



DEPARTMENT OF THE ARMY
LANDSTUHL REGIONAL MEDICAL CENTER
UNIT 33100
APO AE 09180-3100

MCEU-LST-SHP

29 May 2019

MEMORANDUM FOR ALL LANDSTUHL REGIONAL MEDICAL CENTER (LRMC)
PERSONNEL, UNIT 33100, APO AE 09180-3100

SUBJECT: LRMC Command Policy Letter 4 - Sexual Harassment/Assault Response and
Prevention (SHARP) Program

1. REFERENCES.

- a. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- b. AR 600-20, Army Command Policy, 6 November 2014.
- c. MEDCOM Regulation 40-36, Medical Facility Management of Sexual Assault, 21 January 2009 and Supplement 1, 12 November 2015.
- d. Regional Health Command Europe (RHCE) OPORD 15271-02, Commander's Serious Incident Report (SIR) and Commander's Critical Information Requirements (CCIR), 28 September 2015.
- e. RHCE Command Policy Letter 19-001, Sexual Harassment/Assault Response and Prevention Program, 5 April 2019
- f. LRMC Command Policy Letter 22, LRMC CCIR/SIR POLICY, current version.
- g. DoD Instruction (DoDI) 6495.02, Sexual Assault Prevention and Response Program (SAPR) Procedures, 28 March 2013/Incorporating Change 3, 24 May 2017.
- h. DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program Procedures, 23 January 2012, Incorporating Change 3, 11 April 2017.

2. PURPOSE: To reinforce the Army's commitment to eliminate incidents of sexual harassment and assault through a policy that centers on awareness and prevention, training and education, victim advocacy, response, reporting, accountability, and the I.A.M. Strong Campaign.

3. APPLICABILITY. This policy letter applies to all Service Members, Civilians and Contractors assigned or attached to Landstuhl Regional Medical Center (LRMC).

*This memorandum supersedes LRMC Command Policy Letter 4, dtd 13 Jun 17.

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a. Military Family Members 18 years of age and older who are eligible for treatment in the military healthcare system (MHS), at installations in the continental United States and outside of the continental United States, and who were victims of sexual assault perpetrated by someone other than a spouse or intimate partner.

b. Adult military Family Members may file unrestricted or restricted reports of sexual assault.

4. POLICY. Key Message. Sexual harassment and assault degrades mission readiness and our ability to work effectively. It adversely affects morale, motivation, performance, and cohesion. Sexual harassment and assault are contrary to the Army Values and even one incident is one too many. It can result in increased absenteeism, inefficiency, and destroys trust among Service Members. Soldiers, who live the Army Values, take action to stop sexual harassment and assault before they start and make sure their battle buddies avoid situations where harassment and assaults can occur. There are no passive bystanders.

5. GOALS. Ensure that every Soldier and Civilian within the command understands the difference between sexual harassment and sexual assault, understands the reporting and counseling options available to them, and trusts that those who report such incidents will be protected from threats or acts of reprisals.

6. Each member of the LRMC team must be valued, respected and protected. All Soldiers, leaders, senior leaders, supervisors, and managers must establish and maintain an environment free of sexual harassment and sexual assault. The following Army imperatives will guide us, by implementing them in our primary mission:

a. Prevent: Prevent potential offenders from committing sexual crimes, provide compassionate care for victims, and protect the rights and privacy of survivors.

b. Create a positive climate: Instill a positive climate and environment of trust, inclusion and respect in which every person can thrive and achieve his/her full potential, and an environment that encourages victims to report incidents of sexual harassment and assault without fear.

c. Investigate: Ensure leaders understand their roles and responsibilities regarding response to sexual harassment and assault victims ensure every allegation is investigated thoroughly and professionally; and take appropriate action based on the investigation.

d. Enforce accountability: Hold every individual, every unit organization, and every Commander appropriately accountable for their behavior, actions and inactions.

e. Fully engaged chain of command: Leadership is centrally responsible and accountable for solving the problems of sexual harassment and assault within our ranks and for restoring the trust of our Soldiers, Civilians, and Families.

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7. APPOINTMENT. Sexual Assault Response Coordinator (SARC/SHARP) appointment orders must be signed by the First General Officer or Senior Executive Service equivalent in the chain of command and victim advocates (VA/SHARP) appointment orders must be signed by the brigade commander or equivalent (O6). Appointment of personnel will be Noncommissioned Officer's (Staff Sergeant or higher) or Captain/Chief Warrant Officer 2 or higher with at least 12 months remaining on station.

