymous entry into the CATCH database to discover if the suspect in their report may have also assaulted another person (that is, a potential match in the CATCH website). Eligible adult sexual assault victims include those who file or have already filed a restricted report with a DD Form 2910, those who have filed an unrestricted report but have not disclosed the subject's name to law enforcement, and those you have decided not to file any official report, using a DD Form 2910–4 (Catch a Serial Offender (CATCH) Program Explanation and Notification Form for SAPR Related Inquiry (SRI) CATCH Entries), and entered as a SAPR Related Inquiry. If notified of a potential match, the restricted reporting victim can decide whether to convert to an unrestricted report and participate in the investigation. A restricted report will not be converted based on the information provided to the CATCH Program without the victim's written permission on a revised DD Form 2910.

(1) The SARC or VA assisting the victim in understanding their reporting options will use "CATCH Program Talking Points for SARCs," available at <https://www.sapr.mil/catch>.

(2) The SARC or VA assisting the victim in understanding their reporting options will not deviate from the talking points.

b. If a victim wishes to participate in the program, the SARC will provide the victim with an access password to the CATCH system. The victim can enter as much information about their assailant as they wish.

(1) The CATCH entry will remain active for 10 years (see DoDI 6495.02, Vol. 1).

(2) Victims who have legal questions regarding the CATCH Program may contact their SVC.

c. The Director, SHARP Program will use the information provided by the USACID to contact the SARC assigned to the victim who made the CATCH entry and inform them that the entry has a potential match.

d. The SARC will contact the victim and alert them that there has been a potential match.

(1) The victim can decide to change their reporting option from restricted to unrestricted or, if they initially filed an unrestricted report or a DD Form 2910–4, they could decide whether they now want to participate in the investigation. The victim will meet with the SARC to sign the original DD Form 2910 or DD Form 2910–8 indicating their change in reporting option or decision to participate in the investigation. The SARC will contact the special agent-in-charge of the supporting USACID office and the victim's brigade commander, and an investigation will be initiated.

(2) The victim can choose not to participate in an investigation and request that they not be contacted again if there is another match.

(3) The victim can choose not to participate in an investigation but agree to remain in the CATCH Program and be contacted again if there is another match.

e. There will be no adverse consequences for the victim if they choose not to participate.

f. Participation in the CATCH Program is voluntary. The victim may opt out at any time.

(1) Information received via the CATCH Program will not trigger an investigation unless the victim of the reported sexual assault agrees to convert their report from restricted to unrestricted or if originally an unrestricted report or 2910–4, the victim now agrees to participate in the investigation.

(2) If the victim of the sexual assault converts their report to an unrestricted report, the USACID investigation proceeds in accordance with DoDI 5505.18.

g. For the CATCH Program—

(1) Page 3 of the new DD Form 2910 requests information regarding the victim's knowledge of the CATCH Program in Section 11 and provides a notification to the victims after a potential match in the CATCH system.

(2) The victim can choose to participate in the investigation. The SARC will refer the victim to an SVC. The victim may opt out of the CATCH Program at any point following notification.

(3) Entries into the CATCH system are active for 10 years. This means that a victim could be contacted at any time within 10 years if there is a potential match in the CATCH system.

(4) Victims who want to opt into submitting a FAP-related CATCH entry shall do so through FAP personnel.

3–9. Safe to Report

The Safe to Report policy prescribes the handling of alleged minor collateral misconduct involving a Soldier or cadet of the United States Military Academy who is the victim of sexual assault, regardless of who

receives the victim's report of sexual assault or whether the investigation or prosecution is handled by military or civilian authorities. See AR 27–10 for Army implementation of the Safe to Report policy.

3–10. Sexual Assault Review Board

a. The Army identifies the SAPR Case Management Group as the SARB and considers it the equivalent for policy and execution purposes (see DoDD 6495.01 and DoDI 6495.02, Volume 1).

b. This paragraph pertains to the SARB at installation level and in deployed environments. In a deployed environment, the SARB will be convened by the brigade commander or higher-level commander as appropriate and follow the same format as the installation SARB.

c. The SARB provides executive oversight, procedural guidance, and feedback to ensure victims' physical, emotional, psychological, and spiritual needs are provided for; their rights are protected; and recovery is facilitated. To ensure the SARB remains victim-centric, subjects will not be discussed at the SARB except when retaliatory behavior is being reported or the safety of the victim is being discussed.

d. The SARB has three separate and mutually supporting purposes—

(1) Safety: To ensure the victim's safety and the safety of retaliation reporters. Safety concerns encompass harm from others and harm to self (for example, suicidal ideation).

(2) Victim services and retaliation reporter referrals: To facilitate victim access to restorative services, retaliation reporter referrals, and tracking of unrestricted reports and retaliation related to unrestricted reports.

(3) System coordination and accountability: To direct effective response system coordination and ensure appropriate accountability.

e. The senior commander or commander of a USAR RD is responsible for the SARB and serves at the SARB Chair and will convene this multidisciplinary board monthly. This responsibility cannot be further delegated than the deputy SC. The SARB will consist of the following professionals:

(1) Lead SARC (Co-chair).

(2) Victim's commander. This should be the commander who has direct contact and the most information about the victim.

(a) If the victim's commander is a GO (for example, the victim serves on the GO's staff) with conflicting operational requirements and travel commitments, the GO may designate a military staff member at the O–6 level (or above, as appropriate) with prior experience as a commander to attend the SARB as the GO's representative. This does not apply in cases where the GO representative is a subject of the investigation, either of the sexual assault, retaliation, or reprisal complaint being discussed at the SARB.

(b) GOs will provide designations in writing to the SARB Chair and will require the designated GO representative to closely follow the progress of victims in their command and SHARP cases.

(c) All written designations will be documented in the SARB minutes.

(d) The designation of an alternate does not absolve the GO of their responsibility to provide updates to the victim within 72 hours of the SARB's completion.

(3) All SARCs assigned to the installation, whether they are assigned to a case being discussed or not.

(4) VA, if assigned to a case being discussed.

(5) USACID representative who has detailed knowledge of the case.

(6) Legal representative or SJA.

(7) Victim witness liaison assigned to the case or the civilian victim witness liaison.

(8) SVC.

(9) Provost marshal or representative and law enforcement (military or civilian police services).

(10) Chaplain.

(11) Installation personnel who are not assigned, attached, detailed to, or performing duty at an MTF or other DHA facility, designated by the senior commander, who are trained and able to perform a safety assessment of each sexual assault victim.

f. The senior commander will invite the forensic healthcare program care coordinator (FHP–CC), forensic healthcare PM, and the Chief of Behavioral Health to attend. Additional personnel (such as representatives from the Army's Substance Use Disorder Care) may be invited to the SARB at the discretion of the SARB Chair if those persons are directly involved in a victim's care (service providers).

g. The Lead SARC will ensure only required personnel approved by the SARB Chair attend the SARB. The Lead SARC will also ensure—

(1) If the installation is a joint base or if the installation has tenant commands, the commander of the tenant organization and the designated lead SARC will be invited to SARB meetings. The commander of

the tenant organization will provide appropriate information to the joint base commander to enable them to provide the necessary supporting services.

(2) If all members of the SVIP are present at the SARB, the SARB will satisfy the minimum requirement of a monthly meeting to assess progress in the investigation or prosecution of a sexual assault and to help ensure all victims' needs are being met, in accordance with DoDI 5505.19.

(3) In those instances where the senior commander does not possess administrative or operational authority over a tenant commander, the tenant commander is required to adhere to the SARB policy mandates established in this policy. Specifically, a tenant commander is charged to address systemic issues brought to their attention related to the care and support of a victim within their command. In addition, the tenant commander is required to address any reports of retaliation, reprisal, ostracism, or maltreatment experienced by the victim, victim's Family members, witnesses, bystanders who intervened, and responders within their command. The tenant commander will report status updates to the SARB Chair until the victim's case is closed and until the retaliation has been appropriately addressed.

h. Lead SARC will ensure all SARB members complete annual SARB training.

i. SARB responsibilities.

(1) *All Sexual Assault Review Board members.* All SARB members will—

(a) Monitor the victim's case while ensuring the victim's privacy and confidentiality. Only personnel with official need-to-know will have the case number and details of the sexual assault. Victims and their cases will be treated with care and compassion.

(b) Carefully consider and implement immediate, short-term, and long-term measures to help facilitate and assure the victim's emotional and physical safety and their recovery.

(c) Participate in training as required.

(d) Determine SHARP training needs of each unit or tenant agency by monitoring each unrestricted report of sexual assault, noting deficiencies in processes and procedures for preventing or responding to sexual assault

(e) Work to ensure that victim services and advocacy are provided in a timely manner.

(f) Provide verbal updates for cases in which they have direct involvement without violating victim confidentiality or disclosing privileged communications.

(2) *Sexual Assault Review Board chair.* The senior commander or commander of a USAR RD will chair the SARB and will—

(a) Convene SARB meetings at least monthly to review cases arising from unrestricted reports of sexual assault. If there are no cases to review in a given month, the SARB will still meet to ensure training, processes, and procedures are in place for effective system coordination.

(b) Provide SARB findings through appropriate installation chains of command, noting deficiencies in processes and procedures for preventing or responding to sexual assault.

(c) Implement process improvements to ensure system accountability and an effective victim services program.

(d) Ensure service providers and first responders are receiving appropriate SARB training and have the necessary resources to provide effective victim response.

(e) Confirm that a Victim's Commander's Package was approved for each unrestricted report.

(f) Conduct monthly victim updates.

(g) Ensure SARCs and VAs actively participate in each SARB by presenting updates verbally. Updates will be completed without violating victim's confidentiality or disclosing protected communications.

(h) Ensure brigade-equivalent commanders (O-6) of subjects of sexual assault investigations provide all disposition information in writing, to include any administrative or judicial action taken, stemming from the sexual assault investigation to the special agent in charge of the supporting USACID office.

(i) Ensure that the appropriate paperwork is submitted for each case disposition within 24 hours. This information will then be entered into DSAID by the victim's assigned SARC.

(j) Ensure that the victim is informed of all case dispositions, including those disposed of by nonjudicial punishment, within 2 business days of the final disposition decision.

(k) Inquire if any victim, member of the victim's Family, witnesses, bystanders who intervened, responders, or other parties have experienced any form of retaliation, reprisal, ostracism, or maltreatment while working on the case. If any retaliatory behavior is reported, the lieutenant colonel or O-5 or higher commander of the victim of the retaliatory behavior will address the retaliatory behavior with the SARB Chair. Retaliation reports connected to Unrestricted reports of sexual assault discussed at the SARB will be annotated on DD Form 2910-2 (Retaliation Reporting Statement for Unrestricted Sexual Assault

Cases) and addressed in accordance with chapter 9 of this regulation. Retaliation, reprisal, ostracism, and maltreatment involving the victim, SARCs, VAs, first responders, or other parties remain on the agenda for status updates until the victim's case is closed or until the retaliatory behavior has been appropriately addressed.

(l) Ensure that retaliation and reprisal are appropriately addressed after the victim's sexual assault case has been closed and is no longer tracked at the SARB.

(m) Confirm that every sexual assault victim received a safety assessment as soon as possible after reporting.

(n) Ensure that a sexual assault victim is being monitored for safety by the SARC and VA or has received a new safety assessment by trained personnel prior to each SARB.

(o) Identify personnel who are trained and can perform a clinical safety assessment of each sexual assault victim, whether they filed a restricted or unrestricted report. Individuals tasked to conduct clinical safety assessments must occupy positions that do not compromise the victim's reporting options. The initial clinical safety assessment will be conducted as soon as possible after the victim has reported, understanding that any delay may impact the safety of the victim.

(p) Verify sexual assault victims are aware of the availability of expedited transfers, safety moves, and MPOs.

(q) Confirm that both the victim and the subject have a hardcopy of the MPO.

(r) Ensure effective and timely coordination among SARB members.

(s) Ensure the USACID agent assigned to the sexual assault investigation has notified the SARC immediately after the sexual assault was reported.

(t) Confirm that all unrestricted reports initiated by DD Form 2910, a DD Form 2910-8 when the subject is a Service member, or an investigation initiated by a USACID agent or other MCIO agent are entered into DSAID within 48 hours of DD Form 2910 or DD Form 2910-8 being signed or the investigation being initiated.

(u) Confirm that members of the SVIP, USACID special agents, special trial counsels, victim witness liaisons, and administrative paralegal support personnel are working with SARCs and VAs during all stages of the investigative and military justice process to the greatest extent possible.

(v) Confirm SARCs and VAs have everything they need to provide an effective response to victims.

(w) Ensure the immediate transfer of a case from one SARC or VA to another, in the event of a SARC's or VA's change of duty station, to ensure continuity of care.

(x) Ensure that each SARB member involved with a specific case provides verbal updates without disclosing protected communications or violating victim confidentiality.

(y) Provide recommendations and assistance to SARCs and VAs to ensure continued recovery, well-being, and safety of victims.

(z) Monitor the status of each expedited transfer request and MPO.

(aa) Track the number of days between the approval date of an expedited transfer request and the date the victim physically departs the installation or the date the victim changes duty assignment location.

(bb) For all expedited transfers taking longer than 30 days, document circumstances for the delay in the SARB minutes.

(cc) Initiate an HRRT if a delay in an expedited transfer substantially impacts risk of physical or emotional harm to the victim.

(dd) If the victim has informed the SARC of an existing TRO or CPO, require the SARC to inform the SARB of the TRO or CPO and its requirements.

(ee) Ensure the accuracy of all contact information for the SARCs, supporting USACID office, military police desk, MTF, SJA, SVCs, and chaplains for the installation posted on the DoD Safe Helpline website (<https://safehelpline.org/>). Inaccurate information will be reported by the lead SARC to the appropriate ACOM, ASCC, and USAR PM within 24 hours of the SARB.

(ff) Confirm that all reports of retaliation reviewed by the SARB are documented on DD Form 2910-2.

(gg) With the Lead SARC, complete and sign DD Form 2910-5 (Monthly Case Management Group (CMG) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program) for each SARB.

(3) *The Lead sexual assault response coordinator.* The Lead SARC will—

(a) Serve as the co-chair of the SARB.

(b) Request reports of command action and case dispositions arising from reports of retaliatory behavior on the SARB's agenda.

(c) Prepare and display at the SARB slides in the official format provided by the Director, SHARP Program, ensuring they contain all required information and do not contain any confidential or privileged information. A victim's slide will be provided and presented by their assigned SARC.

(d) Confirm that all reported sexual assaults and retaliation reports are entered into DSAID within 48 hours of the report of sexual assault or retaliation. This deadline is extended to 96 hours if in a deployed location.

(e) Confirm that only a trained, certified, full-time SARC is entering information into DSAID.

(f) Present actions taken to resolve all DSAID data errors and reconcile USACID sexual assault investigations reported as missing on the monthly quality control report.

(g) Report all expedited transfers that have not occurred within 30 days of the victim's request and the circumstances requiring the delay.

(h) Record minutes of the SARB, to include those in attendance and systematic issues discussed without providing any PII or violating victim confidentiality. Under no circumstances is the update provided by the SARC or VA documented in the minutes. Once the minutes are signed by the SARB Chair, the Lead SARC will upload them into DSAID.

(i) Confirm victims are informed that MPOs are not enforceable off-post by state or local law enforcement.

(j) Confirm that a safety assessment has been completed for all unrestricted reports, restricted reports, and retaliation reports.

(k) With the SARB Chair, complete and sign DD Form 2910–5 for each SARB.

(l) Create SARB meeting minutes in DSAID.

(4) *The United States Army Criminal Investigation Division representative.* The USACID representative who has detailed knowledge of the case provides the SARB with USACID case management information and updates on existing investigations.

(5) *The victim's commander.* The victim's commander will—

(a) Attend all SARB meetings where cases involving victims under their command will be discussed.

(b) Be present only during the discussion of cases regarding victims under their command.

(c) Update their Soldier on the case status to the extent permitted by law and DoDI 1030.02 within 72 hours of the SARB. This responsibility will not be delegated.

(d) Confirm at the SARB that the victim has received a monthly update from the commander who attended the previous SARB and reviewed the case, within 72 hours from the previous SARB. When the victim is a civilian, either a DA Civilian who is eligible for SHARP services or a Family member, the 72-hour update will be conducted by the senior commander.

(6) *Sexual assault response coordinators.* SARCs will—

(a) Provide an updated SARB slide in the official format provided by the Director, SHARP Program to the Lead SARC for each case they are assigned to.

(b) Provide limited, pertinent details of the assault only the first time the case is heard at the SARB. This information is shared in a manner that maintains the victim's dignity and privacy.

(c) Provide a verbal update of the victim's case with assistance from the assigned VA. Answer questions regarding the case without violating victim confidentiality or disclosing privileged communications.

(d) Confirm that the victim has been informed of available services, to include counseling, medical, and legal resources, without violating victim confidentiality.

(e) Update the DSAID entry for each case discussed at the SARB within 48 hours.

(f) Verify the victim received DD Form 2701 from the USACID investigator.

(7) *Victim advocates.* VAs will—

(a) Provide their assigned SARC with updated case information prior to the SARB.

(b) Provide a verbal update of the victim's case with assistance from the SARC.

(c) Confirm that the victim has been informed of available services, to include counseling, medical, and legal resources, without violating victim confidentiality.

(d) Be present only when cases to which they are assigned to are discussed.

(8) *All other Sexual Assault Review Board members.* All other SARB members will—

(a) Execute response system responsibilities as directed by the senior commander.

(b) Conduct ongoing reviews of current procedures for each case for compliance with regulations and local policies in keeping with the accepted high standards of victim care.

(c) Meet at least monthly to review the handling and disposition of all cases. Provide recommendations to the SARB on ways to improve the processing of sexual assault cases and the delivery of services.

(d) Participate in training as required. Determine SHARP training needs of each agency by monitoring each unrestricted report of sexual assault. Identify training requirements to the SARB.

(e) Conduct reviews of MOAs with other Services and civilian agencies regarding SHARP victim support. Provide updates to the SARB and recommendations for improvements, as necessary.

(f) On a joint base or if the installation has tenant commands, explore the feasibility of joint use of existing SHARP resources, to include rotating on-call status of SARCs and VAs, and evaluate the effectiveness of communication among SARCs, VAs, and other first responders.

j. Review individual sexual assault and formal sexual harassment complaints involving retaliation (non-DA Civilian); facilitate monthly victim updates; and direct system coordination, accountability, training of commanders, and victim access to quality services. The senior commander will work closely with the supporting judge advocate in advance of the SARB and during the SARB to ensure that the review of sexual assault and retaliation cases does not interfere with the administration of justice.

(1) SARB oversight for unrestricted reports of adult sexual assault is limited to open cases in DSAID that were initiated by DD Form 2910, DD Form 2910–8, or an investigation initiated by the special agent-in-charge of the supporting USACID office or another MCIO.

(2) In cases that are under investigation by the special agent-in-charge of the supporting USACID office and no signed DD Form 2910 or DD Form 2910–8 exists, the USACID representative will provide case management information to the SARB.

(3) The SARC will open a case in DSAID indicating the case status as “open with limited information.” The SARC will only use information from the USACID agent to initiate an “open with limited information” case in DSAID. If there was a restricted report filed prior to or after the independent investigation, the SARC will not use any information provided by the victim, since that information is confidential.

(4) Cases arising from restricted reports will not be reviewed at the SARB; however, the SARC will confirm that safety assessments were conducted for each restricted report.

(5) SARB oversight for retaliation reports associated with sexual assault is limited to cases with a signed DD Form 2910–2 where the retaliation reporter consented to the retaliation being discussed at the SARB.

(a) Reports of retaliation associated with formal complaints of sexual harassment documented on DA Form 7746 will be discussed only with the victim’s consent.

(b) This consent will be requested by the SARC and documented in ICRS.

(c) If the victim does not consent to their retaliation being discussed at the SARB, it will not be discussed.

(6) FAP cases, cases involving the sexual assault of children, and cases not under investigation by a USACID agent or other MCIO agent will not be reviewed at the SARB in the absence of a signed DD Form 2910 or DD Form 2910–8 electing an unrestricted report.

(7) Each case will be reviewed independently. The victim’s commander and VA will be present only when the case they are associated with is being discussed.

(8) If an investigation has reached final disposition and the victim no longer wants SHARP services (specifically, the assistance of a SARC or VA), then the sexual assault case will be closed in DSAID and no longer heard at the SARB.

k. Requirements for SARB minutes are as follows.

(1) SARB minutes will include the following information regarding the discussions and decisions of each meeting:

(a) Administrative actions, including date and location of the meeting, members present, members absent, and a summary of issues discussed (for example, policy and legal updates, review of local MOUs and MOAs, and standard operating procedures).

(b) Update on previously reviewed cases, identified by DSAID case number or USACID or law enforcement case number. Only include that the cases were updated. Do not include discussed information about the case or the victim.

(c) Update on safety issues, to include HRRTs.

(d) Any new systemic issue or barrier to a victim receiving services identified and steps discussed or taken to address such issues (including training issues with recommendations for change, community response issues with recommendations for change, and collaboration issues with recommendations for change).

(e) Review of new cases, identified by DSAID case number or USACID or law enforcement case number. Any systemic issues or barriers to the victim receiving services identified and steps discussed or taken to address such issues.

(f) Retaliation related to a sexual assault or an act of sexual harassment. Acts of retaliation related to a sexual assault, or an act of sexual harassment will be identified by DSAID or ICRS case numbers. Retaliation and reprisal related to sexual assault will only be discussed and documented if there is a corresponding DD Form 2910–2 signed by the individual reporting retaliation.

(g) DSAID quality control errors. DSAID quality control errors will be identified with a plan for resolution.

(h) Date, time, and location of the next SARB meeting. The Lead SARC will ensure the senior commander signs the minutes before the next SARB meeting. The Lead SARC will upload the signed SARB minutes into DSAID. SARB minutes will be provided to ACOM and ASCC PMs. SARB minutes are inspectable items as part of the OIP.

(2) To protect a victim's privacy, PII will not be recorded within the minutes or any other documentation of the SARB.

l. The Pre-SARB is a process through which the Lead SARC ensures that they have the information required to effectively co-chair the SARB.

(1) One week before the SARB is scheduled to occur, VAs will contact their SARCs to update them on the status of the victim.

(2) VAs will contact victims they are assigned to in DSAID to ask about the services they are receiving, their satisfaction with those services, including those provided by the SARC and VA, any challenges they are currently facing, safety concerns including harm from others and harm to self (for example, suicidal ideation), and any retaliatory behavior they are experiencing. This may be part of the regular, agreed-upon contact established between the VA and the victim or specifically for the SARB.

(3) The VA will ask the victim whether there is additional information they would like to make available to the SARB.

(4) The VA will contact the assigned SARC to relay the disclosed information by the victim. The VA will inform the SARC of the current location of the victim, the date of the victim's last safety assessment, whether that safety assessment was clinical or non-clinical, and any service referrals offered to the victim by the VA.

(5) One week before the SARB is scheduled to occur, the SARC will provide the Lead SARC with SARB slides, using the official format provided by the Director, SHARP Program, for every assigned victim.

(6) The SARC will contact their victim's commander to ask if there has been any unit-level action in response to the sexual assault since the last SARB update.

(7) The SARC will contact the subject's commander to determine if there have been any changes to any MPOs issued and to confirm the subject's current location.

(8) The SARC will contact the special agent-in-charge of the supporting USACID office or the MCIO agent responsible for investigating the sexual assault and confirm the date of the last update to the victim they are assigned to. This may or may not be the same date as the last update to the SARC.

(9) The SARC will contact their assigned victim to verify the date of the last update they received from the commander, USACID agent, or the MCIO agent responsible for investigating their sexual assault. The SARC will also ask about their satisfaction with any services they are receiving, including those provided by the SARC and VA. This may be part of the regular, agreed-upon contact that the SARC has with the victim or specifically for the SARB.

(10) The SARC will provide the Lead SARC with all reports of retaliatory behavior related to an unrestricted report of sexual assault and documented by a signed DD Form 2910–2 that they have received. The SARC will also inform the Lead SARC of any reports of retaliatory behavior from a victim of sexual harassment. These reports will be a part of the SARB agenda until the retaliation is properly addressed.

