



DEPARTMENT OF THE ARMY  
REGIONAL HEALTH COMMAND EUROPE  
UNIT 29421  
APO AE 09136-9421

MCEU-SP

03 FEB 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Letter 21-001: Sexual Harassment and Assault Response and Prevention Program

1. References.

a. Department of Defense (DoD) Instruction 6495.01, Sexual Assault Prevention and Response (SAPR) Program, 23 January 2012, Incorporating Change 4, 11 September 2020.

b. DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, 28 March 2013, Incorporating Change 4, 11 September 2020.

c. AR 600-20, Army Command Policy, 24 July 2020

d. AR 40-400, Patient Administration, 8 July 2014

e. OTSG / MEDCOM Policy Memo 20-047, Sexual Harassment/Assault Response and Prevention (SHARP) Program, 28 August 2020.

f. Regional Health Command Europe (RHCE) OPORD 20328-02 Commander's Serious Incident Report (SIR) and Commander's Critical Information Requirements (CCIR), 23 November 2020.

2. Purpose. To establish expectations for RHCE personnel on the prevention of sexual harassment and sexual assault. RHCE is committed to safeguarding an environment free from sexual harassment and sexual assault for all Service members and Civilians. Such acts destroy teamwork and negatively affect readiness. Providing a safe environment is critical to unit cohesion and successful mission execution. Commanders and leaders at every level must be committed to creating and maintaining an environment that promotes dignity and respect.

3. Punitive. This command policy imposes a duty to comply. Sexual assault is a crime that is incompatible with the Army values, violates other Federal and local laws, and is punishable under the Uniform Code of Military Justice (UCMJ) under Article 92. Violations may result in punitive action against Service members and adverse administrative and personnel actions for Civilian employees.

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4. Applicability. This command policy is applicable to all RHCE Service members and Civilian employees assigned to, or employed at, U.S. Army healthcare facilities in Europe.

5. Policy for sexual harassment.

a. Title 10 USC 1561 defines the term "sexual harassment" to mean any of the following:

(1) Conduct that involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or

(b) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or

(c) 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

(d) Such conduct is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive:

(2) 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.

(3) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any member of the Armed Forces or Civilian employee of the DoD.

b. There is no requirement for concrete psychological harm to the complainant 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 complainant does perceive, the environment as hostile or offensive.

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

d. The use of disparaging and/or sexualized terms may contribute to an unlawful hostile environment and will not be tolerated. Leaders at all levels will protect their

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teams against sexual harassment and proactively ensure that their environments are free from all forms of sexual harassment.

e. Violations may be punished under UCMJ, Art. 92. Leaders who fail to address complaints or document sexual harassment may also be subject to punitive and/or adverse administrative action. (AR 600-20, para 7-7e)

(1) Allegations of sexual harassment must be taken seriously and investigated promptly.

(a) Individuals who perceive they are being sexually harassed by superiors, co-workers, peers, or non-employees should attempt to handle the situation at the lowest level using an intervention technique or a blend of intervention techniques that is appropriate to his/her comfort level.

(b) If the behavior is not corrected, the individual is encouraged to report the harassment to an appropriate authority or through the chain of command.

(c) It is the responsibility of every leader, military or Civilian, to examine allegations of sexual harassment and take the necessary actions to ensure these matters are addressed expeditiously, fairly, and effectively.

(2) If an individual feels that he or she is being sexually harassed, he/she should report the harassment immediately to the chain of command, Sexual Assault Response Coordinator (SARC), Victim Advocate (VA), Victim Representative (VR), Equal Employment Office, or Inspector General. Attempts should always be made to solve the problem at the lowest possible level within an organization. All complainants will be protected from acts or threats of retaliation and reprisal.

(3) Within 24 hours of receipt of a formal sexual harassment complaint, commanders will provide an initial SIR to the RHCE Commander and RHCE Sexual Harassment/Assault Response and Prevention (SHARP) Program Manager. Incidents of sexual harassment are categorized as an SIR 3J.

(4) Civilian employees should report any instance of sexual harassment to the Equal Employment Opportunity (EEO) Office, in accordance with AR 690-600. The RHCE EEO can be reached at DSN 590-2261 and the Rheinland-Pfalz EEO can be reached at DSN 541-2202.

(5) Prevention is the best tool for the elimination of sexual harassment. Leaders will take immediate steps to eliminate any sexual harassment brought to their attention, whether real or perceived.

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(2) Unit leaders will lead the training with the assistance of credentialed SHARP professionals. As part of the SHARP Face-to-Face training, SHARP professionals will ensure all personnel receive the First Responder and Healthcare Personnel Training – Initial and Annual Training (MEDCOM version 11 May 2018).

(3) Sexual assault awareness and prevention training will be provided to all RHCE personnel upon arrival to the command. Training will focus on defining sexual violence, risk-factor awareness, reporting procedures, recognizing predatory behavior, bystander intervention, developing intervention strategies, and victim support. All newly arrived personnel will be provided the name and contact information of their unit SARC and VA.

(4) Commanders and their Non-Commissioned Officer (NCO) counterparts at all levels will receive SHARP desk side briefings from the assigned brigade level SARC and VA within 30 days of assuming their respective positions.

(5) Senior leader training will be conducted for all commanders and their NCO counterparts, at all levels; annually.

(6) Commanders will ensure units conduct annual SHARP refresher training. The training will demonstrate prevention and intervention strategies, reporting, response, and accountability. Each training session will be tailored to the individual audience.

h. Sexual harassment and/or sexual assault will not be tolerated. Such behavior and acts are detrimental to professional values, compromise mission readiness, and violate the trust of fellow Service members, Civilian employees, and Family members.

7. The proponent is the RHCE SHARP Program Manager at DSN 314-590-2213 or at [julia.m.armstrong.civ@mail.mil](mailto:julia.m.armstrong.civ@mail.mil).



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