8. SEXUAL HARASSMENT. Is conduct that involves unwelcome sexual advances, requests for sexual favors and deliberate or repeated offensive comments or gestures of a sexual nature when: (1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career; (2) submission to, or rejection of, such conduct by a person is used as a basis for career or employment decisions affecting that person; or (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 and (4) is so severe or pervasive that a reasonable person would perceive and the victim does perceive the environment as hostile or offensive. Sexual Harassment can occur through electronic communications, including social media, other forms of communication and in person.

a. Command. Establish and sustain a unit climate in which the dignity of all Soldiers, Civilians, and contractors are respected and where no one subjects others to inappropriate behavior or comments. Through leadership, communication, and example, ensure subordinates and leaders fully understand what constitutes appropriate behavior. Ensure a feedback mechanism is in place to accurately assess whether your unit/organization is experiencing sexual harassment. Complaints of sexual harassment will be responded to promptly and with the utmost concern by the entire chain of command.

b. Junior leaders and supervisors. Junior leaders and supervisors are the initial response point for complaints of sexual harassment. Individuals look to you for guidance, and the examples you set are crucial in fostering a unit/organization atmosphere where sexual harassment will not be tolerated. Junior leaders and supervisors must understand, practice, and enforce appropriate behavior. You must personally avoid making any inappropriate remarks, engaging in any inappropriate behavior, and should immediately correct any subordinate whose conduct may be questionable. Report all complaints of sexual harassment by calling the Kaiserslautern, USAG Rheinland-Pfalz Sexual Assault Hotline at DSN: (314)484-7280 or Commercial: +49 (0)631-413-7280, DoD Safe Helpline available 24/7 at 001-877-995-5247, the LPMC SARC/SHARP coordinator, or the LPMC VA/SHARP.

c. Soldiers, Civilians, contractors, and Family Members. All Soldiers, Civilians, and their Families must understand what conduct is considered inappropriate, and to refrain from engaging in such conduct, both on and off duty. I want you to understand the procedures for registering sexual harassment complaints and to promptly report all inappropriate behaviors to the chain of command. Even if it is only a perception, we lose combat effectiveness through such perceptions until they are brought out in the open and resolved.

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9. PROCEDURES. As stated in AR 600-20, Chapter 7, para 7-8, "The elimination of sexual harassment within a unit begins with a policy of aggressive and progressive training to identify and prevent inappropriate behavior. Soldiers must understand what sexual harassment is, how to recognize it, how to prevent, how to report it, and the consequences of engaging in sexual harassment."

10. SEXUAL ASSAULT. Is a crime defined as 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. Sexual assault can occur without regard to gender or spousal relationship or age of 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 used force, threat of force or coercion when the victim is asleep, incapacitated or unconscious.

a. The command will take the necessary steps to ensure the victim's physical safety, emotional security, and medical treatment needs are met. The victim has the right to choose which reporting options they will use; however, the victim must first know and understand their reporting options.

(1) Restricted Reporting. Restricted reporting allows a Service Member or Family Member age 18 or older to confidentially report a sexual assault to a SARC, Victim Advocate (VA) or healthcare provider and receives medical care without notifying the chain of command or triggering an official investigation.

(2) Unrestricted Reporting. Unrestricted reporting allows a victim of a sexual assault to report the assault to the chain of command and/or other official channels, to include the Criminal Investigation Division (CID), Inspector General and Provost Marshal. VAs will refer DA/DOD Civilian victims to CID and/or local advocacy agencies. Details regarding the incident will be limited to those personnel who have a legitimate need to know the information, as well as those agencies, which the UCMJ, policies or applicable laws dictate be notified of such charge.

b. All reports of sexual assault will be reported through the Kaiserslautern USAG Rheinland-Pfalz Sexual Assault Hotline at DSN: (314) 484-7280 or Commercial: +49 (0)631-413-7280, DoD Safe Helpline available 24/7 at 001-877-995-5247, the LRMC SARC/SHARP coordinator, or the LRMC VA/SHARP. All victims will be assigned a victim advocate/SHARP to assist and accompany the victim of sexual assault throughout the medical, pastoral, judicial, and/or law enforcement processes.

c. Command will ensure that the release of information about the victim and incident to non-official parties is limited to privileged "need to know" personnel only. Command will ensure victims of sexual assault receive sensitive care and support and are not re-victimized as a result of reporting the incident.

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d. Victims electing either of the reporting options will be treated with fairness, dignity, and respect. It is paramount to protect individual privacy and avoid instances of secondary victimization. All sexual assault victims have the following rights: the right to be treated with fairness and with respect for your dignity and privacy; the right to be reasonably protected from the accused offender; the right to be notified of court proceedings; the right to be present at all public court proceedings related to the offense, unless the court determines that your testimony would be materially affected if you as the victim heard other testimony at trial; the right to confer with the attorney for the government in the case; the right to available restitution; the right to information about the conviction, sentencing, imprisonment, and release of the offender.