(11) The Lead SARC will contact any SARC assigned to a case in DSAID that the monthly quality control report indicates has any missing case information.

(12) The Lead SARC will prepare the SARB agenda using DSAID. The Lead SARC will provide the agenda to the following members at least 3 working days before the SARB:

(a) SARB Chair.

(b) USACID representative with specific knowledge of the case.

m. Legal representative or SJA.

(1) The Lead SARC will coordinate with the special agent in charge of the supporting USACID office to ensure that every unrestricted report of sexual assault has been identified.

(2) The Lead SARC will provide the SJA with information regarding retaliation reports to be presented at the SARB if there are concerns regarding privileged communications.

n. Guidelines for SARB slides are as follows.

(1) Lead SARCs (SARB Co-chairs) are not required to use slides while leading the case review during the SARB. If the Lead SARC or senior commander does direct the use of slides during the case review, slides will be prepared using the template provided by the Director, SHARP Program. The slide template is located on the SHARP Learning Portal at <https://sharplearningportal.army.mil/>. It is not necessary to read the slide aloud during the verbal update.

(2) If the SARB uses slides, it is recommended the slides be displayed or provided to individual members. If copies are provided to members, the slides will be collected at the end of SARB from all members. It is recommended that no read-ahead slides are provided.

o. SARCs and VAs will actively participate in each SARB meeting by presenting verbal updates on their assigned sexual assault victim cases, providing recommendations, and if needed, seeking assistance from the chair or victim's commander.

(1) The SARC assigned to the victim in DSAID will provide a verbal update for the victim's SHARP case with the assistance of the assigned VA.

(2) For each victim, the assigned SARC and VA will confirm at the SARB that the victim has been informed of the services they are eligible for (including counseling, medical, and legal resources) without violating victim confidentiality and that a safety assessment was conducted.

(3) The SARC will provide information and respond to questions regarding system advocacy for the victim to include, but not limited to, any issues with obtaining appointments, challenges with obtaining a clinical safety assessment, any systemic issues, or barriers to obtaining services, and any deviation from policy or standard operating procedures during the response.

(4) The VA will provide information and respond to questions regarding individual advocacy for the victim to include, but not limited to, how receptive the victim is to referrals, if the victim has transportation to their appointments, if the VA is accompanying the victim to their appointments, and if the victim reports feeling safe. The VA will provide a summary of victim contact that has occurred since the last SARB.

(5) Both the SARC and the VA will identify the victim they are discussing as, "the client", "the victim" or "the Soldier," as applicable, rather than as "my client" "my victim", or my Soldier",.

(6) Neither the SARC nor the VA will provide an update if there is an individual present at the SARB that does not have an official need-to-know (specifically, those who are not identified as permanent members of the SARB in policy or are actively participating in the victim's care).

(7) Neither the SARC nor the VA will report their own conclusions on the victim's well-being or status. For example, do not state, "The victim is doing fine." Instead, state, "The victim reports they are doing fine."

(8) Neither the SARC nor the VA will discuss any specific medical diagnosis, to include behavioral health.

(9) As part of the monthly case review, the SARB Chair will inquire if any sexual assault victim, member of the victim's family, witnesses, bystanders who intervened, first responders (to include those sitting on the SARB), or other parties involved in the sexual assault response have experienced any form of retaliation, reprisal, ostracism, or maltreatment for working with a specific victim or on a particular case.

(10) If the individual reporting retaliation has not signed DD Form 2910-2, no information will be entered into DSAID or tracked by the SARC or any other SHARP professional.

(11) If the individual reporting retaliation has authorized discussion at the SARB, documented by a signed DD Form 2910-2, the SARC will notify the Lead SARC and SARB Chair of the retaliation report.

(12) The SARB Chair will ensure the retaliation reports have been referred to the appropriate investigative authority and will track reports involving victims, SARCs, and VAs, until the retaliation case has been resolved.

3-11. Quarterly sexual assault response team meeting

The Army identifies SAPR Quarterly Case Management Group as the QSART and considers it the equivalent for policy and execution purposes (see DoDI 6495.02, Volume 1). The mission of the QSART is to improve system coordination between SARB members and hold SARB members accountable for their actions and inactions. This is not a replacement for the monthly SARB, but an additional requirement.

- a. The QSART Chair will schedule quarterly discussion on the following topics:
 - (1) System coordination challenges among SARB members.
 - (2) Timely victim access to medical, mental health, victim advocacy, legal, spiritual, and other services within the installation and through established MOAs with civilian resources.
 - (3) HRRTs and other organizational responses to victim safety issues.
 - (4) Retaliation and reprisal reports and associated data.
 - (5) Timeliness of moves after expedited transfer requests have been approved.
 - (6) Resource sharing in joint environments.
 - (7) Tenant commander concerns.
 - (8) Reporting and services access trends for the installation.
 - (9) Implementation of “No Wrong Door” approach (aka Connect to Care) and any barriers or challenges with warm handoff resources.
 - (10) Any other concerns raised to the QSART Chair and Co-chair.
- b. The QSART Chair will ensure completion of training requirements, to include annual refresher training.
- c. QSART meetings will be separate from individual case management oversight and the SARB. No information directly related to unrestricted or restricted reports of sexual assault or complaints of sexual harassment or specific victims of sexual assault or sexual harassment will be discussed at the QSART to protect victim privacy.
- d. The quarterly discussions will consist of the following professionals:
 - (1) Senior commander (QSART Chair).
 - (2) Lead SARC (QSART Co-chair).
 - (3) All SARCs who report to the senior commander.
 - (4) Commanders who are currently attending the SARB.
 - (5) Legal representative or SJA.
- e. The quarterly discussions will include senior representatives from—
 - (1) USACID.
 - (2) PMO.
 - (3) Chaplain Corps.
 - (4) Victim/Witness Assistance Program.
 - (5) Installation personnel trained to do a clinical safety assessment.
 - (6) FAP.
 - (7) SVC.
- f. The senior commander will invite the sexual assault care provider, sexual assault care coordinator, and the Chief of Behavioral Health to attend.
- g. The senior commander may include additional commanders or representatives from installation agencies or programs (such as equal opportunity and EEO) at the QSART.
- h. The Lead SARC will record the minutes of the quarterly discussion, including all action items assigned by the senior commander to address or improve system response.
- i. The senior commander will review minutes and action items at the next quarterly meeting to drive progress and provide oversight on any open system coordination and accountability issues.
- j. The senior commander and Lead SARC will complete and sign DD Form 2910–6 (Quarterly Case Management Group (QCMG) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program).

3–12. High-risk response team

For unrestricted reports, the SARB Chair will stand up a multidisciplinary HRRT if the victim is assessed to be in a high-risk situation. This includes being at a high risk of harm from the subject or people associated with the subject or harm to themselves.

- a. The purpose of the HRRT is to continually monitor the victim’s safety by assessing danger and developing a plan to manage the situation.
- b. The HRRT will be chaired by the victim’s immediate commander, co-chaired by the Lead SARC and, at a minimum, will include—
 - (1) Subject’s immediate commander.
 - (2) Victim’s SARC.
 - (3) Victim’s assigned VA.

- (4) Representative from USACID who has detailed knowledge of the case.
- (5) Legal representative or SJA.
- (6) Victim witness liaison assigned to the case.
- (7) Personnel subject to the senior commander's command authority who conducted the victim's safety assessment.
- (8) Additional personnel invited at the discretion of the SARB Chair and Co-Chair if those persons are directly involved in a victim's care (service providers).
- (9) HRRT Chair will ask the Commander's supporting medical and behavioral health providers to attend HRRT as needed.
- c. The responsibility of the HRRT members to attend HRRT meetings and actively participate in them will not be delegated.
- d. The HRRT Chair, with the HRRT Co-chair will make their first report to the SARB Chair within 24 hours of the HRRT being activated. The HRRT Chair will conduct a briefing to the SARB Chair and at least once a week while the victim is on high-risk status.
- e. The HRRT assessment of the victim will include, but it not limited to evaluating—
 - (1) Victim's safety concerns.
 - (2) Subject's access to the victim or whether the subject is stalking or has stalked the victim.
 - (3) Whether the subject is a current or former spouse, a person with whom the victim shares a child in common, a current or former intimate partner with whom the victim shares or has shared a common domicile, or a current or previous dating or intimate partner (see AR 608–18, 10 USC 928b). The HRRT will refer relevant cases to FAP to be managed in accordance with AR 608–18. These cases are not managed by the SARC or discussed at the SARB.
 - (4) Whether the subject or subject's friends or family members have destroyed the victim's property; threatened or attacked the victim; or threatened, attempted, or has a plan to harm or kill the victim or the victim's family members; or intimidated the victim to withdraw participation in the investigation or prosecution.
 - (5) Whether the subject has threatened, attempted, or has a plan to commit suicide. The Army Suicide Prevention Program is prescribed in AR 600–92. It must be used in conjunction with the specialized, high-risk sexual assault victim requirements prescribed in this regulation.
 - (6) Whether the subject has used a weapon, threatened to use a weapon, or has access to a weapon that may be used against the victim.
 - (7) Whether the victim has sustained additional injury during the sexual assault.
 - (8) Whether the subject has a history of law enforcement involvement regarding domestic abuse, assault, or other criminal behavior.
 - (9) Whether the victim has a TRO or CPO; the command has an MPO against the subject; or there has been a violation of a TRO, CPO, or MPO by the subject.
 - (10) History of drug and alcohol abuse by either the victim or the subject.
 - (11) Whether the subject exhibits erratic or obsessive behavior, rage, agitation, or instability.
 - (12) Whether the subject is a flight risk.
 - (13) Additional appropriate topics (i.e., the victim is being harassed for making a report of sexual assault or participating in the investigation from any source, including online harassment; the victim is self-harming; the victim has lost or does not have social or familial support).
- f. The HRRT Chair and Co-chair will make their first report to the senior commander or commander of a USAR RD (SARB Chair) within 24 hours of the HRRT being activated. The SARB Chair will determine the briefing schedule with briefings at least once a week while the victim is on high-risk status.
- g. The HRRT Chair and Co-Chair will use and sign the DD Form 2910–7 (High Risk Response Team (HRRT) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program) to confirm all requirements were met. The DD Form 2910–7 (for the first HRRT meeting) and the DD Form 2910–7 Supplement (for subsequent HRRT meetings) and NOT substitutes for the individual case meeting minutes. There is still the requirement to document specific information for each victim in DSAID meeting minutes. However, uploading the completed DD Form 2910–7 and subsequent DD Form 2910–7 Supplements will cover the majority of the HRRT meeting minute requirements. The Lead SARC will document information for each victim and upload those minutes into DSAID.
- (1) The HRRT Chair and Co-Chair will complete a DD Form 2910–7 for the first HRRT meeting.

(2) The HRRT Chair and Co-Chair will use a DD Form 2910–7 Supplement for the needed subsequent weekly meetings. One DD Form 2910–7 Supplement will be used for each subsequent weekly HRRT to document the status of the safety issue for that specific HRRT meeting.

(3) For the final HRRT meeting, the original DD Form 2910–7 will be signed by the HRRT Chair, the Lead SARC, and the senior commander or the commander of a USAR RD.

h. The DD Form 2910–7 and corresponding DD Form 2910–7 Supplements will be used to facilitate the weekly briefings to the SARB Chair. The occurrence of the weekly briefings and any direction from the SARB Chair will be documented on the DD Form 2910–7 or the relevant DD Form 2910–7 Supplements.

i. The briefings will be documented in the SARB minutes and entered into DSAID.

j. The SARB Chair has the responsibility to formally dissolve the HRRT when the victim is no longer on high-risk status. The dissolution of the HRRT will be documented in the original DD Form 2910–7, not the Supplemental forms.

3–13. Sexual Assault Incident Response Oversight Report

The SAIRO report details the actions taken or that are in progress to provide care and support to the victim, ensures that reports of sexual assault are referred to the appropriate investigatory agency, and provides initial notification to appropriate commanders. Battalion commanders will complete and forward the SAIRO report within 8 calendar days to the first officer in the grade of O–6 and the first GO in the victim's chain of command; the first officer in the grade of O–6 and the first GO in the subject's chain of command; and if the sexual assault took place on or near a military installation, the SC. The battalion commander will request the required data for the SAIRO report from the special agent-in-charge of the supporting USACID office. The SAIRO report will not delay a commander's immediate reporting to the supporting USACID office or operational reporting through appropriate channels. The SAIRO report is not meant to replace the requirement for a CCIR.

a. Sexual Assault Incident Response Oversight report requirements.

(1) *Preparation.* The battalion-level commander will prepare the SAIRO report with input from the SARC and USACID Special Agent-in-Charge. The SAIRO report will follow these standards—

(a) The battalion commander will submit the SAIRO report within 8 calendar days of an unrestricted report of sexual assault. An unrestricted report can be either an unrestricted report of sexual assault made to a SARC or VA that is documented by a signed DD Form 2910 or DD Form 2910–8 or an independent investigation initiated by the special agent-in-charge of the supporting USACID office. The 8-day timeframe begins once the DD Form 2910 or DD Form 2910–8 is signed, or the assigned commander receives a notification of an investigation from the special agent-in-charge of the supporting USACID office.

(b) The SAIRO report does not replace the SARC's requirement to contact the senior commander.

(c) If the victim files a restricted report and then converts to an unrestricted report, the 8-day timeframe begins when the victim revises DD Form 2910 or DD Form 2910–8 to an unrestricted report.

(2) *When required.* A SAIRO report is required when the victim or subject is a Soldier at the time of reporting, even if the sexual assault occurred before the enlistment or commissioning of the Soldier victim. This requirement only applies to unrestricted reports and independent investigations and does not apply to FAP cases.

(3) *Reporting responsibilities.*

(a) Within 8 calendar days of the unrestricted report or notification to the commander that an independent investigation is underway of an adult sexual assault involving a victim and subject who are Soldiers, the battalion commander will submit a written SAIRO report.

(b) If the immediate commander is the immediate commander of both the victim and subject, the next higher commander in the chain of command will prepare and submit the report.

(c) If the victim and subject are Soldiers in different units, or the subject is a Service member but not a Soldier, the victim's immediate commander will prepare and submit the report.

(d) If the victim's immediate commander is the subject, the next higher commander in the chain of command will prepare and submit the report.

(e) If the sexual assault victim is a Soldier and the subject is a civilian, the victim's immediate commander will prepare and submit the SAIRO report within 8 calendar days of the unrestricted report.

(f) If the sexual assault victim is a civilian who is eligible for SHARP services and the subject is a Soldier, the subject's immediate commander will submit an abbreviated SAIRO report, with the understanding that some victim or subject information may not be accessible. The abbreviated SAIRO report will include "Incident Data" and "Investigation."

(g) If the sexual assault victim is a civilian who is not eligible for SHARP services and the subject is a Soldier, the subject's immediate commander will submit an abbreviated SAIRO report, with the understanding that some victim or subject information may not be accessible. The abbreviated SAIRO report will include required information relating to an "Investigation" prescribed in paragraph 3-13b.

(h) If the subject is the victim's immediate commander, the first O-6 in the victim's chain of command will submit the SAIRO report. However, if the subject is the first O-6 in the victim's chain of command, then the first GO in the victim's chain of command will submit the report.

b. Required information.

(1) *Required preliminary information.* The information required will be obtained from the SARC and USACID investigator. Information will not be acquired through a command-directed preliminary investigation. DoDI 6495.02 prohibits command-directed investigations for sexual assaults. Provide preliminary information about the sexual assault that includes, at a minimum—

(a) Victim sex, duty status, Service affiliation, assigned unit, grade, and current geographic area where the victim is stationed and lives. If not a Soldier or DA civilian employee, indicate whether the victim is a Family member, DoD contractor, foreign national, or non-Government civilian. Do not include PII. The SARC will report non-PII concerning sexual assault incidents (without information that could reasonably lead to identification of the victim or subject). For example, depending on the size of the location or the makeup of the unit, the SARC may not be able to include victim sex, grade. For SAIRO reports triggered by unrestricted reports, the SARC is responsible for providing all victim information and the battalion commander will request incident data and investigation information from the USACID special agent-in-charge. For SAIRO reports triggered by an independent investigation, the USACID special agent-in-charge is responsible for providing the available information and no information will be requested from the SARC.

(b) Subject sex, duty status, Service affiliation, assigned unit, grade, and current geographic area where the subject is stationed and lives. If the subject is not a Soldier or DoD civilian employee, indicate whether the subject is a military dependent, DoD contractor, foreign national, or non-Government civilian. Do not include PII.

(c) Type of offense reported.

(d) Location where the reported sexual assault offense occurred (for example, indicate if on an installation). Provide additional details if available (for example, in barracks, off-base housing, or showers).

(e) Date and time of the reported sexual assault.

(f) Date the victim was referred to the SARC or VA.

(g) If an unrestricted report was made to a SARC or VA, date when the DD Form 2910 of DD Form 2910-8 was completed by the SARC or VA.

(h) Date the sexual assault was reported to the MCIO, including the name of the organization notified.

(i) If the subject is a Soldier, indicate whether the subject has been temporarily transferred or removed from an assigned billet, ordered to pretrial confinement, or otherwise restricted, if applicable.

(j) Any other relevant information related to the subject, excluding victim photographs or additional offense information that could reasonably lead to personal identification of the victim or subject.

(2) *Advocacy services offered.* SHARP advocacy services of a SARC and VA will be offered if the victim is a Soldier, adult dependent or otherwise eligible for SHARP services. The SARC will provide the battalion commander who is preparing the SAIRO report—

(a) Confirmation that the SARC entered information into DSAID within 48 hours of the victim electing an unrestricted report (96 hours if in a deployed environment with connectivity issues), when required.

(b) If the victim accepted advocacy services, a description of any circumstances that adversely affected the command's ability to address the victim's needs (for example, timeliness; sensitivity; obstacles to care; and coercion, retaliation, or reprisal, if any). The SARC will include any victim input provided with documented victim consent for disclosure of privileged communications. The SARC will also inform the victim if they are eligible to speak with a military legal assistance attorney or an SVC IAW AR 27-3 before providing consent for release of privileged communications.

(c) A summary of the SHARP services offered.

(d) The date when the next SARB meeting is scheduled to provide oversight for this case. Confirm that the senior commander will chair the SARB. The victim's immediate commander is a mandatory member of the SARB in accordance with DoDI 6495.02, Vol 1.

(3) *Input of victim's battalion commander.* For Soldier victims only, include additional comments from the victim's immediate commander, if any.

(4) *Healthcare*. When providing healthcare information, do not include PII or individually identifiable health information. If the victim is a Soldier or otherwise eligible for healthcare at an MTF, provide the date when the victim was offered—

(a) Medical care.

(b) Mental healthcare.

(c) A SAFE at the appropriate location based on eligibility requirements. If a SAFE was not offered, explain why.

(5) *Investigation*. The battalion commander will request the following information from the USACID special agent-in-charge—

(a) The USACID case file number. If no USACID case number is available, explain why and include the investigating jurisdiction notified and the date of the notification. Information from state or local law enforcement may not be available.

(b) Confirmation that the victim has a copy of DD Form 2701, “Initial Information for Victims and Witnesses of Crime”.

(6) *Safety*. If the victim is a Soldier an adult military dependent or otherwise eligible for SHARP services, the SARC will provide the immediate commander preparing and submitting the SAIRO report—

(a) Date the safety assessment of the victim was conducted.

(b) Whether it was necessary to assemble a HRRT.

(c) Date the victim was given information regarding MPOs and CPOs.

(d) Report on whether an MPO or CPO were issued.

(e) Description of the safety measures taken for the victim in a deployed environment.

(7) *Expedited transfers*. The SARC will provide the immediate commander preparing and submitting the SAIRO report—

(a) Date the eligible victim was given information regarding expedited transfers.

(b) Report on whether the victim requested an expedited transfer and, if so, the processing status, including date received.

(8) *Legal services*. If the victim is eligible for SHARP services, the SARC will provide the immediate commander preparing and submitting the SAIRO report the date when the victim was informed of the SVC Program.

(9) *Need-to-know*. The information in the SAIRO report will be limited to personnel with an official need-to-know.

(10) *Procedure*. The SAIRO report will be provided to the following individuals and no other personnel:

(a) The senior commander, if the sexual assault occurred on or in the vicinity of a military installation.

(b) The first O-6 and first GO in the victim's chain of command.

(c) The first O-6 and first GO in the subject's chain of command.

(d) The next higher commander, if the first officer in the grade of O-6 and/or first GO in the chain of command designated to receive the report is the subject.

3-14. Release of personal property collected in restricted reports

a. Adult sexual assault victims who filed a restricted report and underwent a SAFE pursuant to the restricted report can request the return of their personal property obtained during the SAFE. This return of personal property request is not applicable for Soldiers, adult dependents, or other victims covered by DoDI 6495.02, Volume 1 who obtained a SAFE at a civilian facility and whose kit and personal property are maintained by civilian organizations.

b. Requesting the return of personal property will not impact the restricted nature of the victim's restricted report, in accordance with DoDI 5505.18 and DoDI 6495.02, Volume 1.

c. The following procedures will be used to request the return of personal property to victims:

(1) The SARC or VA will use DD Form 2910-3 (Return of Victim's Personal Property in Restricted Reporting Sexual Assault Cases Collected During a Sexual Assault Forensic Examination (SAFE)) to document the victim's request and to describe the personal property to be released, and the SARC will document the RRCN that identifies the SAFE kit in question.

(2) The SARC or VA will ensure that the victim fully understands that the request for the return of personal property on DD Form 2910-3 may negatively impact a future investigation. DD Form 2910-3 will also notify the victim of the CATCH Program and, if eligible, the availability of assistance from an SVC or private counsel prior to submitting their request for the property to be returned.

(3) DD Form 2910–3 notifies evidence custodians, law enforcement personnel, and USACID investigators of the policy exemption, so when they discover the name of the victim or subject, an investigation will not be initiated.

(4) After the victim signs DD Form 2910–3, the SARC or VA will give the victim the original signed (or digitally signed) DD Form 2910–3 for the victim to provide to the evidence custodian. The SARC or VA will also provide the victim a copy of the signed DD Form 2910–3, which the victim should keep in their personal records.

(5) The SARC will upload a copy of DD Form 2910–3 into the DSAID File Locker for permanent storage in accordance with established document retention procedures.

(6) Upon receipt of the victim's signed DD Form 2910–3, the SARC will contact the installation USACID supervisory agent or the USACID's designated SHARP agent, provide the RRCN of the appropriate SAFE kit, and request the kit be located.

(7) The SARC or VA will instruct the victim to bring the original (signed in person or digitally) signed DD Form 2910–3 to the meeting with the evidence custodian. If the victim has lost DD Form 2910–3, the victim will request a copy from the SARC, who will retrieve it from the DSAID File Locker.

(8) If the personal property is missing or damaged, the victim may consult with their SVC or private counsel, if represented, or can ask the SARC for a referral to the SVC or private counsel for assistance in addressing this issue. The SARC cannot address evidentiary issues of missing or damaged personal property.

(9) The victim can make additional requests for return of personal property if there are other pieces of personal property that the victim wants returned.

3–15. Reporting forms

a. The following DoD forms will be used for replacing a lost DD Form 2910, retaliation reporting, and to request the return of personal property collected pursuant to a restricted report.

(1) DD Form 2910–1 (Replacement of Lost DD Form 2910, Victim Reporting Preference Statement). While not a common occurrence, if a sexual assault victim requests a copy of a previously filed DD Form 2910, and the original paper or electronic copy of the DD Form 2910 cannot be located, the victim can complete DD Form 2910–1. If separated, the former or retired Soldier will sign DD Form 2910–1 and then send the form to the nearest SARC either through a secure email or the mail. When completing DD Form 2910–1, victims may elect to convert their original restricted report to an unrestricted report. The DD Form 2910–1 will take the place of the original DD Form 2910 and will be uploaded to the DSAID File Locker by the SARC for document retention purposes.

