



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON
WEST POINT, NY 10996-1554

REPLY TO
ATTENTION OF:

IMML-ZA

11 July 2016

U.S. Army Garrison West Point Policy #45

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

1. PURPOSE: To provide sexual harassment/assault response and prevention policy to all Garrison personnel.

2. REFERENCES:

a. Army Regulation (AR) 600-20, Chapter 8, dated 20 September 2012.

b. ALARACT 299/2013 – Army Responsibilities, Roles, Procedures and Authorities for Responding to Sexual Assault Allegations, dated 8 November 2013.

3. APPLICABILITY: This policy applies to all United States Army Garrison West Point (USAG WP) personnel.

4. POLICY:

a. The policy of the Army is that sexual harassment/assault is unacceptable conduct and will not be tolerated. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. Sexual harassment/assault destroys teamwork and negatively affects combat readiness. The Army bases its success on mission accomplishment. Successful mission accomplishment can be achieved only in an environment free of sexual harassment/assault for all personnel.

b. Sexual harassment is a form of discrimination. It includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature between different genders and members of the same gender when:

(1) Submission to or rejection of is made a term or condition of a person's job, pay or career.

(2) Submission to or rejection of is used as a basis for career or employment decisions.

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(3) 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.

(4) Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence or affects the career, pay or job of a Soldier or Army Civilian employee is engaging in sexual harassment. Similarly, any Soldier or Army Civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures or physical contact of a sexual nature is engaging in sexual harassment.

c. Soldiers and Department of the Army (DA) Civilians have the right to present a complaint to the command without fear of intimidation, reprisal or harassment.

d. All subordinate units will publish a SHARP policy statement. Prior to publishing, the unit should coordinate such a policy statement with their unit legal advisor or their servicing Office of the Staff Judge Advocate.

e. For filing a complaint of sexual harassment, the following options are available.

(1) An informal complaint may be voiced to the offending person, to a supervisor or both. The intention is that the offending behavior will stop with no further action required.

(2) A formal complaint is a written statement of the behavior and/or situation submitted to proper authority and then processed through official complaint channels.

f. Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team. Every Soldier who is aware of sexual assault should immediately (within 24 hours) report incidents. Sexual assault is incompatible with Army values and is punishable under the Uniform Code of Military Justice (UCMJ), and other Federal and state laws.

g. Sexual assault is the intentional sexual contact characterized by use of force, intimidation, physical threat and/or abuse of authority when the victim does not or cannot consent. Sexual assault can occur without regard to gender, spousal relationship or age of the victim.

h. For reporting sexual assault, Soldiers have two reporting options.

(1) A restricted report allows the victim to confidentially disclose the assault to specifically identified individuals, receive counseling and medical treatment without notification to command or law enforcement. Restricted reporting sources are: the

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Garrison SHARP Sexual Assault Response Coordinator (SARC), Dan Toohey, at (845) 938-5657 or at (914) 382-8180; or any military health care provider.

(2) An unrestricted report initiates the notification of command and law enforcement, in addition to providing SHARP/SARC response, medical treatment and counseling. Unrestricted reporting sources are the Unit Chain of Command, the Military Police (MP) Desk, at (845) 938-3333, or the Garrison SHARP/SARC.

i. For DA Civilian employees, the following services are available through the Garrison SHARP/SARC.

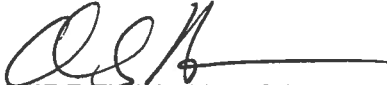
(1) Crisis intervention and response.

(2) Victim/survivor advocacy.

(3) Information and referral to off-post resources.

j. For victims of sexual assault who are eligible, legal assistance clients will be assigned a special victims counsel, if requested. This service is provided for either Restricted or Unrestricted cases.

5. PROPONENT: The USAG WP SHARP Program is the proponent for this policy. My point of contact is Dan Toohey, USAG WP SHARP/SARC, at (845) 938-5657 or via email at daniel.toohey@usma.edu.


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