11. TRAINING. As stated in AR 600-20, Chapter 8, para 8-7, "The objective of Sexual Assault and Response training is to eliminate incidents of sexual assault through a comprehensive program that focuses on awareness and prevention, education, victim advocacy, reporting, response, and follow up. There are four categories of training for the Sexual Harassment/Assault Prevention and Response (SHARP) Program. This includes Professional Military Education (PME) training, unit level training, pre-deployment training and responder training."

12. All SHARP training will be scheduled and published within the unit's training calendar and documented in the Defense Training Management System (DTMS). Training will include the "I.A.M. STRONG" Campaign, annual face-to face presentation with videos, and annual online SHARP training.

13. All Soldiers and Civilians associated with the organization are to understand and reinforce our continued commitment to the well-being of each individual within this command, installation, workforce, and community.

14. For harassment issues/concerns, or equal opportunity issues contact LRMC Equal Employment Opportunity (EEO) at DSN 493-4002/4277 or <https://euronet.med.ds.osd.mil/LRMC/DCA/eo/SitePages/Home.aspx> or EOA office at DSN: 590-4495.

15. For sexual assault issues/concerns, contact the Kaiserslautern, USAG Rheinland-Pfalz Sexual Assault Hotline which is available 24 hours a day, 7 days a week at DSN: (314)484-7280 or Commercial: +49 (0)631-413-7280, DoD Safe Helpline available 24/7 at (00) +1-877-995-5247, the National Assault Hotline at (00) +1-800-656-4673, the LRMC SARC at DSN: 590-4765, or the LRMC VA at DSN: 590-5417.

16. Additional information about the SHARP program can be obtained by accessing the Army web site at www.sexualassault.army.mil or by accessing the LRMC web site at <https://euronet.med.ds.osd.mil/LRMC/DCA/sharp/SitePages/Home.aspx>. The Army web site also includes preventive measures a commander can take to prevent sexual assaults within his/her unit.

17. The DoD Safe Helpline available 24/7 at 1-877-995-5247, text*55-247 (inside the U.S) or 202-470-5546 (outside the U.S) or www.SafeHelpline.org. Military One Source: 1-800-342-9647 or www.preventsexualassault.army.mil.

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18. The point of contacts for LRMC SHARP training is SFC Robert Holmes at 590-5417, or robert.a.holmes10.mil@mail.mil or SSG Tate, Rafael at 590-4765, or rafael.e.tate.mil@mail.mil.

19. The LRMC SARC and Victim Advocate personnel are available to train and assist commanders and leaders at every level. SARCs and VAs provide assistance with sexual harassment and sexual assault reports, SHARP training, prevention and response efforts and victim advocacy.

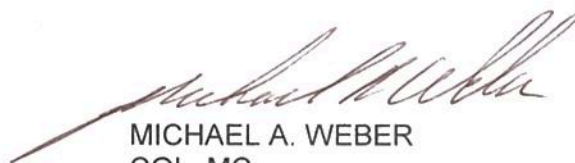
20. Withholding Initial Disposition Authority. Pursuant to Secretary of Defense memorandum, subject: Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases, 20 April 2012, initial disposition authority is withheld to the first special court-martial convening authority in the grade of O-6 or higher for the following alleged offenses:

- a. Rape, in violation of Article 120, UCMJ.
- b. Sexual assault, in violation of Article 120, UCMJ.
- c. Forcible sodomy, in violation of Article 125, UCMJ.
- d. Attempts to commit the above offenses, in violation of Article 80, UCMJ.

Additionally, this withholding applies to all other alleged offenses arising from or relating to the same incident(s), whether committed by the alleged perpetrator or the alleged victim of the rape, sexual assault, forcible sodomy or the attempts thereof.

21. A copy of this policy will be placed in a permanent section on all unit bulletin boards.

Encl
24/7 Sharp Hotline



MICHAEL A. WEBER
COL, MC
Commanding

DISTRIBUTION:
A



24/7 SHARP HOTLINE
DIAL 53-SHARP (DSN)



0611-143-53-SHARP (Cell)

- Press 1 for ANSBACH;BAVARIA;HOHENFELS
- Press 2 for RHEINLAND-PFALZ; STUTTART; BAUMHOLDER
- Press 3 for BENELUX
- Press 4 for ITALY
- Press 5 for KOSOVO
- Press 6 for SHINNEN
- Press 7 for WIESBADEN
- Press 8 for DOD SAFE HELPLINE

Enclosure