(2) DD Form 2910–2. DD Form 2910–2 is used to file a retaliation report within the SHARP Program related to an existing unrestricted report. Persons eligible to file DD Form 2910–2 include adult sexual assault victims who have previously made an unrestricted report of sexual assault; adult sexual assault victim's adult Family member (for example, spouse, son, or daughter); witness; bystander who intervened; SARC or VA assigned to the victim's case; responder; and other party to the sexual assault response (for example, friend or coworker). Retaliation can be reported outside of the SHARP Program. If the retaliation reporter does not sign DD Form 2910–2, the SARC and VA will not discuss the retaliation at the SARB.

(3) DD Form 2910–3. The SARC or VA will use the DD Form 2910–3 to document the adult sexual assault restricted reporting victim's request, to describe the personal property requested, and to identify the RRCN that identifies the SAFE kit in question. DD Form 2910–3 is not used to request return of personal property for individuals who obtained a SAFE at a civilian facility and whose kit and personal property are maintained by civilian organizations. Personal property items gathered as evidence that are digital or electronic in nature may be returned to the rightful owner if a forensic copy of the digital or electronic evidence stored on or accessed through an electronic device has been made. The copy must be obtained in a forensically sound manner sufficient for command action or prosecution, as appropriate.

(4) DD Form 2910–4 (Catch a Serial Offender (CATCH) Program Explanation and Notification Form for SAPR Related Inquiry (SRI) CATCH Entries). DD Form 2910–4 provides a method for eligible adult sexual assault victims to submit a CATCH report without first having to file an official report of sexual assault using DD Form 2910. Victims who filed a sexual assault report using DD Form 2910 provide their contact information for CATCH on the DD Form 2910.

(5) DD Form 2910–5. This is a checklist to ensure requirements are met for the monthly case management group meetings and thus, only one DD Form 2910–5 is completed for each monthly SARB meeting. DD Form 2910–5 is not a substitute for the individual case meeting minutes for each victim. This is an

additional requirement. There is the requirement to document specific information for each victim as it relates to information needed in the victim's case—this is the function of the specific meeting minutes that link to each specific DSAID case number for the specific victim.

(6) DD Form 2910–6. DD Form 2910–6 incorporates most of the documentation requirements for Quarterly Case Management Group meeting minutes.

(7) DD Form 2910–7 (High Risk Response Team (HRRT) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program) and the required documentation for subsequent HRRT meetings in the Supplement to the DD Form 2910–7, High Risk Response Team (HRRT) Meeting Notes for Subsequent HRRT Meetings (Supplement to 2910–7). DD Form 2910–7 and the Supplement to 2910–7 are not substitutes for the individual case DSAID meeting minutes. There is still the requirement to document specific information for each victim in the DSAID meeting minutes. However, when the DSAID form upload feature is operational, uploading the completed DD Form 2910–7 and subsequent Supplements to 2910–7 will cover most of the meeting minute requirements for the HRRT meetings.

b. Adult sexual assault victims and retaliation reporters can request a copy of their reporting preference statement and associated documentation (for example, DD Form 2910, DD Form 2910–1, DD Form 2910–2, DD Form 2910–3, and DD Form 2910–8) directly from a SARC or VA.

(1) DD Form 2910 will be retained electronically in DSAID for 50 years for both restricted and unrestricted reports. This retention requirement will also apply to all DD forms. SARCs will upload DD Form 2910, DD Form 2910–1, DD Form 2910–2, and DD Form 2910–3 into the DSAID File Locker within 48 hours of the form being completed. In deployed locations, such as areas of combat that have internet connectivity issues, the timeframe is extended to 96 hours.

(2) The DSAID File Locker will be the only DoD-authorized database for the electronic retention of DD Form 2910, DD Form 2910–1, DD Form 2910–2, and DD Form 2910–3 to ensure the protection of PII and to make reports more easily retrievable in one centralized database.

Chapter 4

Victims' Rights

4–1. Victims' rights under the Uniform Code of Military Justice

a. All SHARP professionals, commanders, supervisors, and leaders at all levels will be familiar with victims' rights set forth in Article 6b, UCMJ; DoDI 6495.02, Volume 1; DoDI 6400.07; DoDI 1030.02; AR 195–5; and AR 27–10.

b. All SHARP professionals, commanders, supervisors, and leaders at all levels will be familiar with state, Federal, and host nation victims' rights applicable in their AOR.

c. Victims of sexual assault or sex-related offenses have additional rights, which include right to an SVC, if eligible; victim jurisdiction preference election; notification of significant events in the court-martial process; and notification of command disciplinary action for sex-related offenses not referred to court-martial. Policies pertaining to these rights are prescribed in the Manual for Courts-Martial, DoDI 1030.02, and AR 27–10. Practitioners must consult these references for what is required by these policies.

4–2. Victim confidentiality

Under Military Rule of Evidence (MRE) 514, a victim of a sexual or violent offense has the privilege to refuse to disclose and to prevent any other person from disclosing a confidential communication made between the victim and a VA or between the victim and DoD Safe Helpline staff, in a case arising under the UCMJ, if such communication was made for the purpose of facilitating advice or assistance to the victim. Under MRE 514, a communication between a VA and victim is confidential if it is not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of advice or assistance to the victim. Sexual offenses that violate Articles of the UCMJ include Article 117a, Article 120c, Article 130, and Article 134. Violent offenses that violate Articles of the UCMJ include Article 89, Article 91, Article 118, Article 119, Article 119a, Article 128, and Article 128a.

a. SHARP professionals and commanders will not compromise victim privacy or confidentiality unless required by law, DoD regulation, or Army regulation.

b. SARCs and VAs will provide advocacy and victim assistance only in the best and stated interest of their clients. SHARP professionals will protect a victim's confidentiality by—

(1) Not taking notes when talking to a victim.

(2) Keeping records of advocacy services only in DSAID and ICRS.

(3) Requiring a written release of information signed by the victim if the victim wishes the SARC to discuss their case outside of SARB or with a professional not identified within this provision for purposes of victim advocacy or case management.

(4) Informing the victim that written records may be subject to subpoena. This applies to text messages, and it may change how the victim chooses to communicate with their SARC and VA.

(5) Informing the victim that the presence of third persons during confidential communications with the SARC or VA or disclosing confidential communications with the SARC or VA to third persons waives the privilege unless the disclosure is made to the victim's attorney, chaplain, psychotherapist, spouse, or as ordered by a military judge.

4-3. Expedited transfer requests

a. The expedited transfer policy is to assist in the victim's recovery by moving the victim to a new location where no one knows of the sexual assault. The intent behind the expedited transfer policy is to address situations where a victim feels safe but uncomfortable (for example, a victim feels uncomfortable due to experiencing ostracism or retaliation). See AR 614-100 and AR 614-200 for transfer procedures for victims of sexual assault.

b. Soldiers may request an expedited transfer on behalf of their adult Family member who makes an unrestricted report of sexual assault unrelated to domestic abuse. Requests for expedited transfers for adult Family members are processed by HRC.

(1) USARC Troop Program Unit (TPU) expedited transfer requests are processed in accordance with AR 614-100 or AR 614-200.

(2) The SARC will forward submission to the USARC SHARP office for final processing. Subsequent processing guidance will be provided by the USARC SHARP office.

c. The requesting Soldier's battalion (lieutenant colonel or O-5) or brigade commander (colonel or O-6) or equivalent will—

(1) Inform the SARC of the expedited transfer request. Servicemember victims not working with a SARC will be referred to the Lead SARC.

(2) Assign personnel within the command to assist Soldiers with approved expedited transfers with any out-processing required for PCS moves, to include facilitating transportation, as necessary.

(3) Ensure Soldiers with approved transfers receive an evaluation report in accordance with AR 623-3, if required.

(4) Notify the Soldier of the requirement for the victim to have a final meeting with the losing SARC and an introduction (to be arranged by the losing SARC) with the gaining SARC upon arrival at their next duty station.

(5) Explain that the purpose of the introduction with the gaining SARC is to help the victim understand the full range of support options at the new installation; facilitate appointments with mental health, medical, advocacy, legal services, Office of the Special Trial Counsel, or other response personnel at the new location; and help answer any questions that the victim may have.

(6) Advise the Soldier of the requirement to have a meeting with the gaining commander if the victim seeks continued advocacy, legal, or healthcare (mental health or other medical) services at the new location or if the investigation or legal proceedings involving the Soldier's victim's report is ongoing at the time of the transfer.

(7) Ensure the Soldier is scheduled for a final meeting with the losing SARC so that the losing SARC can answer any remaining questions the victim may have about the transfer process, ensure the victim has contact information for resources available at the new location, and facilitate any further scheduling.

(8) Make reasonable efforts to ensure an expedited transfer does not negatively impact a Soldier's career progression, to the extent possible.

(9) Ensure the gaining brigade commander is aware of the Soldier's arrival to their command. This may be done via telephone, email, or other written correspondence. The gaining commander will prepare and maintain a memorandum of record recording the action.

d. Once notified of the Soldier victim's request, the losing SARC will immediately—

(1) Contact the requesting victim and inform them of the expedited transfer process, to include information about services and support and the introduction with the gaining SARC upon arrival at a new installation, if the request is approved.

(2) Inform the requesting victim that, at the conclusion of the introduction with the gaining SARC, the victim may elect to continue or discontinue SHARP victim support services. The SARC will explain to the

victim that the purpose of the introduction is to help the victim understand the full range of options at the new installation; facilitate appointments with mental health, medical, advocacy, legal services, or other response personnel at the new location; and help answer any questions that the victim may have.

(3) Notify the brigade commander (colonel or O-6 equivalent) that the victim has filed an unrestricted report through DD Form 2910 and that it has been entered into the DSAID. If DD Form 2910 is not on file, the SARC will assist the victim to file an unrestricted report through DD Form 2910 or refer the victim to the appropriate organization (for example, FAP for domestic abuse sexual assault victims). The SARC will not provide a copy of the signed DD Form 2910 to the commander. Verbal confirmation to the commander that DD Form 2910 was filed is sufficient.

(4) Inform the victim of the requirement to have a meeting with the gaining brigade commander (colonel or O-6 equivalent) if the victim seeks continued advocacy, legal, or healthcare (mental health or other medical) services at the new location or if the investigation or legal proceedings involving the victim's report are ongoing at the time of the transfer.

(5) Annotate the expedited transfer request and decision in DSAID, ensuring all fields are completed, upon receipt of the final decision.

(6) Ensure that the safety assessment is readministered when circumstances related to the request for an expedited transfer indicate that there is a safety concern, the victim filed a complaint of retaliation, or the victim requested assistance in obtaining an MPO or CPO.

(7) Assist the reporters of retaliation in documenting an official report using DD Form 2910-2, if the victim discloses retaliation related to a non-domestic sexual assault and wants to file an official report.

(8) Meet with the victim a final time to address any questions about the transfer process. During the meeting, the SARC will inform the victim that the meeting with the brigade commander or equivalent and the introduction with the gaining SARC will not occur at the same time without the explicit consent of the victim.

(9) Inform the victim in advance that communications with the gaining SARC and gaining commander together in a joint meeting are not privileged under MRE 514.

(10) Facilitate the scheduling of the introduction with the new SARC, considering the victim's leave (if applicable) and transfer or travel time.

(11) Provide the victim with the new SARC's name and contact information, to include the address of the new SARC's office and an appointment date and time.

(12) Follow existing procedures to transfer the case in DSAID to the new SARC after all information on the expedited transfer has been annotated. Losing SARCs are not required to obtain victim consent to transfer the case on DD Form 2910 and will leave section 8, "Victim consented to transfer of (RR/UR) case documents to another SARC," of DD Form 2910 blank. However, the losing SARC will ensure the victim understands why the case is being transferred in DSAID and that the victim is under no obligation to continue communicating with a SARC or VA after the introduction.

e. The losing SARB Chair responsibilities include the following:

(1) Track the number of days between the approval date of a request for an expedited transfer and the date the victim physically departs the losing station or the date the victim changes duty assignment location (PCS).

(2) All expedited transfers taking longer than 30 calendar days will have documented circumstances for the delay in the SARB meeting minutes and be reported to the SARB Chair, who will review the circumstances of the delay. The SARB Chair will direct a HRRT to be initiated when circumstances indicate that the transfer delay appreciably impacts the risk of harm to the victim.

f. In support of expedited transfer requests, the gaining SARC responsibilities include the following:

(1) Meet with the victim upon arrival to their new location. During the introduction, the gaining SARC will explain the full range of support options at the new installation; facilitate appointments with mental health, medical, advocacy, legal services, or other response personnel; and help answer any questions the Soldier may have. The gaining SARC will also explain that after the introduction, victims may decline any further SHARP services.

(2) Coordinate with the gaining commander for a separate meeting, if required.

(3) Ensure the SARB at the gaining installation reviews the victim's case at the SARB meeting in accordance with existing policy, depending on whether the victim seeks continued services of a SARC or VA at the gaining installation and whether an investigation or legal proceeding is ongoing at the losing installation. If the victim agrees to continued advocacy from a SARC or VA, then the victim's case will be heard at the monthly SARB at the gaining installation with relevant members of the SARB from the losing

installation calling in (for example, the USACID representative who has detailed knowledge of the case at the losing installation would call in to the SARB meeting at the gaining installation). If the victim declines continued advocacy from a SARC or VA at the gaining installation and there is an ongoing investigation or legal proceeding at the losing installation, then the SARC will transfer the case in DSAID back to the losing SARC. The victim's case will be heard at the SARB at the losing installation. The victim's new commander will call into the SARB at the losing installation.

(4) Update the victim's case in DSAID in accordance with the victim's decision for continued SHARP services. If the victim chooses to continue receiving SHARP services, the SARC will assign a VA.

4-4. Non-participating victim Section 540K Declination Letter for United States Army Criminal Investigation Division investigations

a. In USACID investigations that are initiated upon third-party reports or by command (if a Soldier reports a sex-related offense to a supervisor in the chain of command), an individual identified as a victim may, should they desire, submit a Section 540K Declination to Participate in the USACID Investigation Letter (referred to as a "Section 540K Declination Letter") to document the decision not to participate in the investigation and reason for declining.

b. The Director, USACID will ensure that the number of Section 540K Declination Letters filed and reasons for declining participation in the investigation, if known, is reported in DSAID. The total number filed may be used to comply with congressional reporting requirements or other requests for information, as appropriate.

c. Victims may decline to participate in a sexual assault investigation. The victim's declination to participate has no compulsory effect on the investigative or military justice process. The investigation or military justice process may proceed as appropriate and can continue without the victim's participation. However, in situations where a victim's statement is required to identify the suspect or is essential to the furtherance of the case, the victim's declination to participate may result in the investigation being terminated.

(1) By contrast, in cases where a suspect has been identified, military law and policy requires the investigation to continue despite the victim's wishes. This reflects the overarching need in the military to not only promote public safety, but also to ensure good order and discipline within the military Services.

(2) Cases involving a suspect in a position of authority will be fully investigated in all circumstances, despite a victim filing a Section 540K Declination Letter.

d. Assessing a victim's intended level of participation at the outset of an investigation may allow criminal investigators to determine if conditions permit them to respect the victim's documented preference for privacy.

(1) If conditions allow an investigation to be terminated based on a victim's declination to participate, then the command should accede to the victim's desires, whenever practicable.

(2) The Director, USACID will ensure that USACID personnel acknowledge the victim's declination to participate in an investigation pursuant to DoDI 6495.02, Volume 1.

(3) Current policy allows eligible victims to consult with an SVC or retain private counsel, at their own expense, on a wide variety of military justice process matters, including a desire not to participate in the investigation.

(4) Victims have the right to be heard and to have their decision not to participate in an investigation formally documented.

(5) A victim is authorized to use the Section 540K Declination Letter when the USACID has initiated an investigation. The Director, USACID will ensure that USACID personnel comply with the DoD Section 540K Declination Letter policy (see DoDI 6495.02, Volume 1). When the victim intends to decline to participate in the investigation, they will then be encouraged to consult with an SVC and to provide the USACID with written notice of their decision as soon as possible.

(6) USACID investigators are required to contact the SARC and encourage the victim to speak with the SARC to review reporting options and receive information about victims' rights and services.

(7) In situations when the victim intends to decline to participate in the investigation, the Section 540K Declination Letter will be the official means by which a victim will document that decision not to participate in the investigation and, if desired, the rationale for the decision. The victim will then be encouraged to consult with an SVC and provide the USACID investigators with written notice of their decision as soon as possible.

(8) In situations where the victim has met with a SARC or VA, if the victim opts to file an official report through DD Form 2910, the SARC or VA must facilitate a safety assessment and notify the victim of the

option to have a SAFE. The SARC or VA will inform the victim of the opportunity to submit the suspect's information in the CATCH Program.

(9) Whether the victim filed DD Form 2910 or not, the SARC or VA will offer the victim a referral to an SVC, if eligible, and inform them of the option to meet with an SVC or consult with retained private counsel to complete the Section 540K Declination Letter. SARCs and VAs will explain to the victim that they are not able to provide legal advice.

(10) The victim may consult with their SVC regarding the Section 540K Declination Letter.

(a) In all circumstances, the victim's Section 540K Declination Letter is retained by USACID, as this reflects an investigatory process and not a SHARP advocacy function.

(b) Third-party reports often reflect an individual's concern for the safety of the victim and the mission and for society. However, it is not policy to inform a third-party reporter of the status of a criminal investigation when the third-party reporter is not the victim.

(11) Victims are encouraged, but not required, to consult with an SVC or private attorney before filing a 540K Declination Letter.

Chapter 5

Prevention

5–1. Preventing sexual harassment and sexual assault

All Army personnel have an ethical responsibility to prevent sexual harassment, sexual assault, and associated retaliatory behaviors. Prevention of sexual harassment and sexual assault is the active effort of an individual or group to recognize the behaviors and actions of sexual offenders so the offenders may be averted, deterred, or stopped from victimizing others.

5–2. Commanders' roles in the prevention of sexual harassment and sexual assault

Commanders are ultimately responsible for the culture and climate of their units. Commanders must analyze and know the environment to determine how to prevent sexual harassment and sexual assault. Commanders must always promote and demonstrate positive character and leadership. Prevention must be communicated as a priority for commanders while creating and maintaining a respectful command climate where everyone can voice concerns without fear of retaliation.

5–3. Prevention system

The prevention system is the backdrop against which prevention planning, implementation, and evaluation take place. A supportive prevention system is necessary to develop and enable execution of primary prevention strategies and activities. An effective prevention system includes human resources (leaders, prevention workforce (e.g., SHARP prevention specialists), and military community [e.g., SHARP professionals, Soldiers, and DA Civilians]), infrastructure (data, resources, and policies), and collaborative relationships (within and across the military community). Commanders will—

a. Assert the central role of leaders and the chain of command in prevention. This includes the planning, execution, and assessment of SHARP prevention activities to improve and sustain professional organizational climates free of sexual harassment and sexual assault.

b. Ensure that assigned SHARP prevention specialists receive the education and training provided by DoD and the U.S. Army that prepares them to fulfill prevention-related duties and responsibilities.

c. Leverage SHARP prevention specialists in the development, planning, execution, and assessment of SHARP prevention activities, programs, and practices.

d. Encourage partnership and collaboration among prevention system partners and encourage integration of aggregate level prevention data, as necessary.

5–4. Prevention process

The prevention process is a data-informed process by which commanders ensure that there is a clear understanding of the problem, a comprehensive approach is utilized, activities are implemented with quality, and evaluations are conducted continuously. Commanders will—

a. Emphasize prevention as a factor of readiness and unit welfare through the sharing of policy, regulations, and programs prescribed by HQDA principal officials.

- b. Support prevention partners in developing an installation comprehensive integrated primary prevention plan that complies with DoDI 6400.11 and Army policy.
- c. Incorporate prevention policies into the overall unit training plan and ensure supporting resources are made available.
- d. Ensure partnership and collaboration with DoD and Army prevention resources take place on a re-occurring basis.

5-5. Prevention activities

Prevention of sexual harassment, sexual assault, and associated retaliatory behaviors requires a comprehensive approach with a range of mutually supporting activities. These activities include research-based policies, programs, and practices that work together to increase protective factors for every unit member, impart skills, influence, and increase positive behaviors, and reduce environmental risk. The attention that commanders and leaders place upon primary prevention activities, coupled with their everyday actions, shapes organizational climate, and fosters alignment of culture with expectations of the Army profession. Commanders are ultimately responsible for the climate in their unit and the prevention of sexual harassment, sexual assault, and associated retaliatory behaviors. Commanders will—

- a. Establish unit prevention policies for the SHARP program that are consistent with DoD and Army SHARP prevention policies. Commanders will consult with their SJA to ensure their SHARP prevention efforts do not unlawfully influence a UCMJ action or create the appearance of unlawful command influence. Commanders will ensure that unit prevention programs for SHARP will incorporate at a minimum—
 - (1) Long- and short-term goals.
 - (2) Solution-focused objectives.
 - (3) Milestones and timeline.
 - (4) Results-oriented performance measures to assess effectiveness.
 - (5) Research-informed practices and resources.
 - (6) Assessment of potential impacts on the unit's trust, cohesion, and positive environment.
 - (7) Compliance standards for promoting, supporting, and enforcing prevention policies, plans, and programs.
- b. Create, promote, and maintain a healthy environment free of mistreatment in which sexual assault and other harmful behaviors are prevented, intervention and reporting are encouraged, and victim support is prioritized.
- c. Model appropriate behavior that is consistent with Army Values.
- d. Establish a command climate that is predicated on dignity, mutual respect, and trust; recognizes and values the contribution of all personnel.
- e. Address sexist behavior and speech before it evolves into sexual harassment or sexual assault.
- f. Emphasize that sexual assault and sexual harassment are unlawful.
- g. Emphasize that both sexual harassment and sexual assault violate the Army core values.
- h. Emphasize that sexual harassment and sexual assault destroy unit cohesion and the trust that is essential for mission readiness and success.
- i. Emphasize the importance of DoD and Army policies on sexual harassment and sexual assault and the potential legal consequences for those who engage in such behavior.
- j. Identify and remedy environmental factors specific to the location that may facilitate the commission of sexual harassment or sexual assault (for example, insufficient lighting, remote location, limited resources, and transitory populations).
- k. Mandate and monitor sexual harassment and sexual assault prevention training for all assigned personnel.
- l. Ensure prevention training focuses on both risk and protective factors, identifying the behavior of potential offenders.
- m. Identify and use community-based resources and partnerships at the local and Department levels to add depth to prevention efforts.
- n. Ensure SHARP prevention specialists support commanders' prevention training.
- o. Identify and engage unit members to assist in sexual harassment, sexual assault, and associated retaliatory behavior prevention efforts.
- p. Support the development and implementation of the prevention system and data-informed actions as applied to the military context.
- q. Assess and take actions to foster command climates of dignity and respect.

r. Encourage a culture of help-seeking, coordinated referrals to resources with appropriate trauma-informed and recovery-oriented response, and reintegration following care.

Chapter 6

Sexual Harassment/Assault Response and Prevention Professionals Department of Defense Sexual Assault Advocate Certification Program Selection, Certification, Background Screening, Training, and Additional Skill Identifier

6–1. Overview

Senior commanders will ensure SHARP professionals have favorable local background checks are D–SAACP certified, have completed appropriate SHARP training courses, and have received an appointment memorandum authorizing them to provide victim advocacy services prior to providing SHARP response services. The required processes for identifying, nominating, training, certifying, and appointing SHARP professionals are contained in paragraph 6–5. All SHARP professional positions are only approved by the Director, SHARP Program.

6–2. Department of Defense Sexual Assault Advocate Certification Program qualifications

a. Soldiers and DA Civilians who serve in SHARP professional positions who serve in non-critical sensitive national security position will meet the requirements for assignments eligibility screening in accordance with DoDI 6495.03.

b. All SHARP professionals, Soldier and civilian, will be appointed in writing; be D–SAACP certified in accordance with DoDI 6495.03; and have successfully undergone the required Tier 3 background investigation, which will include state criminal history repository, and received a favorable adjudication. The appointing authority for PMs and SARCs is the first GO or SES in the candidate's chain of command at the ACOM, ASCC, DRU, or USARC level. The appointing authority for VAs and instructors is the first colonel or GS–15 in the candidate's chain of command.

c. Soldiers who are subjects of an open criminal, IG, or command-directed investigation relating to a violation of victim rights or with a nexus to their SHARP duties will not submit requests for D–SAACP certification.

d. Any actions involving DA Civilians related to background screening and D–SAACP suspension, revocation, or removal actions will be closely coordinated with the supporting CPAC and labor employment relations.

e. Table 6–1 is a list of requirements that will be met prior to any Soldier or DA Civilian serving as a SHARP professional.

