



**DEPARTMENT OF THE ARMY**  
UNITED STATES ARMY GARRISON STUTTGART  
UNIT 30401  
APO AE 09107-0401

06 AUG 2012

IMSG-ZA

MEMORANDUM FOR All USAG Stuttgart Personnel

SUBJECT: USAG Stuttgart Command Policy Letter # 48, Sexual Assault Prevention and Response Program (SAPRP)

1. Reference:

- a. AR 27-10 Military Justice, 03 NOV 11.
- b. AR 600-20 Army Command Policy, 18 APR 08.

2. Purpose: To establish the USAG Stuttgart Commander's policy on sexual assault and maintain an environment free of sexual assault.

3. Applicability: This policy applies to all military and civilian personnel assigned, attached to, or living in the USAG Stuttgart community.

4. Policy:

a. Sexual Assault is a crime that cannot and will not be tolerated in the United States Army. Sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority, or when the victim does not or cannot give consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to the gender, spousal relationship, or age of the victim. "Consent" will not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, the threat of force, or coercion, or when the victim is asleep, incapacitated, or unconscious.

b. Military personnel have two sexual assault reporting options, restricted and unrestricted reporting. Civilian personnel currently have a similar option but it is recommended they contact the Sexual Assault Response Coordinator (SARC) / Victim Advocate Coordinator (VAC) for more current information on their reporting options. In all instances, notification to the SARC / VAC of the occurrence of an incident of sexual assault is primary. A brief description of restricted and unrestricted reporting is below:

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(1) Restricted Reporting. Restricted reporting allows an active duty service member who has been sexually assaulted to confidentially disclose the details of the assault to the SARC / VAC, chaplain and/or healthcare provider. Restricted reporting allows a victim to receive medical treatment, counseling, and victim advocacy, without triggering the official investigative process. The healthcare provider may disclose confidential information to specific individuals only for specific purposes as outlined in AR 600-20, Chapter 8. If anyone other than those previously mentioned are notified, the report will be deemed unrestricted and must follow the procedures outlined in 4b (2) of this memorandum. The procedures to be followed when a service member elects Restricted Reporting, under this policy, are those set out in AR 600-20, Chapter 8, Sexual Assault Prevention and Response (SARP) Program and Appendix H, Confidentiality Restricted Reporting. The installation SARC / VAC can be contacted 24/7 at COMM 0176-262-48894.

(2) Unrestricted Reporting. Unrestricted reporting allows an active duty service member who has been sexually assaulted to disclose the details of the assault to the SARC / VAC, chaplain, healthcare provider, chain of command and/or law enforcement. Unrestricted reporting allows a victim to receive medical treatment, counseling, and victim advocacy, and begin an official investigation. Details regarding the incident will be limited to only those personnel with a need to know.

c. Should a sexual assault incident occur, Commanders and Directorates must contact the SARC to ensure victims get assistance from all supporting agencies. Agencies available include but are not limited to: Military One Source, Chaplain, Criminal Investigative Division, Health Clinic, Legal Assistance, Mental Health, Military Police, Social Work Service, and Victim Witness Liaison. Everyone is reminded that the response capability to victims operates around the clock (after duty hours, weekends, and holidays) to assist victims as soon as possible.

d. Commanders and Directorates will ensure that all allegations of Sexual Assault are investigated promptly and impartially. Leaders will coordinate with the local Criminal Investigation Division and the Staff Judge Advocate immediately following an allegation. Leaders will ensure that both victim and alleged offenders are afforded their rights so that all involved are treated with fairness throughout the investigation process.

e. I am committed to providing and maintaining a safe work and living environment so that we eliminate any and all incidents of sexual assault. The occurrence of sexual assault has a devastating and often lasting impact on the victim. Moreover, sexual assault tears at the moral fiber of our unit formations and degrades our readiness. Sexual assault has no place in the Army. We are a values based organization. We take care of and value our fellow Soldiers, Civilians and Family Members and treat all Soldiers, Civilians and Family Members with dignity and respect. I will take actions to ensure that our Soldiers, Civilians and Family Members have a robust and

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immediate response system capable of assisting all victims around the clock ensuring assistance is rendered immediately.

f. I charge all leaders with the responsibility to prevent and eliminate sexual assault incidents in our community. Leaders at all levels must take necessary actions to maximize the safety and welfare of our population. Take the time to think what we can do to prevent someone from being a victim of this heinous crime. Taking care of our Soldiers, Civilians and Family Members is our priority.

g. Contact numbers and SAPR program information will be posted in common unit areas throughout the installation to include the SARC / VAC, Military Police and Chaplain contact numbers as well as Restricted and Unrestricted Reporting procedures and the Army sexual assault policy letter.

5. Point of contact is the SARC, DSN 431-3342.

  
JOHN P. STACK  
COL, SF  
Commanding