Table 6–1
SHARP professional appointments

Prerequisites to serve in a SHARP professional position	Minimum grade— SARC: sergeant first class, chief warrant officer three, major, or GS–11 VA: staff sergeant, chief warrant officer two, first lieutenant, or GS–9 Training instructor: based on position description. PM: based on position description (GS–13 or GS–14)
Background investigation	Tier 3 background investigation, including state criminal history repository checks.
Training	PM, Assistant PM, Lead SARC, SHARP Program compliance specialist, or selected supervisory SARC who acts as Lead SARC: SHARP Basic, Intermediate, and Advanced Courses Supervisory SARC, SARC: SHARP Basic and SHARP Intermediate Courses VA: SHARP Basic Course SHARP Instructor: SHARP Basic and SHARP Intermediate Courses and SHARP Instructor Course
Certification	D–SAACP (will be renewed every 2 years)
Appointment memorandum	Appointment memorandum that acknowledges nominee has met all conditions for the SHARP position and is authorized to serve as a VA or SARC PMs and SARCs: appointment memorandum will be signed supervisor. VA: appointment memorandum will be signed supervisor.

Table 6–1
SHARP professional appointments—Continued

	SHARP instructors: appointment memorandum will be signed by colonel

6–3. SHARP professional appointments

a. Defense Sexual Assault Advocate Program Certification. Senior commanders and Lead SARCs will ensure Soldiers (Regular Army and USAR) and DA Civilians who are SHARP professionals possess an active D–SAACP certification and favorable background screening. Commanders will ensure Soldiers and DA Civilians with an unfavorable, expired background screening, suspended, or revoked D–SAACP certification are not serving in SHARP professional positions.

b. Soldier appointment.

(1) Soldiers nominated to serve as or currently serving as SHARP professionals should have the following positive characteristics:

(a) Possess a high degree of maturity, leadership, judgment, self-discipline, and professionalism.

(b) Display moral attributes, ethical qualities, and personal traits that thoroughly embrace the Warrior Ethos and Army Values.

(c) Be fully committed to the SHARP program and victims of sexual harassment, sexual assault, and associated retaliatory behavior.

(2) The appointing authority will conduct professional selection interviews with Soldiers intended to fill SHARP professional positions (see D–SAACP Commanders Guide on the DPRR SHARP web page at <https://www.armyresilience.army.mil/sharp/pages/resources-for-commanders.html>). Suggested topics of discussion may include reasons for wanting to work in the SHARP Program, trust and responsibility, financial well-being, the prioritization of SHARP responsibilities, and the SAPR professional code of ethics codified in the D–SAACP application packet (DD Form 2950 and DD Form 2950–1).

(3) Soldiers will possess a favorably adjudicated Tier 3 background investigation, state criminal history repository checks, and D–SAACP certification prior to any contact with victims of sexual assault or sexual harassment.

(4) The Lead SARC will confirm the Soldier has a favorably adjudicated background investigation and is approved to attend the appropriate SHARP course. The Lead SARC will coordinate with their ACOM quota source manager to make a course reservation in the Army Training Requirements and Resources System. Upon successful completion of the required SHARP courses, the SHARP PM will oversee the D–SAACP certification process.

(5) Upon completion of the command interview, favorably adjudicated investigations, successful completion of training, and D–SAACP certification, the appointing authority will prepare appointment orders for VAs. The appointment memorandum will confirm the Soldier has a favorably adjudicated centralized screening, has successfully completed the relevant SHARP courses, and possesses an active D–SAACP certification. Without the appointment memorandum, Soldiers are not authorized to perform any SARC, VA, or SHARP duties or have access to DSAID or ICRS.

(6) Soldiers who are disqualified because of adverse information have 14 calendar days from notification to submit a memorandum requesting an appeal. Soldiers will submit their request through their chain of command to the approval or appeal authority to the SHARP PM.

c. Department of the Army Civilian appointment to Sexual Harassment/Assault Response and Prevention positions. DA Civilians are hired into full-time SHARP positions, not nominated. Appointing authorities will work with their supporting CPAC to announce, recruit, and fill DA civilian SHARP professional positions. Appointing authorities will fill DA civilian positions following standard personnel processes and background screenings. DA Civilians will possess a favorably adjudicated Tier 3 background screening, state criminal history repository checks, and D–SAACP certification prior to any contact with victims of sexual assault or sexual harassment.

(1) All DA Civilians will be placed on SHARP Program standardized position descriptions. Modifications may only be made to these duty statements with approval from the Director, SHARP program.

(2) A DA Civilian who is hired into a SHARP position is not appointed until the appropriate appointing authority has signed an appointment memorandum, authorizing them to act as a SHARP professional and provide VA services.

(3) All personnel must report if they have disqualifying offenses.

6-4. Department of Defense Sexual Assault Advocate Certification Program

a. SHARP PMs and Lead SARCs are responsible for validating D-SAACP packets. D-SAACP packets will include visibility with the Director, SHARP Program and SHARP PM for tracking purposes. A completed and favorable Tier 3 background investigation is required to submit D-SAACP certification requests. Personnel serving in SHARP positions who are determined to be in non-compliance with screening requirements will have their D-SAACP certification and ASI (Soldiers only) revoked by the appointing authority.

b. SHARP PMs will send D-SAACP packets through the Director, SHARP Program for final authorization before they are sent to the National Organization for Victim Assistance.

6-5. Additional screening requirements for Sexual Harassment/Assault Response and Prevention professionals

a. Confirmation that the required background investigation and screening have been completed is required on DD Form 2950 and DD Form 2950-1.

b. Commanders should consult with their servicing judge advocate regarding misconduct identified during the background investigation or screening.

(1) Minimum of a favorably adjudicated Tier 3 background investigation and enrollment in continuous evaluation are required.

(2) State criminal history repository check is required for all states of residence in the previous 5 years.

(3) The employee will possess a valid driver's license and can operate a motor vehicle should the need arise to operate a government vehicle or motor pool vehicle.

(4) Within 6 months of employment, SHARP professionals will successfully complete required SHARP training and obtain and maintain D-SAACP certification.

(5) SHARP professionals will complete all required training, obtain D-SAACP certification, and be placed on appointment orders prior to having any victim contact or access to victim information.

(6) SHARP professionals are required to self-report civilian arrests, the filing of criminal charges, and convictions of any criminal offense to their supervisors and security office.

6-6. Initial Department of Defense Sexual Assault Advocate Certification Program Certification requirements

a. All SHARP professionals, both military and DA Civilian, will not have a disqualifying condition that includes—

(1) A conviction of a crime of sexual assault or other sex-related offenses, listed in the UCMJ.

(2) A conviction of a crime of domestic violence as described by DoDI 6400.06, child abuse, or any violent crime under the UCMJ.

(3) A conviction of a state or Federal law equivalent to a disqualifying condition.

(4) A criminal conviction determined by the commander, supervisor, or other appointing authority to be inconsistent with the duties of a SHARP professional.

(5) A conviction of any attempt to commit acts referenced in paragraphs 6-6a(1) through 6-6a(4) punishable under the law.

(6) A requirement to be registered as a sex offender.

(7) Any criminal behavior, such as arrests or probation before judgment, as within the individual's background investigation, determined by the commander, supervisor, or other appointing authority to be inconsistent with the duties of a SHARP professional.

b. Commanders, Lead SARCs, supervisors, and other appointing authorities will consider arrest records or adverse actions in personnel files when evaluating an individual's assignment eligibility for certification of new SHARP professionals.

c. Subjects of open criminal, equal opportunity, harassment, or any IG investigations will have certification applications delayed until the investigation and complaint have been fully adjudicated to ensure applicants are eligible for certification.

d. Individuals with a current and verified certification from a nationally approved victim assistance credentialing body and who have obtained favorable Tier 3 investigation adjudication will still complete the appropriate SHARP course and be appointed before they can provide services.

e. First-time applicants will complete and submit DD Form 2950 and a certificate of completion of the required SHARP course that was taken within 1 year of submission. Instructions for completing DD Form 2950 and where to submit are available at <https://www.sapr.mil/d-saacp>.

f. Once applicants receive official notice that their application has been approved and they have their unique alphanumeric identifier, they can begin taking CEUs. Thirty-two CEUs are required every 2 years.

6–7. Defense Sexual Assault Advocate Certification Program renewal requirements

- a. Renewal of D–SAACP certification is required every 2 years after the initial certification.
- b. Renewal requires 32 hours of continuing education (1 hour equals one CEU) including one hour of Safe Helpline Training. No more than 12 hours can be Army-specific information (that is, policies and procedures). Two hours will be victim advocacy ethics.
- c. Renewing applicants must undergo or have undergone the required assignment eligibility screening, not have a disqualifying condition, and the senior commander, supervisor, or appointing authority must have made a favorable determination of continued assignment eligibility.
- d. Individuals will complete and submit DD Form 2950–1 and provide proof of continuing education training for renewal every 2 years. Instructions for completing DD Form 2950–1 and where to submit are available at <https://www.sapr.mil/d-saacp>.
- e. Acknowledgment by the senior commander, supervisor, or other appointing authority that the required assignment eligibility screening has been completed with favorable results (through Tier 3 background investigation or enrollment in continuing education is verified) is required on DD Form 2950–1.
- f. Applicants renewing for a second time or more cannot repeat CEUs from within the same certification renewal period.
- g. Topics should be related to victim advocacy and care, but do not need to be directly related to the military or sexual assault. Applicants will take 2 hours of victim advocacy ethics training and will complete the Safe Helpline 101 training. Both trainings count towards the required CEUs requirement. General ethics training will not satisfy this requirement. Applicants are encouraged to seek guidance from the Director, SHARP Program for pre-approved victim advocacy-related ethics training. The Self Helpline 101 training counts toward the 32-hour requirement. The training will be completed and submitted every 2 years.
- h. Limitations to CEU training include—
 - (1) Topics not directly related to sexual assault victim advocacy, such as program management or the DSAID, will be limited to 12 CEUs.
 - (2) A maximum of 12 hours of continuing education may be allocated to Army-specific policy and procedural updates.
 - (3) Activities that are not educational in nature do not count towards the D–SAACP continuing education training course requirements (for example, participating in a run or walk event, reading information online, reviewing SHARP program or policy updates, volunteering at a sexual assault awareness table or booth, or serving as an instructor in a SHARP training).
- i. All D–SAACP cardholders are responsible for tracking their expiration date and CEUs and submitting packet to their Lead SARC.

6–8. Suspension of Sexual Harassment/Assault Response and Prevention duties

- a. SHARP professionals across all components who are reported to have violated the standards of conduct required by DoDI 6495.03, DoDI 6400.07, AR 27–10, or the SAPR professional code of ethics will be suspended from the performance of their SHARP duties.
- b. A D–SAACP certified individual will notify the commander, supervisor, or other appropriate authority immediately if they are charged, arrested, or convicted of any criminal activity or if they experience any event that, pursuant to DoDM 5200.02, will be reported by individuals eligible for a sensitive position. Upon notification, the appointing authority will immediately, in writing, suspend and temporarily reassign the D–SAACP certified individual. A civilian employee could be detailed to a set of duties pending a final determination on the D–SAACP suspension or revocation has been made. The appointing authority and D–SAACP certified individual will follow the D–SAACP suspension and revocation guidelines (see DoDI 6495.03).
- c. The suspension from performing SHARP duties and responsibilities while results are pending from an investigation or inquiry provides the command the opportunity to determine an appropriate response, if any, to the information received or any actions which may be necessary, as warranted.
- d. The appointing authority will notify the Director, SHARP Program upon issuance of a memorandum to an employee notifying the employee of their temporary suspension from the performance of SHARP duties. Upon receipt of that notification from the appointing authority, the Director, SHARP Program will immediately suspend the employee's access to SHARP-related information systems.

e. The Lead SARC will monitor the status of any SHARP professional's suspension from their performance of SHARP duties and will provide status updates to the Director, SHARP Program no less than every 30 days.

f. The appointing authority should also consult with the supporting legal office and supporting CPAC to determine whether disciplinary or other administrative action may be appropriate.

g. For Soldier suspension—

(1) In addition to the requirements of the D–SAACP guidelines, the immediate commander will flag Soldiers under investigation in accordance with AR 600–8–2 and monitor the investigation until it is complete.

(2) If the investigation does not result in disqualifying information, the immediate commander will notify the appointing authority, who will lift the suspension and reinstate the Soldier to the SHARP position.

(3) If the investigation finds disqualifying information or if the immediate commander receives credible evidence that the Soldier has committed an offense, the immediate commander will notify the appointing authority who may suspend or revoke the Soldier's D–SAACP certification based on the nexus of the alleged misconduct to the individual's SHARP Program duties.

h. Upon notification that a DA Civilian is under investigation for an offense that would disqualify them from serving in a SHARP position, the appointing authority will ensure suspension from performing SHARP duties and responsibilities is closely coordinated with the supporting management official and legal advisor. CPAC, in coordination with labor relations or employee or management relations, will determine alternate duties for the employees to perform and any potential actions management may need to be considered, as appropriate (see AR 690–300). Employees suspended from performing SHARP duties are typically detailed to a set of duties during the investigation process.

6–9. Defense Sexual Assault Advocate Certification Program certification suspension and revocation

Upon the completion of an investigation or inquiry, the appointing authority, in consultation with the supporting legal office, will determine the appropriate action to take, which may include the suspension or revocation of the SHARP professional's D–SAACP certification.

a. The appointing authority will notify the SHARP professional in writing of a decision to suspend or revoke the employee's D–SAACP certification and will provide a copy of this notification to the command's SHARP PM (ACOM, ASCC, or DRU), who will notify the Director, SHARP Program. The Director, SHARP Program will submit any required communication to the DoD SAPRO and the National Organization for Victim Assistance.

b. The appointing authority will follow AR 15–6 administrative investigation procedures to determine whether the D–SAACP certified individual has done one or more of the following to suspend or revoke the D–SAACP certification:

(1) Violated the SAPR professional code of ethics provided on DD Form 2950 and DD Form 2950–1.

(2) Presented a danger of immediate or serious harm to victims of sexual assault, coworkers, military, and civilian personnel, or to the general public.

(3) Intentionally made a false statement in the application for certification or renewal on DD Form 2950 or DD Form 2950–1.

(4) Used a controlled substance or alcoholic beverage while serving on-call that impaired their ability to perform SHARP duties.

(5) Been charged, arrested, or convicted of crimes of domestic violence; child abuse; violent crimes; or any criminal activity determined by the commander, supervisor, or the appointing authority to be inconsistent with SHARP duties.

(6) Been convicted at court-martial of an offense pursuant to the UCMJ carrying with it a maximum sentence of confinement of greater than 1 year or punitive discharge from the Military Service or convicted of a felony criminal offense in State or Federal courts.

(7) Engaged in or solicited sexual relations with a sexual assault victim currently under a certified individual's care or a victim known to be currently under care of any D–SAACP certified individual.

(8) Failed to maintain the privacy of victims before, during, and after the professional relationship in accordance with DoDI 6495.02; MRE 514 of the Manual for Courts-Martial; and applicable privacy laws and Federal, DoD and Army regulations.

(9) Intentionally provided false or misleading information, guidance, or advice to a victim.

- (10) Demonstrated a lack of competency or ability that jeopardized the delivery of professional victim advocacy.
- (11) Violated DSAID policy as stated in DoDI 6495.02 and Army policy.
- (12) Been named as the subject in an informal or formal sexual harassment, equal opportunity or EEO complaint, or IG investigation in which the complaint is sexual in nature or has a nexus to their SHARP duties.
- c. Based on the outcome of the investigation, the appointing authority will—
 - (1) Determine, in consultation with the supporting legal office, whether there is enough evidence to support taking action.
 - (2) Consult with the supporting legal office, SARC, CPAC, and the Director, SHARP Program, as appropriate.
- d. The first GO in the chain of command will notify the individual in writing of a decision to suspend or revoke a D–SAACP certification and will provide a copy of the notification letter to the Director, SHARP Program. This notification letter will be retained in accordance with DoDI 5015.02 and include—
 - (1) The effective date of the decision by the commander, supervisor, or other appointing authority.
 - (2) The grounds for the suspension or revocation, including the specific misconduct, ethical violation, substandard performance, professional or personal impairment, or the reason the commander, supervisor, or appointing authority lost faith and confidence in the D–SAACP certified individual to perform their assigned duties.
 - (3) Instructions for the certified individual to surrender their D–SAACP certificate and wallet identification card to the commander, supervisor, or other appointing authority within 24 hours of receipt of the notification letter.
 - (4) Notification that the respective SHARP ASI has been removed for Soldiers who have their D–SAACP certifications revoked.
 - (5) Notification of the individual's right to appeal the decision and a description of the appeals procedures.
 - (6) Signature of the individual acknowledging receipt of the decision. Refusal to sign does not negate the suspension or revocation action.
- e. The appointing authority, through the Director, SHARP Program, will provide the D–SAACP administrator and DoD SAPRO with written notification within 3 business days of receiving the notification to permanently suspend or revoke the individual's D–SAACP certification. The notification will include the written report provided to the Director, SHARP Program containing reasons from paragraph 6–9b.
- f. The commander, supervisor, or other appointing authority will ensure D–SAACP certifications are not renewed through the D–SAACP program or at DoD expense when individuals with unexpired D–SAACP certifications are no longer serving in the capacity of a SHARP professional.
- g. A final report of an investigation resulting in D–SAACP revocation will be sent to the supporting security office for the security file.

6–10. Defense Sexual Assault Advocate Certification Program reinstatement

- a. If a SHARP professional's certification has been suspended or revoked due to an administrative error, the first GO in the chain of command or first SES in the supervisory chain will issue a reinstatement letter to the D–SAACP administrator to reinstate the individual. A copy of this letter will be forwarded to the SHARP Director within 5 business days. The report will document the administrative error and the reinstatement.
- b. Prior to applying for D–SAACP reinstatement, allegations, complaints, and related actions, if any, for which D–SAACP certification was previously suspended or revoked will be reviewed by the commander, supervisor, or other appointing authority for a determination on whether the individual should resume SHARP duties.
- c. If a SHARP professional's certification has been revoked or suspended for reasons other than administrative error, reinstatement may be requested by re-applying through the D–SAACP application process with DD Form 2950–1.

6–11. Missed deadlines

- a. If D–SAACP certified personnel have missed more than three D–SAACP committee deadlines for renewing certification, personnel may submit a completed DD Form 2950–1, proof of completing required

continuing education training hours, proof of completing 2 hours of ethics training, and a statement from the applicant or commander explaining the reasons for missed deadlines.

b. If any D–SAACP certified personnel has missed four or more D–SAACP committee deadlines for renewing certification, they are required to submit a completed DD Form 2950–1 and proof of taking the appropriate SHARP Course within 1 year of submission. Submitting the renewal application and 32 hours of CEUs and 2 hours of ethics training will not be accepted.

6–12. Certification expiration

a. D–SAACP certified personnel whose certification has expired will not provide SHARP services. The SHARP professional will ensure that a proper handoff is conducted to ensure continuity of services for sexual assault victims and will immediately notify the commander, supervisor, or other appointing authority that their certification is expired.

b. The Director, SHARP Program will review the expired D–SAACP certification. The expired certification is subject to change in status due to suspension or revocation by the current command.

6–13. Additional skill identifier

Soldiers who have favorable background screening or investigation and successfully complete the SHARP Basic and SHARP Intermediate Courses qualify for a SHARP ASI. Upon completion of the courses, the U.S. Army SHARP Academy will process the action to award the ASI in accordance with Army policies (see AR 611–1).

Chapter 7

Education, Training, and Leader Development

7–1. Overview

a. The Army uses training and education to reduce, with an aim to eliminate sexual harassment, sexual assault, and associated retaliatory behavior; promote the sensitive handling of victims of sexual harassment and sexual assault; offer assistance and counseling; hold those who commit sexual harassment, sexual assault, and associated retaliatory behavior accountable; provide confidential avenues for reporting; and reinforce a commitment to Army values.

b. The Director, U.S. Army SHARP Academy is the proponent for all forms of SHARP education, training, and leader development activities, content, and products. All education, training, leader development activities, content, and products will be developed in accordance with DoD and Army policy. All SHARP training must be reviewed and approved by the Director, SHARP Program prior to product release.

c. SHARP training providers and facilitators will not disclose confidential information or PII of victims of sexual harassment, sexual assault, and associated retaliatory behavior or other recipients of response services that they obtained during their professional career for training purposes, unless—

- (1) They take reasonable steps to protect the victim's identity; and
- (2) The victim has consented in writing.

d. Army personnel will not ask a victim or other individual if their experience can be included in training. Requests to authorize an experience to be used in training must voluntarily come from the victim or other individual receiving services or a response.

e. If using past SHARP experiences during training, the event will be designed so that the victim could not recognize the experience as their own.

f. If an experience could be perceived as shameful, blaming, or unflattering to a victim of sexual harassment, sexual assault, or associated retaliatory behavior, it will not be used in training.

7–2. Operational training

a. *Sexual Harassment/Assault Response and Prevention Annual Refresher Training.* Soldiers and DA Civilians of all grades will be able to recognize sexual harassment and sexual assault, know how to prevent acts of sexual assault and sexual harassment before they occur, and report them when they do occur. Additionally, they must understand the impact of sexual assault and sexual harassment on victims and the consequences associated with committing acts of sexual harassment and sexual assault and associated retaliatory behavior. Annual refresher training will be conducted face to face using the approved

Army SHARP Annual Refresher Training Support Package available on the Army Training Network or the SHARP Learning Portal at <https://sharplearningportal.army.mil/>.

(1) Commanders will determine the duration, location, and means for conducting training. Unit leaders (noncommissioned officers, warrant officers, officers, and DA civilian supervisors) will lead the training with the assistance of certified SHARP professionals.

(2) It is recommended to have a certified SHARP professional in attendance to support training in the event there are specific policy or process questions, or the training invokes a response with a participant. If a SHARP professional is not available, instructors will ensure that contact information for their local SHARP office is available for timely response and support.

(3) Commanders will incorporate SHARP training into the overall unit training plan and document SHARP training on the unit training schedule. All Soldiers and DA Civilians will attend and participate in SHARP annual refresher training. Commanders are responsible for ensuring personnel conducting SHARP training have the appropriate skills and expertise to present accurate and effective training.

b. Sexual Harassment/Assault Response and Prevention Pre-deployment Training. Commanders are responsible for ensuring all personnel, including DA Civilians who deploy with their unit, receive training before deployment and that completion of training data is recorded in the Digital Training Management System. Contractors are trained pursuant to the terms and conditions of the applicable contract or agreement. Soldiers and DA Civilians mobilized on orders over 30 days pursuant to Title 10 and Title 32 will be provided with the following information:

(1) Potentially different support systems and specific details on the available resources in their deployed environment and how to access those support systems and resources.

(2) Available SARC, VA, SVC, and other sexual harassment, sexual assault, and associated retaliatory behavior responders who are available during deployment (for example, law enforcement personnel, healthcare personnel, and chaplains).

(3) Location-specific resources available during deployment. This will include information about mandatory reporters of sexual harassment, sexual assault, and associated retaliatory behavior and those who can maintain confidentiality.

(4) Local laws and customs, if any, that might impact obtaining sexual assault assistance from foreign national resources.

(5) How to access anonymous DoD Safe Helpline services, which are available 24/7 and worldwide.

(6) Aspects of prevention activities that may be different within a deployed environment.

(7) How to promote DoD and Army core values to reinforce social norms that prevent sexual assault and other related violent, harmful, or abusive acts across the continuum of harm (for example, promote DoD, military, and Army core values through their individual actions to shape, reaffirm, and share norms of dignity and respect that actively deter abusive or harmful acts in their contingency environment; and reinforce norms that build unit cohesion and thereby counter sexual assault, and sexual harassment).

(8) How to support and maintain protective and professional organizational climates that ensure the safety of all team members (for example, appropriate boundary setting for respectful professional and personal relationships in their contingency environment).

(9) How to develop and apply skills that contribute to the primary prevention of sexual assault and other related violent, harmful, or abusive acts (for example, help-seeking, empathy, healthy coping skills, and positive bystander behaviors in their contingency environment).

(10) Commanders will document pre-deployment training on memorandums for record. These memorandums are an inspectable item on OIP.

c. Sexual Harassment/Assault Response and Prevention Post-deployment Reintegration Training. Commanders will ensure Soldiers and assigned DA Civilians receive SHARP post-deployment reintegration training within 30 days of returning from deployment. Commanders are responsible for ensuring all personnel are trained and training completion data is collected. Unit leaders (noncommissioned officers, warrant officers, officers, and DA civilian supervisors) will lead the training. It is strongly recommended to have a certified SHARP professional in attendance to support training in the event there are specific policy or process questions, or the training invokes a response with a participant. If a SHARP professional is not available, instructors will ensure that contact information for their local SHARP office is available for timely response and support. Post-deployment education and training will include—

(1) Overview of current SHARP services and available resources at their home station.

(2) Overview of the process for reporting a sexual assault and associated retaliatory behavior that occurred in the deployed environment so that victims can access the needed care and promote recovery.

(3) Overview of protective factors that may be different during reintegration (for example, connectedness, healthy coping, help-seeking, and healthy relationship skills).

d. Sexual Harassment/Assault Response and Prevention Newcomers Orientation Training. The intent of SHARP Newcomers Orientation training is to effectively integrate newly arrived Soldiers and DA Civilians of all grades into the local installations or unit's SHARP program. Commanders will ensure that Soldiers of all grades who complete a PCS are trained within the first 30 days of in-processing to a new installation. Civilian personnel of all grades will receive training within 30 days of in-processing to the workforce. Training will be conducted face to face, using the approved Army SHARP Newcomers Orientation Training Support Package available on the Army Training Network. Senior commanders have the responsibility to ensure the training is completed at every location or activity receiving new personnel. Commanders will retain records of Soldiers' SHARP training. This training is not a replacement or substitution for SHARP annual refresher training.

7-3. Institutional training

a. Initial training. All Soldiers will receive initial SHARP training within the first 14 days of initial entrance into active duty or initial entrance into an RC duty status. Newly commissioned officers will receive additional leader-specific SHARP training during BOLC B (see AR 350-1).

b. Professional military education and leadership development training. PME SHARP training will provide progressively advanced levels of learning that prepare individuals to fulfill their responsibilities within the SHARP program. PME content differs from and complements other forms of SHARP education and training. The DCS, G-3/5/7 will ensure that PME SHARP training occurs during all levels of the Noncommissioned Officer Education System, Officer Education System, Warrant Officer Education System, and Civilian Education System. Content will be tailored to responsibilities commensurate with grade and level of responsibility (see AR 350-1). The CG, TRADOC is responsible for developing and ensuring that all Soldiers are trained, completion of training data is collected, and the minimum sexual harassment and sexual assault training requirements are met.

c. Pre-command training. The DCS, G-3/5/7 will ensure that pre-command SHARP training occurs prior to an officer filling a command position. The CG, TRADOC will ensure all students are trained and completion of training data is recorded. The required subject matter for all pre-command training will be appropriate to the level of responsibility and commensurate with the level of command (see AR 350-1).

d. United States Military Academy training. The Superintendent, United States Military Academy will ensure all new accessions receive initial SHARP training within 14 days of initial entrance into active duty, completion of training data is collected, and the minimum sexual harassment and sexual assault training requirements are met.

e. General officers and Senior Executive Service training. GOs and SESs will receive initial and annual executive-level SHARP training. The General Officer Management Office and the Civilian Senior Leader Management Office, in coordination with the Director, SHARP Program, are responsible for ensuring the training is provided to all GOs and SESs and for tracking data regarding the occurrence of the training. The required subject matter for the education and training will be appropriate to the level of responsibility and provided by a subject matter expert (see AR 350-1).

f. Military recruiters training. The DSC, G-1 will ensure that military recruiters receive additional SHARP training while attending recruiting and retention college courses (see AR 601-1) and annually thereafter. The DCS, G-1 will ensure that personnel temporarily assigned to assist recruiters receive SHARP training upon initial assignment (see AR 601-2).

g. First responder training. First responders are those key personnel who provide initial support and services to a victim of sexual assault. It is critical that these responders receive the same baseline training throughout the Army to ensure that any Soldier or DA Civilian who is sexually harassed or sexually assaulted receives the same level of professional and appropriate response. First responder training will be developed by the functional proponent for each responder functional area. First responders include SARCs, VAs, Army healthcare personnel, military police, USACID special agents, judge advocates, chaplains, firefighters, and emergency medical technicians. Commanders, special victim witness liaisons, and Victim/Witness Assistance Program personnel can be first responders. Commanders receive additional first responder training during their required pre-command courses (see AR 350-1).

h. Delayed Entry Program. Individuals entering the Delayed Entry Program are included in SHARP initial training requirements. The DCS, G-1 will ensure that Delayed Entry Program participants receive SHARP training within 30 days of entering the program (see AR 601-25).

i. *Sexual Harassment/Assault Response and Prevention Basic Course.* The SHARP Basic Course is the initial training course for all SHARP professionals and focuses on providing the necessary knowledge, skills, mindset, and emotional intelligence to successfully provide victim-centric, trauma-informed, and recovery-oriented advocacy and victim assistance. Upon graduating, students will meet the requirements to be a VA and will be eligible for D–SAACP credentialing. The SHARP Basic Course is the first educational requirement for individuals filling SHARP PM, SHARP assistant PM, Lead SARC, supervisory SARC, program compliance specialist, program support specialist, SARC, VA, or SHARP instructor positions.

j. *Sexual Harassment/Assault Response and Prevention Intermediate Course.* The SHARP Intermediate Course is designed to train SHARP professionals on the knowledge, skills, and attitudes to perform case management and program compliance. The SHARP Intermediate Course is the educational requirement for individuals filling SHARP PM, SHARP assistant PM, Lead SARC, supervisory SARC, program compliance, SARC, or SHARP instructor positions. The course is designed to prepare individuals to effectively provide SHARP professional support to units.

k. *Sexual Harassment/Assault Response and Prevention Instructor Course.* The SHARP Instructor Course is the educational requirement for all SHARP instructors. The course is designed to prepare SHARP instructors as Army instructors who will conduct SHARP Basic Course instruction for units across the Army. SHARP instructors will attend an approved U.S. Army SHARP Academy instructor recertification course every 5 years to maintain instructor educational requirements.

l. *Sexual Harassment/Assault Response and Prevention Advanced Course.* The SHARP Advanced Course is designed to train SHARP professionals on the knowledge, skills, and attitudes to conduct SHARP Program Management for senior commanders. The SHARP Advanced Course is the educational requirement for individuals filling SHARP PM, SHARP assistant PM, Lead SARC, selected supervisory SARC, and program compliance specialist positions. SHARP PMs and assistant PMs will complete the SHARP Advanced Course within 6 months of hire.

7–4. Self-development training

a. *Soldier, leader, and Department of the Army Civilian self-development training.* Multiple supplemental training products are available to enhance overall knowledge of SHARP-related policies and procedures. These products support continuous learning, complement the institutional and operational education and training activities, and enable individuals to pursue and achieve personal SHARP objectives.

(1) SHARP-approved videos are located on the SHARP Learning Portal at <https://sharplearningportal.army.mil/> or miTube at <https://www.milsuite.mil> (search for “SHARP Academy”).

(2) The Emergent Leader Immersive Training Environment SHARP Command Team Trainer module trains command teams on the unique roles and responsibilities of implementing the SHARP program within organizations.

(3) The Emergent Leader Immersive Training Environment SHARP Bystander Resource Assessment and Virtual Exercise module trains Army junior leaders to successfully intervene when observing behavior that could lead to potential incidents of sexual harassment and sexual assault.

(4) The Emergent Leader Immersive Training Environment Prevention and Outreach Simulation Trainer module educates SHARP professionals on their roles and responsibilities related to prevention and outreach when supporting the commander and other SHARP stakeholders responsible for implementing the SHARP Program.

(5) Information on the Emergent Leader Immersive Training Environment suite of online training is available on the SHARP Learning Portal.

b. *Sexual Harassment/Assault Response and Prevention professional self-development training.* SHARP professionals will remain knowledgeable and proficient on all matters related to SHARP to provide competent advocacy and assistance. Multiple self-development opportunities are available to complete D–SAACP training requirements and enhance SHARP knowledge, skills, and abilities are located on the DoD SAPR website at <https://www.sapr.mil/>.

Chapter 8

Case Management Data and Reporting

8–1. Purpose

Case management data is collected and reported to ensure victims’ needs are being met, Army and DoD policy are being enforced, and congressional requirements can be fulfilled.

8–2. Defense Sexual Assault Incident Database

The DSAID is the DoD's centralized, case-management system for collecting and maintaining information on sexual assaults involving persons covered by the DOD Sexual Assault Prevention and Response policy. DSAID includes case information reported by the Military Services that are necessary to fulfill reporting requirements. Senior commanders will ensure that SARCs enter sexual assault case data into DSAID, in accordance with applicable Army and DoD policies. SHARP PMs will ensure accuracy and completeness of DSAID data, using information provided by the Director, SHARP Program, for their command. DSAID will also serve as the SHARP Program's administration business management tool.

8–3. Defense Sexual Assault Incident Database policy

a. PMs, Lead SARCs, supervisory SARCs, and SARCs in authorized tables of distribution and allowances positions who have an active D–SAACP certification and have completed DSAID and Protecting PII training are authorized to access DSAID. While VAs are not permitted access to DSAID, all D–SAACP certified SHARP professionals will have profiles built in DSAID to track their continuing education requirements.

b. PMs are responsible for ensuring SARCs in their command have access to DSAID. SHARP PMs will submit each SARC's D–SAACP identification, advocate level, and certification expiration date with a copy of their required training certificates and appointment memorandum to the Director, SHARP Program.

c. The responsible SARC is required to enter a case into DSAID within 48 hours of the report. In deployed locations that have internet connectivity issues, the time limit is extended to 96 hours. This will be followed by actively entering data into a case until all fields are complete. All SARCs are required to enter all required fields in DSAID prior to closing a case (includes restricted and open with limited information cases).

d. SHARP PMs will notify the Director, SHARP Program within 7 days when a SARC in their command with access to DSAID vacates their position to ensure access is revoked.

e. SARCs will document and track the services referred to and requested by the victim from the time of the initial report of a sexual assault through the final case disposition or until the victim no longer desires services.

f. DSAID entry for unrestricted reports—

(1) If the sexual assault is being investigated by the USACID, SARCs are responsible for entering victim information. Subject and incident information is provided through an interface with the Army Law Enforcement Reporting and Tracking System. The victim's DoD identification number and USACID case number will be entered accurately for the Army Law Enforcement Reporting and Tracking System to successfully interface with DSAID. SARCs will contact the supporting USACID special-agent-in-charge to obtain the subject and incident information that was not provided by the interface.

(2) If the sexual assault is being investigated by state or local law enforcement, the SARC will coordinate with the supporting USACID special-agent-in-charge to obtain subject and incident information.

(3) SARCs will upload the signed DD Form 2910 into DSAID for unrestricted reports.

g. Requests for information contained in DSAID that are submitted to the Army pursuant to FOIA will be processed by in accordance with AR 25–55. Requests for information contained in DSAID will not be informally handled by SARCs.

h. Minutes from the monthly SARB meeting will be uploaded to DSAID.

8–4. Defense Sexual Assault Incident Database entry for restricted reports

SARCs will upload DD Form 2910 into the DSAID File Locker for restricted reports.

8–5. Open with limited information

a. Lead SARCs will open a case in DSAID as an “open with limited information” case when there is no signed DD Form 2910 or DD Form 2910–8 (for example, an independent investigation or third-party report or when a civilian victim who is not eligible for SHARP services reports a sexual assault committed by a Soldier).

b. The Lead SARC will work with law enforcement to get all required case information and enter it into DSAID.

c. SARCs will upload a memorandum for record in place of a signed DD Form 2910 or DD Form 2910–8 for cases where there is not a signed DD Form 2910 or DD Form 2910–8. The memorandum for

record will include an explanation of why DD Form 2910 is absent (that is, Civilian victim not entitled to SHARP services or victim declined to sign DD Form 2910 or DD Form 2910–8).

d. When a Soldier is being investigated by USACID for sexually assaulting a civilian or foreign national, the Lead SARC will request from the USACID special agent-in-charge the victim's name, supporting PII, and the USACID case number, to include the unique identifier for foreign nationals, to enter into DSAID. The Lead SARC will ensure that data provided by the USACID special agent-in-charge includes information on victims ages 16 and older who are not sexually assaulted by a caregiver, in accordance with DoDI 5505.18.

e. The Lead SARC will not discuss these cases at the SARB.

f. When the investigation is complete and the commander determines a final disposition, the Lead SARC will enter the disposition into DSAID. Once the final disposition and all required case information is entered, the Lead SARC will close the case in DSAID.

g. SARCs will upload a memorandum for record in place of a signed DD Form 2910 for cases where there is not a signed DD Form 2910. The memorandum for record will include an explanation of why DD Form 2910 is absent (that is, Civilian victim not entitled to SHARP services or Victim declined to sign DD Form 2910).

8–6. DD Form 2965

a. DD Form 2965 (Defense Sexual Assault Incident Database (DSAID) Data Form) may be used as a tool for capturing information to be entered into DSAID when direct data entry is not possible. The DD Form 2965 must not be retained as a permanent form.

b. SARCs are the primary users of DD Form 2965, which may be completed in sections as appropriate. Fields on this form should only be completed as needed to fulfill DSAID data requirements for the given type of report (restricted or unrestricted). For restricted reports, no PII for victims or subjects should be captured.

c. Sections of DD Form 2965 may also be used by the USACID investigator and designated legal officer, if applicable, to provide required investigative and disposition information to SARCs for entry into DSAID. DD Form 2965 will not be maintained longer than required to enter all required information into DSAID. Once information is entered in DSAID, DD Form 2965 will be destroyed immediately. Until DD Form 2965 is destroyed, it will be covered with SF 901 (Controlled Unclassified Information (CUI) Coversheet) and maintained in a locked cabinet or drawer when not under the direct control of an individual with a need-to-know (specifically, the SARC, individual completing a section of DD Form 2965, or battalion commander completing the SAIRO).

d. Under no circumstances will victims complete DD Form 2965. Required information will be gathered from sources other than the victim, such as the USACID investigator, after the victim's needs are met and without the victim being present.

8–7. Integrated Case Reporting System

a. ICRS is the system of record for recording all sexual harassment complaints and reports known to the SARC. Senior commanders will ensure that SARCs enter sexual harassment report and complaint data into ICRS. Army National Guard Title 32 sexual harassment complaints are handled by equal opportunity personnel, not SHARP professionals.

b. ICRS policy.

(1) Lead SARCs, supervisory SARCs, and SARCs in authorized tables of distribution and allowances positions who have an active D–SAACP certification and have completed DSAID and protecting PII training are authorized to access ICRS.

(2) SHARP PMs at the ACOM, ASCC, and USAR levels have read-only access to all cases managed by their command.

(3) VAs are not permitted access to ICRS.

(4) PMs are responsible for ensuring that SARCs in their command have access to ICRS. ACOM, ASCC, DRU, and USAR SHARP PMs will submit each SARC's D–SAACP identification, level, and expiration date with a copy of their SHARP and PII training certificates and appointment memorandum to the Director, SHARP Program. The Lead SARC's appointment memorandum will identify them as Lead SARC for an installation.

(5) PMs will notify the Director, SHARP Program within 7 calendar days when a SARC in their command with access to ICRS vacates their position to ensure access is revoked.

(6) The responsible SARC is required to enter a case into ICRS within 48 hours of the report. In deployed locations that have internet connectivity issues, the time limit is extended to 96 hours.

c. Sexual Harassment Complaint Tracking Tool.

(1) PMs, Lead SARCs, supervisory SARCs, and SARCs will have access to and use the sexual harassment tracking tool to maintain proper oversight of all formal and anonymous sexual harassment complaints and enforce commander's accountability for the requirements in the complaint process.

(2) Senior commanders will use the Sexual Harassment Complaint Tracker at QSART meetings for review of compliance with required timelines and case characteristics and disposition trends. Senior commanders will consult with their supporting SJA to ensure that case disposition information is correct prior to the QSART.

(3) Senior commanders will ensure SARCs complete timely and accurate entry of data to track the life cycle of sexual harassment complaints and enforce compliance within required timelines.

8–8. Catch a Serial Offender Program

a. SHARP PMs, Lead SARCs, supervisory SARCs, and SARCs in authorized tables of distribution and allowances positions who have an active D–SAACP certification and have completed DSAID and Protecting PII training are authorized to access CATCH.

b. To make a CATCH entry, victims will contact the SARC, who will explain the program and provide a username and password to gain access to the CATCH website.

8–9. Annual and other reporting requirements

a. Annual reports to Congress.

(1) *Sexual assault.* Heads of ARSTAF elements and all ACOM, ASCC, and DRU commanders will provide input to the Director, SHARP Program for the sexual assault annual report to Congress, to include cost data (annual date is provided when official tasking is released). The submission of reports to Congress will be coordinated with the Office of the Chief of Legislative Liaison.

(2) *Sexual harassment.* Heads of ARSTAF elements; all ACOM, ASCC, and DRU commanders; and the CNGB will provide input to the Director, SHARP Program each year on the sexual harassment annual report to Congress, to include cost data (annual date is provided when official tasking is released). The submission of reports to Congress will be coordinated with the Office of the Chief Legislative Liaison.

b. Other reports to the Sexual Harassment/Assault Response and Prevention Program Director.

(1) The Director, USACID will provide data monthly in accordance with its data use agreement with DoD SAPRO and provide a copy of the data submission to the Director, SHARP Program.

(2) The Director, USACID will provide data on a weekly basis to Director, SHARP Program.

(3) Information may be requested from the Director, SHARP Program on an ad hoc basis to satisfy HQDA, DoD, and other report requirements. All PMs will serve as a conduit of information between commands and the Director, SHARP Program, receiving the requests for information and ensuring they are fulfilled.

c. Quarterly retaliation reports.

(1) Taskers requesting data regarding retaliation are sent from the Director, SHARP Program quarterly.

(2) Heads of ARSTAF elements and all ACOM, ASCC, DRU, and USAR commanders will provide input to the Director, SHARP Program each quarter in accordance with the instructions included in the tasker.

(3) SHARP PMs will obtain the requisite data via a manual data call to the SARCs for the subordinate units in their command.

8–10. Commander's critical information requirements and reporting categories

a. The Army has a standardized process for submitting CCIRs regarding complaints of sexual harassment and reports of sexual assault.

b. Within 24 hours of notification, ACOM, ASCC, and DRU commanders will report formal and anonymous sexual harassment complaints and unrestricted reports of sexual assault involving the following incident categories to the AOC, usarmy.pentagon.hqda.mbx.armywatch@army.mil and the Personnel Contingency Cell at usarmy.pentagon.hqda.mbx.pccima04@army.mil:

(1) *Category 1.* Subject currently is or was at the time of the incident a commander or O–5 (P) and above, E–9 or command sergeant major, or senior civilian supervisor (GS–15) or above.

- (2) *Category 2.* Subject falls within one of the following categories:
 - (a) SHARP professional currently serving or with an active D–SAACP certification (whether they are currently serving in the position or not).
 - (b) Staff member of the SHARP Program Office or command SHARP offices or anyone who has an active or expired D–SAACP certification (whether they are still serving in the position or not).
 - (c) SVC, special trial counsel, USACID special victims' investigator, or special victim witness liaison.
 - (d) Drill sergeant, advanced individual training instructor, or recruiter.
 - (e) Chaplain or religious affairs specialist.
 - (f) SAMFE.
- (3) *Category 3.* Curious cases, including the following:
 - (a) Multiple reports originating from a single unit or organization within a period defined by a Lead SARC or PM that would warrant informing the DCS, G–9 or Army senior leaders.
 - (b) A pattern of reports recognized by a Lead SARC or PM that suggests a serial offender and would warrant informing the DCS, G –9 or Army senior leaders.
 - (c) Extreme violence (such as the victim requires hospitalization, the victim was murdered).
 - (d) Other abnormal situations that may warrant informing the DCS, G–9 or Army senior leaders.
- (4) *Category 4.* Cases expected to attract high media or congressional attention.

8–11. Submission of commander's critical information requirements

Submit CCIRs in the following format:

- a. *Incident type.* Category 1 through 4.
- b. *Who.* Subject's name, grade, sex, unit of assignment, and duty position. Victim's grade and sex. Omit other PII of the victim, even if it is public knowledge or has been reported in the media. If the victim's grade or sex could possibly identify them, omit that information.
- c. *What.* Description of the incident. For sexual assault, what crime the USACID is investigating. Do not include specific details of the assault. For sexual harassment, what type of sexual harassment (for example, quid pro quo or hostile environment). Do not include specific details of the harassment.
- d. *When.* Dates and times of reported incident.
- e. *Where.* Location of incident, to include the reporting installation and whether the incident or report occurred on or off-post.
- f. *Actions taken.* Response to date (for example, USACID investigation initiated with case number, appointment of an investigating officer, suspension of a commander, or revocation of a SHARP professional's appointment orders).
- g. *Other factors.* Known or expected media or international interest, safety of victim, or any other pertinent information regarding the victim's well-being.

8–12. Notification process

a. ACOM, ASCC, and DRU commanders submit initial SHARP CCIRs to the AOC point of contact and their respective SHARP PM. The AOC point of contact forwards the SHARP CCIR to the SHARP Director if it meets one of the four categories listed in paragraph 8–10. The SHARP CCIR notification will include at a minimum the Secretary of the Army; CSA; Vice CSA; Sergeant Major of the Army; ASA (M&RA); DCS, G–9; Director, SHARP Program; and OTJAG, Chief, Criminal Law Division. ACOM, ASCC, DRU, and USAR SHARP PMs will immediately notify the Director, SHARP Program of forthcoming CCIRs to assist in immediate Army leadership notification.

- (1) For category 2 incidents involving SHARP professionals, the Director, SHARP Program will—
 - (a) Validate the individual's D–SAACP certification. Validation will occur the same day if notification occurs during the duty day or the next business day if after duty hours. If the individual is not D–SAACP certified, verify if they are currently serving as a SHARP professional.
 - (b) Inform the subject's PM if not already notified. Advise the PM of the requirement to submit a D–SAACP suspension or revocation memorandum to the Director, SHARP Program within 96 hours. Appointing authorities can suspend a SHARP professional's D–SAACP certification immediately via verbal order of the commander. The PM will confirm that the individual's D–SAACP card is seized immediately.
 - (c) Immediately suspend access for subjects with DSAID and ICRS accounts.
- (2) The Director, SHARP Program will notify the Director, of all reports that meet the DoD SAPR CCIR reporting guidelines. This includes all sexual assaults involving subjects who are O–6 commanders and

above, subjects who are a SHARP professional or SHARP staff member, and all category 3 and 4 sexual assault reports.

b. Reports will indicate actions conducted, a summary of the findings from the USACID and AR 15–6 investigations (if available and releasable), and steps taken to assist the victim (if applicable).

c. If a written extract from local police intelligence files is provided to an authorized agency or individual, the following will be included on the transmittal documents: “This document is provided for information and use. Copies of this document, enclosures thereto, and information there from will not be further released without the prior approval of the victim and USACID.”

d. Figure 8–1 shows the CCIR notification process.

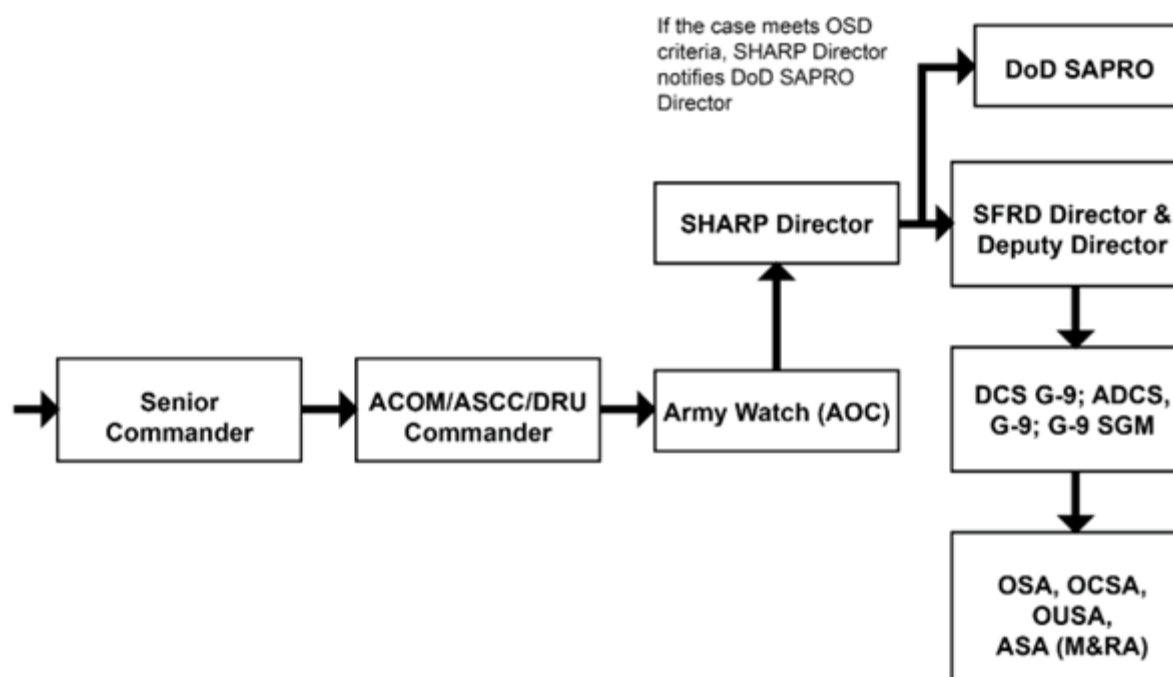


Figure 8–1. Commander's critical information requirements and notification process

8–13. Crisis action team

The Director of the Army Staff may convene a crisis action team for category 4 CCIRs expected to receive congressional or high media attention. The Director, SHARP Program will work with the command public affairs office; the DCS, G–9's Public Affairs Office; Office of the Chief of Legislative Liaison; and the Office of the Chief of Public Affairs to draft public affairs guidance, as needed.

8–14. Sexual Assault Prevention and Response Related Inquiry for individuals who choose not to file an official report

a. For individuals who choose not to or are ineligible to file an official report of sexual assault using DD Form 2910 or DD Form 2910–8 but have questions regarding the Army's response to sexual assault, SARCs will use the “SAPR Related Inquiry Module” in DSAID to document these inquiries.

b. SRIs can be divided into four categories—

(1) Sexual assault inquiries. Documents inquiries made by individuals who disclose that a sexual assault has occurred but choose to not complete an official report using DD Form 2910 or DD Form 2910–8; referrals to support services for victims who do not make an official report using DD Form 2910 or DD Form 2910–8, and the reasons why the individual did not make an official report, if the individual disclosed those reasons.

(2) Retaliation reporter inquiries. Documents inquiries made by individuals disclosing that they have experienced retaliation related to a report of sexual assault but chose not to make an official report of retaliation using DD Form 2910–2.

(3) Persons inquiring about reporting processes or resources. Documents inquiries made by individuals associated with a report or disclosure of sexual assault or associated retaliatory behavior (for example, witnesses or supervisors, coworkers, friends, and Family members of the sexual assault victim or retaliation reporter) who ask questions about the reporting process or resources or ask questions to better understand the reporting process.

(4) CATCH sexual assault prevention and response related inquiry (SRI). Individuals who have not filed an official report of sexual assault using DD Form 2910 or DD Form 2910–8 may complete an entry into the CATCH database using DD Form 2910–4. Upon completing of DD Form 2910–4, the SARC will print out the victim's CATCH username and password and provide an instruction sheet for victims submitting CATCH entries that has CATCH information and the timeframes for when the CATCH username and password will expire.

c. SARCs will complete SRI entries in the appropriate DSAID module, including uploading the completed DD Form 2910–4 for CATCH SRIs, within 48 hours of the SRI being made. In deployed locations, such as designated combat zones that have internet connectivity issues, the timeframe is extended to 96 hours.

Chapter 9

Retaliation in Response to Reports of Sexual Assault and Sexual Harassment

9–1. Overview

a. No Army personnel may retaliate against a victim, a reported victim, or another member of the Armed Forces based on that individual's report of sexual assault and sexual harassment made under the purview of the SHARP Program. These provisions are punitive, and violations may be punished under Article 92, UCMJ and applicable DA civilian authorities.

b. Definitions related to retaliatory personnel actions (reprisals) are found in 10 USC 1034; DoDD 7050.06; DoDI 1020.03, DoDI 6495.02, Volume 3; and AR 20–1.

c. Retaliation includes acts that involved certain social interactions, such as ostracism. These acts have a connection to military Service, and wrongfully exclude a military member from social acceptance or membership with the intent to:

- (1) Inflict emotional distress.
- (2) Discourage reporting of sexual assault or sexual harassment.
- (3) Discourage the administration of justice concerning a sexual assault or sexual harassment because the perpetrator knew or believed that the member—
 - (a) Reported or was planning to report a sexual assault or sexual harassment.
 - (b) Was a victim or reported victim of a sexual assault or sexual harassment.
 - (c) Was reported by another as being the victim of a sexual assault or sexual harassment.
 - (d) Intervened to prevent or attempted to prevent a sexual assault or sexual harassment from occurring.

(e) Cooperated in an investigation or has served, will, or may serve as a witness or otherwise cooperate in the future in a criminal, disciplinary, or administrative proceeding or investigation involving a sexual assault or sexual harassment.

d. Reports of retaliatory behavior are investigated by the appropriate IG (see DoDI 6459.02, Volume 3 and AR 20–1).

(1) Reports about retaliation in conjunction with a restricted report will not be disclosed unless an exception to restricted reporting applies.

(2) Reports of retaliatory behavior that concern offenses under the UCMJ (such as stalking, damage of property, communicating a threat, obstruction of justice, and assault) that are unrelated to a report of sexual assault and sexual harassment made under the purview of the SHARP Program will be referred to the special agent-in-charge of the supporting USACID office for initiation of a criminal investigation.

(3) Reports of retaliatory behavior that an IG or the special agent-in-charge of the supporting USACID office does not accept for investigation will be referred to and investigated by the victim's chain of command or supervisor or by any other appropriate investigative agency, organization, or entity.

(4) A Special Trial Counsel has exclusive authority to determine if a reported offense is a covered offense as defined in 10 USC 801 and will exercise authority over such offense in accordance with the UCMJ. Covered offenses include an offense under UCMJ Articles 117a, 120, 120b, 120c, 130, 132, and 134, and conspiracy, solicitation, or an attempt to commit these offenses. (See 10 USC 824a.)

e. SARCs and VAs will inform victims of the resources available to request a transfer or MPO or to report instances of retaliation, reprisal, ostracism, maltreatment, and sexual harassment.

(1) A commander who receives a retaliation report filed with DD Form 2910–2 will immediately refer the matter to the special agent-in-charge of the supporting USACID office and will not attempt to assess the credibility of the retaliation report, even if the crime is not something normally reported to the special agent-in-charge of the supporting USACID office (for example, victim's personal vehicle was defaced).

(2) If the report is initially brought to the attention of the SARB Chair during the monthly SARB meeting, then the SARB Chair, as a commander who receives a retaliation report filed with DD Form 2910–2, will immediately refer the matter to the special agent-in-charge of the supporting USACID office and will not attempt to assess the credibility of the retaliation report.

(3) If there is no DD Form 2910–2 filed, upon becoming aware of a report or disclosure of retaliation, a commander will immediately confer with the supporting judge advocate and the supporting IG to ensure the report or disclosure is referred to the appropriate office for evaluation.

(4) Victims can seek assistance on how to report retaliatory behavior by requesting assistance from—

(a) A SARC to report a sexual assault or act of sexual harassment.

(b) A SARC on a different installation, which can be facilitated by the DoD Safe Helpline.

(c) A company commander or any other higher commander in the chain of command.

(d) A commander outside their chain of command.

(e) An equal opportunity advisor if the retaliation is in their purview.

(f) A GO, if the retaliation, reprisal, ostracism, or maltreatment involves the administrative separation of victims within 1 year of the final disposition of their sexual assault case.

(g) A GO, if the victim believes that their career has been impacted because they reported a sexual assault or sought mental health treatment for sexual assault. The victim may discuss the impact with the GO.

(h) Victim/Witness Assistance Program personnel or their supporting legal advisor.

(i) An IG.

(j) A commander or SARC to request an MPO, TRO, or CPO, if the victim is in fear for their safety.

(k) The USACID office, if the retaliation takes the form of an act that is criminal in nature and the victim filed an unrestricted report of sexual assault or sexual harassment.

f. SARCs and VAs will provide support to victims of sexual assault and victims of sexual harassment who are targets of retaliatory behavior until the response to the retaliatory behavior has reached final disposition.

g. SHARP professionals will assist the commander with retaliation prevention efforts.

h. Commanders will establish procedures to protect all first responders, DA Civilians and Soldiers, witnesses, and bystanders who intervened to prevent a sexual assault or act of sexual harassment from retaliation, reprisal, ostracism, or maltreatment related to the execution of their duties and responsibilities.

i. Commanders should consult with their supporting legal advisor or IG for guidance on implementation of policy regarding reports of retaliatory behaviors.

j. If the SARB Chair is the subject in the sexual assault, elevate retaliation allegation to the first GO above the SARB Chair. The SARC who received the DD Form 2910–2 reports will contact that GO to elevate the retaliation report.

k. If the retaliation reporter's commander is the named subject of the retaliation, then the SARB Chair will appoint the commander at the next level of command or the Lead SARC to provide the retaliation reporter the status update, and the SARB Chair will also invite the designated personnel to attend the monthly SARB meetings for as long as the retaliation report is on the agenda and consent from the reporter has not been rescinded.

9–2. Retaliation in connection with an unrestricted report of sexual assault

a. SARCs will upload the completed DD Form 2910–2 into the DSAID File Locker within 48 hours of the report., where the DD Form 2910–2 will be maintained electronically for 50 years.

b. Victims must be notified that retaliation reports can always be filed directly to the DoD IG.

c. This DD Form 2910–2 is not a report to the IG. It is a retaliation report in the SAPR Program only. Reporters must contact the DoD IG directly if they want to file a retaliation complaint with the DoD IG. Information for the DoD Hotline whistleblower reprisal complaints is available at <https://www.dodig.mil/components/administrative-investigations/whistleblower-reprisal-investigations/whistleblower-reprisal/>.

d. SARCs will facilitate the completion of a safety assessment for retaliation reports and ensure they are re-administered when needed, with heightened attention to the safety of the sexual assault victim from potential self-harm and threats from others. The SARC will annotate the date and results of all safety assessments in DSAID.

e. If the individual reporting retaliation does not sign DD Form 2910–2, no information will be entered into DSAID or tracked by the SARC or any other SHARP professional.

f. Individuals reporting retaliation can always make their report directly to TIG or the DoD Office of Inspector General (OIG). Individuals are not required to notify a SHARP professional.

g. SARCs should be aware that investigators who address retaliation, such as USACID investigators and military equal opportunity personnel, are required to notify them within 48 hours of a victim's request to make a sexual assault related retaliation report.

(1) The SARC will contact the individual reporting retaliation and ask if they consent to complete DD Form 2910–2.

(2) The SARC will respond or direct a VA to respond to the individual reporting retaliation to assist them in completing DD Form 2910–2, as soon as possible.

h. In compliance with DoDD 7050.06, individuals alleging reprisal or retaliation may file a complaint with the DoD OIG or TIG.

(1) The SARC will ask the individual reporting reprisal to provide a copy of DD Form 2910–2 to the DoD OIG. This documents the individual reporting reprisal's consent to have the status of the reprisal case discussed at the monthly SARB.

(2) If the individual reporting reprisal does not provide a copy of DD Form 2910–2 to the DoD OIG, the SARC will provide it to the appropriate IG when making the initial request for an update. If the individual reporting reprisal does not consent to the discussion of the reprisal at the SARB, the SARC will not request DoD OIG updates for that case.

(3) Unless the victim files a report with the local IG, filling out DD Form 2910–2 will not initiate a report of reprisal.

i. The SARC will request status updates regarding reprisal cases being investigated by the DoD OIG every 3 months until the reprisal investigation is closed.

j. The SARC will email sapr-reprisal@dodig.mil to request status updates.

k. Reports of retaliation documented by DD Form 2910–2 are requests for assistance. SHARP professionals have an affirmative duty to provide individuals reporting retaliation victim advocacy and to ensure the report is referred to the appropriate authority.

l. If the individual reporting retaliation has authorized discussion at the SARB, documented by a signed DD Form 2910–2, the SARC will notify the Lead SARC and SARB Chair of the retaliation report.

m. The SARB Chair will ensure the retaliation reports have been referred to the appropriate investigative authority and will track reports involving victims, SARCs, and VAs until the retaliation case has been resolved.

n. Individuals reporting retaliation can request a copy of their completed DD Form 2910–2. This is the official retaliation report. However, individuals reporting retaliation cannot receive a copy of the DD Form 2910 associated with the retaliation report unless the individual reporting retaliation is also the sexual assault victim who originally filed the DD Form 2910. SHARP professionals will not reveal sexual assault case details to individuals who are reporting retaliation, but who are not the sexual assault victim.

o. Sexual assault related retaliation cases will be tracked in DSAID from the date of initial report to completion of command action or disposition of the retaliation case. When an act of sexual assault related retaliation is reported, the investigating body, whether the supporting USACID office or the commander, is responsible for providing the SARC with the information needed to complete an entry in DSAID.

p. When an individual completes DD Form 2910–2, the SARC will ensure that the reported retaliation can be directly linked to an unrestricted report previously entered into DSAID. The SARC will do this without confirming or denying to the individual reporting retaliation that an unrestricted report exists. If there is an existing unrestricted report in DSAID that can be linked to the retaliation report, the SARC will annotate that DSAID case number on DD Form 2910–2.

q. If the SARC cannot link the retaliation report to an unrestricted report in DSAID, the SARC will contact Director, SHARP Program for assistance in locating an unrestricted report.

r. If the Director, SHARP Program cannot directly link the retaliation report to an unrestricted report, the retaliation report will not be entered into DSAID. The SARC will inform the investigative entity that a link to an unrestricted report could not be established, and therefore, no further contact with the SARC is necessary. The investigation of the retaliation report will continue as appropriate, but it will not be considered an act of sexual assault retaliation for the purposes of DSAID tracking and congressional annual reporting requirements.

9–3. Training and data collection

a. Retaliation data will be included in the responses to the Director, SHARP Program, until the DSAID and ICRS modules become operational, at which point, the DSAID and ICRS retaliation modules will be used.

b. Metrics will be assessed to evaluate Army efforts to prevent and respond to retaliation. ACOM, ASCC, or USAR commanders may be asked to provide information to support these metrics. The metrics will appear in the Army's submission of the annual report to Congress. Metrics are included in the DoD Retaliation Prevention and Response Strategy Implementation Plan available at <https://www.sapr.mil/>.

Chapter 10

U.S. Army Reserve

10–1. Purpose

The USAR SHARP Program reinforces DoD and Army strategy to eliminate sexual assault and sexual harassment across the force. The USAR does not tolerate sexual harassment, sexual assault, or associated retaliatory behaviors and supports a culture free of sexual harassment and sexual assault through prevention, education and training, response capability, victim support, reporting procedures, and appropriate accountability that enhances safety, well-being, and readiness. This chapter addresses policy conditions specific to the USAR. USAR SHARP eligibility requirements align with program eligibility requirements prescribed in this regulation.

10–2. Scope

This chapter assigns responsibilities to USAR personnel with roles in providing oversight, implementation, and execution of the USAR SHARP Program pursuant to DoDD 6495.01. This chapter also prescribes policy for SHARP manning and staffing, screening, and training requirements for the USAR and prescribes policy governing command relationships and reporting, budget, and the SARF in support of effective program implementation.

10–3. Manning and staffing requirements

The Commander, USARC will ensure SARCs and VAs are adequately assigned using a regional model to support a distributed USAR population in support of the Army strategy to decrease incidents of sexual assault and harassment, increase reporting, and improve victim-centered response capabilities. The Commander, USARC will coordinate with RD commanders to establish coverage for response and prevention activities. Commanders will ensure that any coordination with other organizations for support is documented with an MOU when feasible.

10–4. Screening requirements

All USAR full-time SHARP professionals will have a cleared background screening, training, an active D–SAACP certification, and an appropriately signed appointment memorandum consistent with chapter 6 of this regulation. All SHARP professionals will perform their duties in accordance with the ethical standards in DoDI 6400.07 and DoDI 6495.03 at all times. These standards apply to all interactions with and intercessions for victims of sexual assault and sexual harassment and those who report retaliation.

10–5. Sexual Harassment/Assault Response and Prevention training requirements

a. *Sexual Harassment/Assault Response and Prevention training.* SHARP training provides Soldiers and DA Civilians with the knowledge and skills necessary to identify behaviors that contribute to sexual

harassment, to intervene when they witness sexual assault, to report sexual assault and sexual harassment, and to make resources available to Soldiers who are victims of sexual assault and sexual harassment. The SHARP training program consists of four categories: initial, annual, pre-deployment (mobilization), and post-deployment. All training will be conducted in accordance with chapter 7 of this regulation. Commanders at all echelons are responsible for complying with these requirements.

b. Initial training. All Soldiers entering or transferring within the USAR (including, but not limited to, new recruits and transfers) will receive an initial SHARP training within 14 days of initial entrance into an RC duty status. This training will ensure that new personnel are aware of reporting processes and SHARP professionals within the command.

c. Annual refresher training. Annual training will be conducted in accordance with paragraph 7–2.

d. Pre-deployment. Units will complete SHARP training prior to departure from home station. The major subordinate command-level SARC will track their units' pre-deployment training in accordance with paragraph 7–2c.

e. Post-deployment (mobilization). Commanders will conduct SHARP unit refresher training during demobilization and ensure that all Soldiers are aware of SHARP reporting guidance, contact information for SHARP professionals, and the resource center hotline number. Training will be conducted in accordance with paragraph 7–2d.

f. Senior leader training. Key leaders will be provided additional training upon assignment to battalion command or higher positions and annually thereafter. Commanders may identify additional key leaders for training based on unit mission. The Director, USARC SHARP Office is the proponent for this training in coordination with the Director, U.S. Army SHARP Academy.

g. Sexual Harassment/Assault Response and Prevention Basic Course Training. All USAR-hosted SHARP Basic Courses are requested and coordinated through the USARC SHARP Office. If approved, the Director, USARC SHARP Office will coordinate with the Director, U.S. Army SHARP Academy to upload courses into the Army Training Requirements and Resources System.

(1) All students will request enrollment to SHARP Basic Courses through their RD Lead SARC who will process the request to the RD SARC for management and execution of SHARP Basic Courses. Prior to enrollment, students will complete Part I Suitability and Centralized Background screening requirements.

(2) Funding for all SHARP courses is maintained at the RD Lead SARC level. SHARP MDEP funding will only be used for approved SHARP Program functions.

10–6. Command and reporting relationships

The following policy prescribes how to process sexual harassment complaints and sexual assault reports in a manner that ensures consistent reporting practices, reduces redundancies, maintains continuity among offices of primary responsibility, and provides the highest level of service to victims.

a. Sexual assault response coordinator and victim advocate accountability reports. RD commanders will provide USARC SHARP PMs copies of regional SARC and VA data and appointment memorandums for all assigned and appointed SARCs and VAs to ensure effective management, accountability, appointments, and tracking of USARC's full-time VA assets as prescribed in USARC policy.

b. Sexual assault accountability and processing. RD SARCs are responsible for documenting and reporting sexual assaults within the USAR. Furthermore, the RD full-time SARCs are accountable for reporting and entering all cases of sexual assault into DSAID. Access to DSAID is requested through the RD commander, processed through USARC SHARP Office, and authorized by the Director, SHARP Program.

c. Sexual harassment report processing. The full-time SARC will receive and process sexual harassment reports. All cases will be entered into ICRS within 24 hours of receipt. Unit commanders will submit monthly status updates of all cases to the USARC SHARP PM for oversight. For the USARC, the full-time SARC will refer all formal reports to the commander for subsequent notification of the GCMCA within 72 hours.

d. Line of duty entitlements. Regardless of duty status at the time the sexual assault incident occurred or at the time Soldiers are seeking SHARP services, personnel can elect either the restricted or unrestricted reporting option and have access to the SHARP services of a SARC and VA. SHARP LOD investigations will be processed in accordance with AR 600–8–4. Only SARCs are authorized to process restricted LODs using information from the Soldier's report.

e. Sexual Harassment/Assault Response and Prevention Hotline. The RD commanders will ensure 24/7 hotline support for their AOR. The hotline will be answered by a current D–SAACP certified full-time

SARC or VA capable of receiving reports of sexual assault or sexual harassment complaints. They will provide resources as required and conduct a proper handoff to the full-time SARC from the victim's command or region after meeting the immediate needs of the caller to ensure proper case management. All hotlines will be in accordance with appendix B of this regulation. The DoD Safe Helpline phone number, 1-877-995-5247, will be posted on all official Army websites and the 24/7 hotline. All advertised reporting phone lines published at command levels will be answered by someone who is D-SAACP certified and capable of taking a restricted or unrestricted report.

10-7. Budget requirements

Resource management and budget execution will be processed in accordance with USAR SHARP budget standard operating procedures.

10-8. Expedited transfer requests for the U.S. Army Reserve

a. Per DoDI 6495.02, Vol 1, the intent behind the expedited transfer policy is to address situations where a victim of sexual assault feels safe but uncomfortable and to assist in the victim's recovery by moving the victim to a new location, where no one knows of the sexual assault.

b. Active Guard Reserve Soldiers and USAR TPU Soldiers who file unrestricted sexual assault reports using DD Form 2910 may request an expedited transfer (see AR 614-100 and AR 614-200).

Appendix A

References

Section I

Required Publications

Unless otherwise indicated, all Army publications are available on the Army Publishing Directorate (APD) website at <https://armypubs.army.mil/>. DoD publications are available on the Executive Services Directorate website at <https://www.esd.whs.mil/dd/>. USC material is available at <https://uscode.house.gov/>.

AR 15–6

Procedures for Administrative Investigations and Boards of Officers (Cited in para 2–1c.)

AR 20–1

Inspector General Activities and Procedures (Cited in para 2–20a.)

AR 25–55

The Department of the Army Freedom of Information Act Program (Cited in para 1–14y.)

AR 190–45

Law Enforcement Reporting (Cited in para 2–10f.)

AR 350–1

Army Training and Leader Development (Cited in para 1–14j.)

AR 600–8–2

Suspension of Favorable Personnel Actions (Flag) (Cited in para 2–10g(5).)

AR 614–100

Officer Assignment Policies, Details, and Transfers (Cited in para 1–13b(2).)

AR 614–200

Enlisted Assignments and Utilization Management (Cited in para 1–13b(2).)

AR 623–3

Evaluation Reporting System (Cited in para 1–26cc.)

AR 690–12

Equal Employment Opportunity Programs (Cited in para 1–1.)

AR 690–600

Equal Employment Opportunity Discrimination Complaints (Cited in para 1–1.)

DA Pam 25–403

Army Guide to Recordkeeping (Cited para in 1–5.)

DoDD 6495.01

Sexual Assault Prevention and Response (SAPR) Program (Cited in para 3–10a.)

DoDI 1020.03

Harassment Prevention and Response in the Armed Forces (Cited in para 1–9.)

DoDI 1030.02

Victim and Witness Assistance (Cited in para 1–28c.)

DoDI 5505.18

Investigation of Adult Sexual Assault in the Department of Defense (Cited in para 1–9.)

DoDI 5505.19

Establishment of Special Victim Investigation and Prosecution (SVIP) Capability Within the Military Criminal Investigative Organizations (MCIOs) (Cited in para 3–10g(2).)

DoDI 6400.07

Standards for Victim Assistance Services in the Military Community (Cited in the title page.)

DoDI 6495.02, Volume 1

Sexual Assault Prevention and Response: Program Procedures (Cited in the title page.)

DoDI 6495.02, Volume 3

Sexual Assault Prevention and Response: Retaliation Response for Adult Sexual Assault Cases (Cited in the title page.)

DoDI 6495.03

Defense Sexual Assault Advocate Certification Program (D-SAACP) (Cited in the title page.)

10 USC 113

Secretary of Defense (Cited in D-2a(6).)

10 USC 1034

Protected communications: prohibition of retaliatory personnel actions (Cited in para 9–1b.)

10 USC 1561

Complaints of sexual harassment: independent investigation (Cited in para 1–9.)

Section II**Prescribed Forms**

Unless otherwise indicated, DA forms are available on the APD website at <https://armypubs.army.mil/>. DD forms are available on the Executive Services Directorate website at <https://www.esd.whs.mil/directives/forms/>.

DA Form 7746

Sexual Harassment Complaint (Prescribed in para 2–4e(1).)

DA Form 7746–1

Sexual Harassment Complaint Resolution Assessment (Prescribed in para 2–17a.)

DA Form 7920

SHARP Student Screening Sheet (Prescribed in para 1–29h.)

DD Form 2701

Initial Information for Victims and Witnesses of Crime (Prescribed in para 3–3a(1).)

DD Form 2873

Military Protection Order (Prescribed in para 2–10f.)

DD Form 2910

Victim Reporting Preference Statement (Prescribed in para 1–27s.)

DD Form 2910–1

Replacement of Lost DD Form 2910, Victim Reporting Preference Statement (Prescribed in para 3–15a(1).)

DD Form 2910–2

Retaliation Reporting Statement for Unrestricted Sexual Assault Cases (Prescribed in para 3–10i(2)(k).)

DD Form 2910–3

Return of Victim's Personal Property in Restricted Reporting Sexual Assault Cases Collected During a Sexual Assault Forensic Examination (SAFE) (Prescribed in para 3–14c(1).)

DD Form 2910–4

Catch A Serial Offender (CATCH) Program Explanation and Notification Form for SAPR Related Inquiry (SRI) Catch Entries (Prescribed in para 3–8a.)

DD Form 2910–5

Monthly Case Management Group (CMG) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program (Prescribed in para 3–10i(2)(gg).)

DD Form 2910–6

Quarterly Case Management Group (QCMG) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program (Prescribed in para 3–11j.)

DD Form 2910–7

High Risk Response Team (HRRT) Meeting Notes for the Sexual Assault Prevention and Response (SAPR) Program (Prescribed in para 3–12g.)

DD Form 2910–8

Reporting Preference Statement for DoD Civilian Employees to Report Adult Sexual Assault Within the SAPR Program (Prescribed in para 1–8c.)

DD Form 2950

Department of Defense Sexual Assault Advocate Certification Program (D–SAACP) Application Packet for New Applicants (Prescribed in para 1–28c.)

DD Form 2950–1

Department of Defense Sexual Assault Advocate Certification Program (D–SAACP) Application Packet for Renewal Applicants (Prescribed in para 1–28c.)

DD Form 2965

Defense Sexual Assault Incident Database (DSAID) Data Form (Prescribed in para 8–6.)

Appendix B

24 Hours a Day/7 Days a Week Sexual Harassment/Assault Response and Prevention Hotline

B–1. Purpose

The purpose of this appendix is to define roles and responsibilities of the SHARP program use of the DoD 24/7 Safe Helpline and local installation SHARP hotlines. The Safe Helpline provides 24/7 worldwide, anonymous, and confidential assistance and additional avenues for Soldier and Family member sexual assault victims to receive crisis support and information about secure and anonymous reporting. Soldiers and Family members wishing to file a sexual harassment complaint may also use the Safe Helpline and installation SHARP hotline to contact a SARC or VA for additional information. DoD Safe Helpline personnel will provide crisis support and offer resources and a warm handoff to a SARC or VA for case management and any additional services, as applicable.

B–2. Army support to the Safe Helpline

a. Safe Helpline counselors may address a caller's questions or concerns or may refer callers to a SARC or first responder at or near the caller's installation. Callers can also locate installation responder phone numbers on the Safe Helpline website. It is necessary for the Director, SHARP Program to ensure phone numbers for all first responders are accurate and up to date on the Safe Helpline website.

b. ACOM, ASCC, and USAR SHARP PMs will ensure the following sexual assault responders' phone numbers for each Army installation are provided to the Director, SHARP Program, who will post them to the Safe Helpline website: SARC, chaplain, SVC, MTF, and military police. These phone numbers will have a voicemail capability so callers can leave a message if desired and responders can return calls.

(1) The phone number for the SARC is the only responder number that is required to have a 24/7 capability and will be answered by a SHARP professional capable of taking a restricted or unrestricted report of sexual assault and providing information regarding filing a sexual harassment complaint. Each installation will have a local 24/7 SHARP hotline that is posted on the Safe Helpline website. The Safe Helpline will reflect only the primary or main SHARP phone number of Army installations.

(2) If an installation does not have an SVC, another legal office phone number may be used only if that phone number is answered by someone who can preserve a sexual assault victim's restricted reporting option.

(3) Only phone numbers for a military treatment facility are used for the Safe Helpline. Installations that do not have an MTF or an MOA or MOU with off-post facilities will not list a medical phone number. The SHARP professionals at these installations will provide medical treatment information to victims.

c. ACOMs, ASCCs, and the USAR will contact the Director, SHARP Program for revisions required to any responder phone information posted on the Safe Helpline at phone number 703–571–7343 or via email at usarmy.pentagon.hqda-dcs-g-1.mbx.dape-sh-dod-safe-helpline@army.mil.

d. Senior commanders will ensure the Safe Helpline phone number and website are posted on their installation websites and media to ensure immediate sexual assault victim assistance.

e. All Army activity websites, including RC websites, will reflect only two 24/7 sexual assault response phone numbers on their homepages: the Safe Helpline and the 24/7 SHARP hotline number for the installation that is posted on the Safe Helpline.

f. The Director, SHARP Program will coordinate with the DCS, G–6, who is responsible for updating official Army web pages and media that are managed or used for HQDA and the ARSTAF (for example, www.army.mil, Army Knowledge Offline, and U.S. Army Facebook).

g. ACOM, ASCC, and USAR commanders will ensure that the information publicized by their subordinate commands' websites regarding the DoD Safe Helpline and installation 24/7 SHARP hotline phone numbers is accurate.

B–3. Answering Sexual Harassment/Assault Response and Prevention hotlines

a. Installation 24/7 SHARP hotline phone calls will be answered by D–SAACP certified SHARP professionals capable of taking a restricted or unrestricted report of sexual assault and providing information regarding filing a sexual harassment complaint. The Lead SARC will create and maintain an on-call roster of SARCs and VAs responsible for manning the primary installation phone number.

b. The senior commander will ensure written procedures are in place for 24/7 SHARP hotline responders and all responders are trained in the procedures.

c. When an installation 24/7 SHARP hotline responder cannot immediately answer the phone call, the responder will contact the caller within 60 minutes. The installation 24/7 SHARP hotline telephone number will have a voicemail greeting that advises callers that live crisis support is available by calling the DoD Safe Helpline. For immediate help, live crisis support is available at <https://safehelpline.org/> or by calling the Safe Helpline at 1-877-995-5247, text 55-247 (continental United States), text 1-571-470-5546 (OCONUS). If the caller provides contact information, their call will be returned within 60 minutes. This is an example voicemail greeting: "Hello, this is (name) (sexual assault response coordinator or victim advocate) at (organization identified). If this is an emergency, please call 911. I'm sorry I cannot take your call right now. Please leave me a message with your name and phone number, and I will return your call within 60 minutes."

d. When responding to calls, the responder will identify themselves, their role, and location. For example, "Hello, this is (name and title (such as sexual assault response coordinator or victim advocate)) at (organization identified). How may I help you?"

B-4. Quality control requirements

a. *Daily checks.* The Chief, AOC will ensure that daily, after duty-hour checks are conducted for Army installation 24/7 SHARP hotlines. The Chief, AOC will ensure that one installation each day is called and report the result of the call to the Director, SHARP Program daily.

b. *Quality control checks.* Director, SHARP Program will independently conduct quality control checks of all Army installation responder phone numbers posted on the Safe Helpline website. The Director, SHARP Program will coordinate unsuccessful calls with ACOM, ASCC, and USAR SHARP PMs. The Director, SHARP Program will notify the DCS, G-1 if any of the following conditions occur for 2 consecutive months: a sexual assault phone number is incorrect and has not been reconciled by the commander or senior commander; or the commander does not submit a Safe Helpline report as prescribed in this policy.

c. *Consolidation.* The Director, SHARP Program will consolidate the results of its quality control calls along with those of the AOC, ACOMs, ASCCs, DRUs, and National Guard Bureau and will report the results to the Director, SHARP Program in a monthly memorandum for record.

d. *Correct numbers.* The ACOM, ASCC, DRU, and USAR PM will ensure that the SARC, chaplain, SVC, MTF, and military police numbers are correct and that required updates are submitted to the Director, SHARP Program within 1 business day.

e. *Sexual Assault Review Board.* Senior commanders and Lead SARCs will include maintaining accurate Safe Helpline phone number information as an agenda item for the SARB. The SARB will also address accurate installation website information and the previous month's quality control test call results of the 24/7 SHARP hotline. All SARB due outs, updates, and system corrections will be addressed within 1 business day of the SARB and will be included as an update at the next SARB.

f. *Requirements for 24 hours a day/7 day a week sexual assault response hotlines and website information.*

(1) Sexual assault victims can contact the DoD Safe Helpline by texting their location or ZIP Code outlined on the DoD SAPRO website or chat online with a counselor 24/7.

(2) The following responders' phone numbers are provided to the DoD Safe Helpline: SARCs, chaplains, SVC, medical providers, and military police. The Director, SHARP Program is required to provide DoD Safe Helpline administrators any changes to these phone numbers.

(3) Each installation will have a local 24/7 sexual assault response phone number that will be posted on the DoD Safe Helpline website.

(4) ACOM, ASCC, an USARC commanders will contact the Director, SHARP Program for revisions required to the primary command or installation 24/7 hotline information and duty hours phone information posted on the DoD Safe Helpline. The DoD Safe Helpline will reflect only the primary or main sexual assault phone numbers of Army garrisons or installations.

(5) Commanders will ensure the DoD Safe Helpline phone number and website are posted on their garrison websites and media to ensure immediate sexual assault victim assistance.

(6) All Army activity websites, including USAR websites, will reflect only two 24/7 sexual assault response phone numbers on their homepages: the DoD Safe Helpline and the primary 24/7 SHARP hotline number for the installation that is posted on the DoD Safe Helpline. The DoD Safe Helpline will reflect only the primary or main sexual assault phone numbers for Army garrisons and installations.

(7) All commanders will coordinate with their appropriate website administrators to ensure that their official Army websites comply. Any future changes to installation 24/7 SHARP hotline numbers will require immediate changes to websites. Unit commanders and senior commanders are responsible for updating their command pages through coordination with their senior information management official or appropriate website administrator.

(8) The Director, SHARP Program will coordinate with the individuals who will be responsible for updating official Army web pages and media that are managed or used for HQDA and the ARSTAF (for example, <https://www.army.mil> and U.S. Army Facebook).

(9) ACOMs, ASCCs, and USAR commands will—

(a) Publish policy governing procedures required to ensure accuracy of installation and subordinate websites and to maintain accurate subordinate 24/7 phone numbers.

(b) Ensure SHARP PMs or Lead SARCs inform the Director, SHARP Program within 1 business day when revisions are required to the installation 24/7 SHARP hotline phone numbers published on the DoD Safe Helpline.

(10) ACOM, ASCC, DRU, and USAR SHARP PMs or Lead SARCs and the Chief, AOC test 24/7 sexual assault response phone numbers at least monthly. Report changes within 1 business day to the ACOM, ASCC, or DRU SHARP PM. Ensure all phone responders are aware of applicable policies.

(11) The ACOM, ASCC, and USAR SHARP PM are responsible for ensuring that the SARCs, chaplains, SVC, medical providers, and military police numbers are correct and that required updates are submitted to the Director, SHARP Program within 1 business day.

(12) Commanders and Lead SARCs will include maintaining accurate DoD Safe Helpline sexual assault phone number information as an agenda item for the monthly SARB. The SARB will also address accurate installation website information and the previous month's quality control test call results of all 24/7 sexual assault phone numbers within the garrison or installation.

g. Quality control requirements.

(1) ACOM, ASCC, DRU, and USAR commanders will conduct monthly quality control test calls to a minimum of 20 percent of the total inventory of brigade 24/7 sexual assault phone numbers within their respective commands.

(2) ACOM, ASCC, DRU, and USAR commanders will submit a monthly report of command or installation test calls made to the sexual assault 24/7 and duty hours response telephone numbers to the Director, SHARP Program no later than the 15th of each month. This includes making test calls and ensuring accuracy of all sexual assault phone numbers with the ACOM, ASCC, DRU, and USAR footprint. Commanders will ensure sexual assault phone numbers posted on the DoD Safe Helpline are accurate. Revisions required will be reported within 1 business day to the Director, SHARP Program.

(3) The Director, SHARP Program provides a quality control report template to ACOMs, ASCCs, DRUs, and the USAR. Information received not using the quality control report template or that is incomplete will be sent back to the command for corrections. Test call population is established and documented on each month's report.

(4) The Director, SHARP Program will compile information submitted by ACOMs, ASCCs, DRUs, and the USAR into a memorandum report with support enclosures and provide the report to the Director, SHARP Program no later than the 25th of each month. If the 25th is a holiday or weekend, the report and support enclosures are due the next business day.

(5) Commanders who do not submit their monthly test call data to the Director SHARP Program in accordance with guidance will be recorded as unsuccessful for all entries for that month.

(6) The head of an activity using a separate service with a SARC, such as the Fort Family Hotline for the RC, will verify the accuracy of the phone numbers listed with the separate service as a part of its 20 percent monthly test calls.

h. Responsibility. The Director, SHARP Program will—

(1) Independently conduct monthly quality control checks of the installation 24/7 SHARP hotline response phone numbers posted on the DoD Safe Helpline and coordinate findings with ACOMs, ASCCs, and USAR PMs. Changes to the installation 24/7 SHARP hotline phone numbers will only be made upon concurrence from the ACOM, ASCC, DRU, or USAR commander.

(2) Notify the DCS, G-9 under any of the following conditions for 2 consecutive months: a sexual assault phone number is incorrect and has not been reconciled by the command or installation; or the command does not submit a DoD Safe Helpline report as prescribed in this policy. The DCS, G-9 will contact the senior responsible GO directly.

(3) Consolidate the results of the AOC, ACOM, ASCC, DRU, and USAR quality control testing of primary sexual assault response phone numbers posted on the DoD Safe Helpline and report the results to the Secretary of the Army quarterly with negative findings, only. If the hotline is answered or call returned within the appropriate timeframe, the DCS, G-9 and Secretary of the Army will not be notified.

Appendix C

Sexual Harassment/Assault Response and Prevention Program, Oversight Staff Assistance Visit, and Organization Inspection Program

This chapter prescribes roles and responsibilities for executing the Army's SHARP Compliance and Oversight Program. Commanders rely upon feedback from personal observations, inspections conducted as part of the OIP, SAVs, and other evaluations to assess the readiness of their personnel, compliance, and overall effectiveness of the command's SHARP Program.

C-1. General requirements for the Organizational Inspection Program

a. The OIP is critical to maintain unit and organizational combat readiness. The OIP provides the commander, PM, or director with an organized management framework to identify, prevent, or eliminate problem areas and provide feedback so that they make decisions that will improve the Army. The OIP focus is to measure compliance against established standards and assist commanders in the execution of the mission.

b. The purpose of the OIP is to evaluate leadership effectiveness, management performance, aspects of unit culture and command climate, and prevention of fraud, waste, and abuse. The OIP identifies and reports issues interfering with readiness, economy, efficiency, discipline, effectiveness, compliance, performance, and surety. The OIP also—

- (1) Enables and strengthens commanders' mission effectiveness and efficiency through independent assessment and accurate reporting of readiness, economy, efficiency, discipline, and the ability to execute assigned missions.
- (2) Provides commanders at all levels an independent assessment of compliance with established directives.
- (3) Motivates and promotes military discipline, improved unit performance, and management excellence throughout the chain of command, within units, and across staff.
- (4) Supports and informs commanders' risk management at all levels. Evaluators must ensure OIP supports prudent decisions by commanders that have documented or elevated risk acceptance, as appropriate.
- (5) Enables ACOM, ASCC, and DRU commanders to assess functional effectiveness, field compliance, and adequacy of organization, policy, guidance, training, and resources.
- (6) Provides a mechanism for senior leaders to direct a targeted, detailed, and thorough inspection of specific programs, organizations, and issues.

c. OIPs inspections are required when—

- (1) An ACOM PM, ASCC PM, or Lead SARC transitions in or out of position.
- (2) Bi-annually when no transitions occur.
- (3) When directed by higher echelons (that is, the Office of the Secretary of Defense, Secretary of the Army, or Director, SHARP Program).

d. The published SHARP Program OIP checklist is the only approved inspection document authorized for use during an OIP. Modifications to the HQDA OIP checklist are prohibited.

(1) ACOM, ASCC, and USAR PM-level inspections will be conducted by the Director, SHARP Program and include the inspection of at least one subordinate-level command.

(2) Senior commander, brigade level, and below inspections will be conducted by the next higher echelon SHARP PM.

C-2. General requirements for Staff Assistance Visits

a. Commanders and select SHARP professionals designated by the senior commander will conduct SAVs of subordinate organizations annually. The primary purpose of the SAV is to assist, teach, and train subordinate staff sections on how to meet the standards required to operate effectively within a particular functional area. SAVs are not inspections, and therefore, do not produce formal reports but instead provide feedback only to the staff section receiving the assistance.

b. SAVs are required when—

- (1) The Director, SHARP Program schedules an SAV at an ACOM, ASCC, DRU, or senior commander location.
- (2) Upon request by the ACOM PM, ASCC PM, or Lead SARC.

(3) Directed by a higher-level authority (that is, the Office of the Secretary of Defense; Secretary of the Army; or Director, Army Safety Office).

c. Due to regulatory requirements, no official execution order or tasker is required for notification on this effort.

C-3. Conducting the Organizational Inspection Program and Staff Assistance Visit

The ACOM, ASCC, DRU, or USAR SHARP compliance specialist will coordinate all OIP or SAV requirements with the respective ACOM or ASCC PM. When conducting the OIP or SAV, the OIP or SAV team may use the following tools individually or any combination thereof:

- (1) Individual interviews, observations, focus groups, and reviewing of organization data trends.
- (2) Assistance from a military equal opportunity or EEO representative.

C-4. Army Headquarters-level oversight program

The Director, SHARP Program will—

- a. Plan, schedule, and execute OIP inspections of ACOMs, ASCCs, DRUs, and USARCs every 2 years or upon the transition of the SHARP PM.
- b. Enter OIP reports and findings into SMS, the official system of record for OIP. This record will be used to track the progress of resolved deficiencies identified during the OIP.
- c. Provide a written report of the OIP results to the ACOM, ASCC, or DRU commander no later than 60 days after completion of the OIP.
- d. Ensure a commander's in-brief and out-brief are scheduled as part of the OIP inspection.
- e. Schedule re-inspections within 90 days for commands that fail to meet the minimum standards for program implementation.

C-5. Army command, Army service component command, and direct reporting unit oversight

Each ACOM, ASCC, and DRU commander will—

- (1) Ensure OIP inspections are conducted in accordance with this regulation.
- (2) Advise subordinate commanders and staff on the inspection policy.
- (3) Assist subordinate commanders and their staffs on the development and implementation of the OIP.
- (4) Allocate funding resources to support the command's OIP.
- (5) Spot check the scheduling and execution of unit-level initial command inspections throughout the command and provide feedback to the directing authority.
- (6) Include the SHARP Program as part of the OIP in non-deployed and deployed environments.
- (7) Submit annual reports in accordance with DA guidance to the Director, SHARP Program.

C-6. Follow-up and corrective actions

Inspections expend valuable resources and are not complete unless the commander of the inspecting unit or agency head develops and executes a follow-up inspection or plan to ensure the implementation of corrective actions. Likewise, the commander of the inspected unit will develop and execute a corrective action plan permanently reconciling those problem areas and preventing their recurrence. Implementing corrective actions quickly and effectively is critical to mission readiness. Follow-up actions can include re-inspections, telephone calls or visits to units or proponents to check on the progress of corrective actions, or a request for a formal response from a unit or proponent that attests to the completion of the corrective action. To reduce the administrative burden on inspected units, a formal response to inspection reports is optional, but updating the SMS database is paramount. At any time, a higher echelon commander can request results update if entry in SMS does not satisfy the correction of deficiencies.

C-7. Mobilizing and deploying units

This applies to all units that deploy or mobilize for more than 30 days within the calendar year.

a. Lead SARCs will inspect brigade-sized organizations using the SHARP OIP checklist for all deploying units (brigade level and below) within their purview prior to deployment. This includes USAR units that are co-located and attached, operational control, or administrative control when mobilized.

b. All pre-deployment inspections will be finalized within 45 days prior to deployment to give the unit commander time to correct deficiencies. All other mobilization inspections will be complete within 30 days after mobilization or within 10 days of the demobilization date, whichever comes first.

- c. Regular Army and USAR commanders will conduct a reset inspection within 6 months of redeployment or demobilization.
- d. Review pre-deployment training as part of OIP inspections.

C-8. Reporting and accountability

- a. Commanders of ACOMs, ASCCs, DRUs, and the USAR will provide an annual report of their OIPs and SAVs to the Director, SHARP Program. This requirement is in addition to information placed within SMS after the inspection or assistance visit.
- b. These reports should include the overall assessment of how well the command is meeting the requirements in the checklist, specifically highlighting those items that were not compliant, the unit commander's assessment of subordinate organizations if applicable, and how the unit commander has addressed or plans to address deficiencies in compliance.
- c. Any plan should include the anticipated timeline and reconciliation methods similar to a plan of action matrix.

C-9. Exceptions

- a. Commanders of units and organizations deployed for more than 1 year or those who have completed an inspection less than 90 days from the deployment or mobilization notification date are not required to conduct inspections. Rear detachment personnel will maintain memoranda for record on behalf of their forward elements, identifying these organizations in a deployed status.
- b. Commanders of USAR units are also exempt from conducting an inspection if they conducted an inspection while under Title 10 USC status within 180 days of any mission or activity that requires an inspection of the SHARP Program. The commanders of units and organizations will provide these results to the inspecting organization as proof of the inspection and a memorandum for record that outlines its corrective action since the inspection as needed.
- c. Any other exceptions will be directed to the Director, SHARP Program for approval by the Secretary of the Army.

Appendix D

Sexual Harassment/Assault Response and Prevention Program Assessment

D–1. Scope

The SHARP Program Assessment provides a unifying assessment framework to document requirements for capturing feedback on how well the Army is implementing the SHARP Program and provide insight for Army program improvements.

a. This assessment policy applies to all Army organizations and personnel who have responsibilities for implementing the SHARP Program as stated in this regulation.

b. The heads of designated organizations cited in this policy are responsible for monitoring and reporting appropriate sexual harassment and sexual assault data and trends and for recommending changes to policy or processes to ensure sustained progress toward accomplishing the Army's SHARP Program goals.

c. Program assessment information is reported to the Director, SHARP Program, as directed in this policy, to prepare quarterly and annual reports and annual assessments in accordance with DoDI 6495.02, Vol 1.

D–2. Program assessment responsibilities

a. The Director, SHARP Program will—

(1) Manage the overarching SHARP Program Assessment policy, to include procedures for collecting data, reporting findings and recommendations, and providing oversight of the program assessment process.

(2) Prepare and submit quarterly and annual reports through the ASA (M&RA) to the DoD SAPRO as required by DoDD 6495.01 and DoDI 6495.02, Vol 1.

(3) Monitor sexual harassment and sexual assault data, trends, and SHARP professionals' performance using ICRS and DSAID.

(4) Identify and report emerging trends and performance to Army leadership, as required.

(5) Prepare and promulgate annual guidance, as required, for the collection of input from designated Army organizations to support the preparation of annual reports and assessments.

(6) Prepare and submit annual report in accordance with 10 USC 113, DoDI 6495.02, Vol 1 and DoD tasking memorandum.

b. TSG and CG, U.S. Army Medical Command will—

(1) Coordinate with the Director, DHA to evaluate the provision of medical services related to sexual assault managed under the SHARP Program.

(2) Submit an annual report no later than 1 November for previous fiscal year (FY) information to the Director, SHARP Program. The report will include, at a minimum—

(a) General findings from the evaluation of medical services related to sexual assault cases managed under the SHARP Program.

(b) SHARP-related initiatives and actions planned for the coming year.

(c) Recommendations for changes to the SHARP Program or policy.

(d) Any resource shortfalls and the potential implications regarding impact on standards of care.

(e) Status of the availability of SAFE kits at each installation evaluated.

(f) Status of Army healthcare provider training as required by DoDI 6495.02, Vol 1 and DoDI 6310.09.

c. TJAG will—

(1) Conduct periodic evaluations of legal services related to sexual assault cases under the SHARP Program.

(2) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—

(a) General findings from any TJAG evaluation of legal services related to sexual assault cases managed under the SHARP Program.

(b) SHARP-related policies and procedures implemented by TJAG during the year.

(c) SHARP-related initiatives and actions planned for the coming year.

(d) Recommendations for changes to the SHARP Program or policy.

(e) Any resource shortfalls, the potential implications regarding impact on standard of service, and possible solutions to overcome these shortfalls.

- (f) Status of judge advocate responder training as required by DoDI 6495.02, Vol 1.
- d. TIG may provide SHARP inspection reports upon request from the DCS, G-9 or as directed by DA senior leadership.
- e. The CCH will—
 - (1) Conduct periodic evaluations of chaplain services provided to victims of sexual assault and sexual harassment under the SHARP Program.
 - (2) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—
 - (a) General findings from any CCH evaluation conducted in the previous year regarding spiritual care and counseling provided to victims of sexual assault and sexual harassment potentially affecting the SHARP Program.
 - (b) New policies and procedures implemented by CCH during the past year potentially affecting the SHARP program.
 - (c) New initiatives and actions planned for the coming year potentially affecting the SHARP program.
 - (d) Noted issues, problems, or trends in spiritual care and counseling concerning victims of sexual assault and sexual harassment.
 - (e) Any resource shortfalls, the implications regarding impact on standard of service, and possible solutions to overcome these shortfalls.
- f. The PMG will—
 - (1) Conduct periodic evaluations of law enforcement services related to sexual assault cases managed under the SHARP Program.
 - (2) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—
 - (a) General findings from any PMG evaluation of law enforcement services conducted for cases involving the SHARP Program.
 - (b) SHARP-related policies and procedures implemented by the PMG during the year.
 - (c) SHARP-related initiatives and actions planned for the coming year.
 - (d) Recommendations for changes to the SHARP Program or policy.
 - (e) Any resource shortfalls and the potential implications regarding impact on standard of service and possible solutions to overcome these shortfalls.
- g. The Director, USACID will—
 - (1) Provide the following reports to the Director, SHARP Program, in accordance with DoDI 6495.02, Vol 1:
 - (a) Quarterly Army Sexual Assault Report (no later than 10 January, 10 April, 10 July, and 10 October).
 - (b) Annual FY Army Sexual Assault Report (no later than 10 October).
 - (2) Conduct periodic evaluations of investigative services related to sexual assault cases managed under the SHARP Program.
 - (3) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—
 - (a) General findings from any USACID evaluation of investigative services related to sexual assault investigations involving the SHARP Program.
 - (b) Current processing time in days for deoxyribonucleic acid evidence in sexual assault cases by the Defense Forensic Science Center, to include an analysis of reasons for delays in processing time that exceeds 60 days.
 - (c) SHARP-related policies and procedures implemented by USACID during the year.
 - (d) SHARP-related initiatives and actions planned for the coming year.
 - (e) Recommendations for changes to SHARP Program or policy.
 - (f) Any resource shortfalls and the implications regarding impact on standard of service and possible solutions to overcome these shortfalls.
 - (g) Status of USACID investigator training as required by DoDI 6495.02, Vol 1.
 - (h) Assessment of the implementation of MOAs and MOUs with state and local law enforcement agencies and other Government agencies providing USACID support.
- h. The CAR will—
 - (1) Ensure that sexual harassment and sexual assault data is submitted by command SHARP professionals to the Director, SHARP Program.

- (2) Include the SHARP Program as part of the command inspection program and conduct periodic evaluation of SHARP program implementation and compliance.
- (3) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—
 - (a) General findings from any USAR evaluations of the SHARP Program implementation in the USAR.
 - (b) SHARP-related policies and procedures implemented by the organization during the year.
 - (c) SHARP-related initiatives and actions planned for the coming year.
 - (d) Recommendations for changes to SHARP Program or policy.
 - (e) Any resource shortfalls and the implications regarding impact on standards of care or service and possible solutions to overcome these shortfalls.
 - (f) Status of SHARP professionals' training, as required by this regulation, DoDI 6495.02, Vol 1, and DoDI 6495.03.
 - (g) Status of annual refresher training for sexual assault responders, including DA civilian police, as required by DoDI 6495.02, Vol 1. This only applies to those responders under the command and control of the reporting headquarters.
 - (h) Assessment of the implementation of MOAs and MOUs with state and local law enforcement agencies, medical providers, and other Government agencies providing SHARP support.
 - (i) Assessment of the implementation of the SARB.
 - i. ACOM, ASCC, and USAR commanders will—
 - (1) Enforce the submission of sexual harassment and sexual assault data by SHARP professionals to the Director, SHARP Program.
 - (2) Include the SHARP Program as part of the command inspection program and conduct periodic evaluation of SHARP program compliance in garrison or non-deployed and deployed environments.
 - (3) Submit an annual report (no later than 1 November for the previous FY) to the Director, SHARP Program. The report will include, at a minimum—
 - (a) General findings from any evaluation of the implementation of the SHARP Program.
 - (b) SHARP-related policies and procedures implemented by the organization during the year.
 - (c) SHARP-related initiatives and actions planned for the coming year.
 - (d) Recommendations for changes to the SHARP Program or policy.
 - (e) Any resource shortfalls and the implications regarding impact on standard of service and possible solutions to overcome these shortfalls.
 - (f) Status of the appointment and training of SHARP PMs and SHARP professionals and subordinate command SHARP professionals.
 - (g) Status of annual refresher training for sexual assault responders, including DA civilian police. This only applies to those responders under the command and control of the reporting headquarters.
 - (h) Status of annual unit-level training.
 - (i) Assessment of the implementation of MOAs and MOUs with state and local law enforcement agencies, medical providers, and other Government agencies providing sexual assault response support.
 - (j) Assessment of the implementation of the SARB, as applicable, both in garrison (non-deployed) and deployed environments.
 - j. The Director, U.S. Army Research Institute will provide reports to the Director, SHARP Program that include analyses of the sexual assault specific findings from the sample survey of military personnel and other U.S. Army Research Institute surveys, studies, or research.
 - k. The Superintendent, United States Military Academy will—
 - (1) Prepare and submit academic program year reports as required by DoDI 6495.02, Volume 1.
 - (2) Coordinate and provide copies of academic program year reports to the Director, SHARP Program.

Appendix E

Internal Control Evaluation

E-1. Function

The function covered by this evaluation provides internal controls for the evaluation of commanders.

E-2. Purpose

The purpose of this evaluation is to assist commanders and other Army leaders in evaluating the key internal controls listed. It is intended as a guide and does not cover all controls.

E-3. Instructions

a. Answers will be based on the actual testing of key internal controls (for example, document analysis, direct observation, sampling, simulation, or other). Answers that indicate deficiencies will be explained and the corrective action identified in supporting documentation.

b. These internal controls will be evaluated at least once every 5 years. Certification that the evaluation was conducted will be accomplished on DA Form 11-2 (Internal Control Evaluation Certification).

E-4. Test questions

- a. Does the commander have the following posted command policies?
- (1) Open door policy?
 - (2) Does the policy letter state the command's commitment to the SHARP Program?
 - (3) Does the policy letter state that sexual assault is punishable under UCMJ and other Federal, state, and local laws?
 - (4) Does the policy letter state that sexual assault and sexual harassment are not tolerated in the Army?
 - (5) Does the policy letter list victims' rights?
 - (6) Does the policy letter state the current definitions of sexual assault and sexual harassment?
 - (7) Is the installation hotline contact information well publicized throughout the installation?
 - (8) Are all calls answered correctly?
 - (9) Are all calls not answered immediately returned within 60 minutes?
- b. Does the command have a standard operating procedure?
- c. Are all SHARP professionals current on all mandatory training and requirements required to perform their duties?
- d. Are commanders notifying the SARC, the supporting USACID office, the OSTC, and the SJA of all unrestricted reports of sexual assault?
- e. Are sexual assault victims informed of their reporting options?
- f. Do victims document their preference on DD Form 2910 or DD Form 2910-8 in accordance with DoDI 6495.02, Vol 1?
- g. Does the organization properly track the following services provided to the sexual assault victim from initial report of sexual assault through disposition or until the victim no longer desires advocacy services, in accordance with DoDI 6495.02, Vol 1?
- (1) Medical?
 - (2) Behavioral health?
 - (3) Investigative?
 - (4) Legal (SVC)?
 - (5) Family advocacy?
 - (6) Substance abuse?
 - (7) Chaplain?
 - (8) Other support services?
- h. Is the organization ensuring SHARP sexual harassment cases are entered into ICRS?
- (1) Are SARCs entering sexual harassment complaints into ICRS within 24 hours or receipt?
 - (2) Are SARCs entering the number of total cases?
 - (3) Are SARCs entering the number of open cases?
 - (4) Is the organization ensuring sexual assault cases are entered into the DSAID?

- (5) Are SARCs entering cases into DSAID within 48 hours (96 hours in deployed locations that have internet connectivity issues)?
- (6) Are SARCs entering the number of total cases?
- (7) Are SARCs entering the number of open cases?
- (8) Are commanders informing the GCMCA about formal sexual harassment complaints within 72 hours of receipt?
 - i. Is the SARB chaired by the senior commander?
 - (1) Is retaliation an agenda item for the SARB?
 - (2) When was the last time commanders participated in a monthly SARB?
 - j. Are expedited transfer cases being tracked and handled to ensure the SARC is coordinating a warm handoff with the receiving installation or unit?
 - k. Do the SHARP training documents have the following information:
 - (1) Type of training?
 - (2) Personnel assigned, attended, and percentage of personnel trained?
 - (3) Date of training?
 - (4) Attendance roster?
 - (5) SHARP training and make-up dates documented on the unit training schedules?
 - l. Are unit leaders leading the training?
 - m. Does the commander prohibit acts of retaliation and reprisal for filing a complaint of unlawful discrimination or sexual harassment, communicating with a Member of Congress, the IG, or any other authorized agency?
 - n. Does the unit observe and participate in SHARP events?

E-5. Supersession

Not applicable.

E-6. Comments

Help make this a better tool for evaluating internal controls. Submit comments to the Deputy Chief of Staff, G-9 (DAIN-SF), usarmy.pentagon.hqda-dcs-g-9.mbx.publishing-team@army.mil.

Glossary of Terms

Accessions training

Training that a Service member receives upon initial entry into Military Service through basic military training (see DoDI 6495.02, Vol. 1).

Advocacy

Active support that provides information and education to victims and facilitates access to resources and systems following a crime or traumatic event (see DoDI 6495.02, Vol 1).

Collateral misconduct

The adult sexual assault victim's alleged misconduct that might be in time, place or circumstance associated with the victim's sexual assault. Some reported sexual assaults involve circumstances where the victim allegedly may have engaged in some form of misconduct "at or near the time" of the sexual assault or "at or near the time" the victim reports the sexual assault to authorities. Collateral misconduct will often be discovered as a direct result of the report of sexual assault or the ensuing investigation or prosecution of the sexual assault (see DoDI 6495.02, Vol. 1).

Confidential communication

Verbal, written, or electronic communications of personally identifiable information concerning a sexual assault victim and the act of sexual assault incident provided by the victim to the SARC, SAPR VA, or healthcare personnel in a restricted report. This confidential communication includes the victim's SAFE kit and its information. (see DoDD 6495.01).

Consent

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 will not constitute consent. A sleeping, unconscious, or incompetent person cannot consent (see DoDD 6495.01).

Crisis intervention

Emergency non-clinical care aimed at assisting victims in alleviating potential negative consequences by providing safety assessments and connecting victims to needed resources. The SARC or VA will intervene as quickly as possible to assess the victim's safety and determine the needs of victims and connect them to appropriate referrals, as needed (see DoDD 6495.01).

Department of Defense Safe Helpline

A crisis support service for members of the DoD community affected by sexual assault. The DoD Safe Helpline: is available 24/7 worldwide with "click, call, or text" user options for anonymous and confidential support; can be accessed by logging on to www.safehelpline.org or by calling 1-877-995-5247, and through the DoD Safe Helpline mobile application, and is to be utilized as the sole DoD hotline; does not replace local base and installation SARC or VA contact information (see DoDI 6495.02, Vol 1).

Emergency

A situation that requires immediate intervention to prevent the loss of life, limb, sight, or body tissue to prevent undue suffering. Regardless of appearance, a sexual assault victim needs immediate medical intervention to prevent loss of life or undue suffering resulting from physical injuries, internal or external, sexually transmitted infections, pregnancy, or psychological distress. Sexual assault victims will be given priority as emergency cases regardless of evidence of physical injury (see DoDD 6495.01).

Favorable results

Results of background investigation pre-screening and assignment eligibility screening process without any issues that would cause a background investigation to be disapproved after the adjudication process (see DoDI 6495.03).

Healthcare provider

Those individuals who are employed or assigned as healthcare professionals or are credentialed to provide healthcare services at an MTF, or who provide such care at a deployed location or otherwise in an official capacity. This also includes military personnel, DoD civilian employees, and DoD contractors who

provide healthcare at an occupational health clinic for DoD civilian employees or DoD contractor personnel. Healthcare providers may include, but are not limited to:

Licensed physicians practicing in the MHS with clinical privileges in obstetrics and gynecology, emergency medicine, family practice, internal medicine, pediatrics, urology, general medical officer, undersea medical officer flight surgeon, psychiatrist, or those having clinical privilege to perform pelvic examination or treat mental health conditions.

Licensed advanced practice registered nurses practicing in the MHS with clinical privileges in adult health, family health, midwifery, women's health, mental health, or those having clinical privileges to perform pelvic examinations.

Licensed physician assistants practicing in the MHS with clinical privileges in adult, family, women's health, or those having clinical privileges to perform pelvic examinations.

Licensed registered nurses practicing in the MHS who meet the requirements for performing a SAFE as determined by the local privileging authority. Thus, additional capability shall be noted as a competency, not as a credential or privilege.

A psychologist, social worker or psychotherapist licensed and privileged to provide mental health care of other counseling services in a DoD or DoD-sponsored facility (see DoDI 6495.02, Vol. 1).

Intimate partner

Within the context of eligibility for FAP services, a person who is or has been in a social relationship of a romantic or intimate nature with the alleged abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the person and the alleged abuser. An intimate partner is informed by, but not limited to, the totality of factors such as previous or ongoing consensual intimate or sexual behaviors; history of ongoing dating or expressed interest in continued dating or the potential for an ongoing relationship (e.g., history of repeated break-ups and reconciliations); self-identification by the victim or subject as intimate partners or identification by others as a couple; emotional connectedness (e.g., relationship is a priority, partners may have discussed a future together); and familiarity and knowledge of each other's lives. (see DoDI 6400.06).

No Wrong Door

Approach used by all responders so that a person seeking services from an organization will be assisted either by direct support or a warm handoff, with the goal of obtaining timely care or advocacy (see DoDI 6495.02, Vol 1).

Open with limited information

Entry in DSAID to be used in the following situations: victim refused or declined services, victim opt-out of participating in investigative process, third-party reports, local jurisdiction refused to provide victim information, or civilian victim with military subject (see DODI 6495.02, Vol. 1).

Recovery-oriented care

Focus on the victim and on doing what is necessary and appropriate to support victim recovery, and also, if a Service member, to support that Servicemember to be fully mission capable and engaged (see DoDD 6495.01).

Responders

Includes first responders, who are generally composed of personnel in the following disciplines or positions: SARCs, VAs, healthcare personnel, law enforcement, and MCIOs. Other responders are judge advocates, chaplains, and commanders, but they are usually not first responders (see DoDI 6495.02, Vol. 1).

Restricted reporting

Reporting option that allows sexual assault victims to confidentially disclose the assault to specified individuals (that is, SARC, SAPR VA, and healthcare personnel), in accordance with DoDI 6310.09, and receive medical treatment, including emergency care, counseling, and assignment of a SARC and SAPR VA, without triggering an official investigation. The victim's report provided to healthcare personnel (including information acquired from a SAFE Kit), SARCs, or SAPR VAs 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 6492.02, Volume 1. The Restricted Reporting option applies to Service members and their military dependents 18 years of age and older. For additional persons who may be entitled to restricted reporting, see eligibility criteria in DoDI 6495.02. Only a SARC,

SAPR VA, or healthcare personnel may receive a Restricted Report, previously referred to as Confidential Reporting. This term and its definition are proposed for addition in the next edition of the DoD Dictionary of Military and Associated Terms (see DoDD 6495.01).

Retaliation

An act that:

Involves personnel actions: Wrongfully takes (or threatens to take) an adverse personnel action against any person; or wrongfully withholds (or threaten to withhold) a favorable personnel action with respect to any person for making or preparing to make a protected communication (that is, reporting a sexual assault). Section 1034 of Title 10, USC; Article 132 of the UCMJ. Protected communication means the following:

- a. A lawful communication to a Member of Congress or an Inspector General.
- b. A communication to a covered individual or organization in which a member of the armed forces complains of, or discloses information that the member reasonably believes constitutes evidence of, any of the following:
- c. A violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination.

d. Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

e. Retaliation may also include:

(1) Certain social interactions (i.e., ostracism): With a connection to Military Service, wrongfully excluding a Servicemember from social acceptance or membership with the intent to inflict emotional distress, discourage reporting, and discourage the administration of justice. Article 92 of the UCMJ – “Failure to obey order or regulation.”

(2) Cruelty: Occurs when a person subject to the UCMJ is cruel toward, oppresses, or maltreats any person subject to their orders, but not necessarily in their chain of command. Not necessarily physical. Article 93 of the UCMJ – “Cruelty and Maltreatment.”

(3) Retaliation for UCMJ purposes is done with the intent to retaliate against any person for:

(a) reporting or planning to report a criminal offense, or with the intent to discourage any person from reporting a criminal offense;

(b) intervening (or attempting to intervene) to prevent the sexual assault;

(c) or cooperating as a witness (or believed to have cooperated) to the sexual assault.

(d) The individuals who experience retaliation can file a formal report of retaliation through a DD Form 2910–2 are:

(1) Adult sexual assault victims;

(2) Family members of adult sexual assault victims;

(3) Bystanders who intervene;

(4) Witnesses;

(5) SARCs and SHARP VAs, on this case;

(6) Responder on this sexual assault case (for example, MCIO, sexual assault medical forensic examiner, commander, SVC (Air Force, Army, National Guard, and Coast Guard) VLC (Navy and Marine Corps) VC (Air Force)); Other individuals associated with the incident (for example, the victim’s roommate, friend, or co-worker who could be perceived as supporting the victim (see DoDI 6495.02, Vol. 3).

Safety assessment and planning

A set of guidelines and considerations to address sexual assault and associated retaliation that the responsible SARC, SAPR VA, or other personnel as designated by the Installation Commander, undertake to determine if a sexual assault victim is likely to be in imminent danger of physical or psychological harm as a result of being victimized by or reporting sexual assault(s). The guidelines and considerations consist of a sequence of questions, decisions, referrals, and actions that responders can take to contribute to the safety of victims during the first 72 hours after a report, and during other events that may increase the lethality risk for victims (for e.g., arrests or command actions against the suspect). Types of imminent danger may include non-lethal, lethal, or potentially lethal behaviors; the potential harm caused by the suspect, family/friend(s)/acquaintance(s) of the suspect, or the victims themselves (for example, harboring self-harm or suicidal thoughts). The safety assessment includes questions about multiple environments, to include home and the workplace. Victims are assessed for their perception or experience of potential danger from their leadership or peers via reprisal or ostracism. The safety assessment contains a safety

plan component that victims can complete and take with them to help improve coping, social support, and resource access during their recovery period (see DoDI 6495.02, Vol. 1).

Secondary victimization

The re-traumatization of the sexual assault, abuse, or rape victim. It is an indirect result of assault that occurs through the responses of individuals and institutions to the victim. The types of secondary victimization include victim blaming, inappropriate behavior or language by medical personnel and by other organizations with access to the victim post assault (see DoDI 6495.02, Vol. 1).

Senior commander

An officer designated on orders from HQDA as the senior commander of an installation. Normally, the senior GO at the installation. The senior commander's mission is the care of Soldiers, Families, and DA Civilians, and to enable unit readiness. While the delegation of senior command authority is direct from HQDA, the senior commander will routinely resolve installation issues with IMCOM and, as needed, the associated ACOM, ASCC, or DRU (see AR 600–20).

Sexual assault

Intentional sexual contact characterized by the 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 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 (see DoDD 6495.01).

Sexual assault forensic evidence kit

The collection tools, usually packaged in the form of a boxed kit that includes collection containers, bags, measuring devices and other equipment along with the instructions used to gather medical forensic evidence during the sexual assault medical forensic examination. It also refers to the evidence, usually returned to the box and sealed, once collected. When used, it is a forensic product which is created through the process of evidence collection. (see DoDI 6310.09).

Sexual assault forensic examination

A medical-forensic examination of a sexual assault patient (victim or suspect) by a specially trained healthcare provider known as a SAMFE. The SAFE includes a medical-forensic history; physical examination; collection of evidence; documentation of biological and physical findings; and evaluation and treatment of sexually transmitted infections, pregnancy, suicidal ideation, substance abuse, and other non-acute medical concerns (see DoDI 6310.09).

Sexual assault response coordinator

The single point of contact at an installation or command within a geographic area, who oversees sexual assault awareness, prevention, and response training; coordinates medical treatment, including emergency care, for victims of sexual assault; and tracks the services provided to a victim of sexual assault from the initial report through final disposition and resolution. This in no way impacts the responsibilities of commanders detailed in DoDI 6495.02, Volume 1.

Special victims' counsel

Attorneys who are assigned to provide legal assistance and representation in accordance with law and Service regulations. The Air Force, Army, NG, and Coast Guard refer to these attorneys as SVC. The Navy and Marine Corps refer to these attorneys as VLC (see DoDI 6495.02, Vol. 1).

Trauma-informed care

An approach to engage people with histories of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives. Trauma-informed services are based on an understanding of the vulnerabilities or triggers of trauma survivors that traditional service delivery approaches may exacerbate, so that these services and programs can be more supportive and avoid re-traumatization (see DoDI 6495.02, Vol. 1).

Victim assistance

Includes services such as crisis intervention, risk screening, safety assessment and planning, assessment of basic victim/survivor needs, assistance with accessing compensation and restitution applications, provision of information about victims' rights and the criminal justice process, court accompaniment, advocacy with human services agencies, information and referral, access to support services, case planning,

case management, staff supervision, consultation with other professionals, education and risk reduction, and administration of victim service policies, programs, and activities (see DoDI 6495.02, Vol 1).

Warm Handoff

A handoff that is conducted between two responders or providers, while making every effort to protect the victim's privacy. The responder, who has initially approached by the victim, will conduct a warm handoff by accompanying the victim to the correct location in person or, through an approved platform, or through a conference call to introduce them to the appropriate resource, service provider, or point of contact (see DoDI 6495.02, Vol 1).

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