



June 9, 2023

DEPARTMENT OF THE NAVY POLICY REGARDING SUPPORT SERVICES FOR VICTIMS OF SEXUAL HARASSMENT

Sexual harassment is part of the sexual violence continuum of harm and has no place in the Department of the Navy (DON). This policy is intended to ensure that uniformed military sexual harassment victims are offered a range of support options similar to those available to victims of sexual assault. This memo serves to clarify that a victim of sexual harassment may contact a helping professional from any DON victim care and support office to receive services or, with victim's permission, receive a warm hand-off to the appropriate service provider.

Sexual Assault Prevention and Response (SAPR) services, including crisis intervention and safety assessments, shall be available to uniformed military sexual harassment victims. Service Members shall have the option to discuss sexual harassment reporting options and available SAPR services with SAPR personnel. Service Members will retain the option to discuss available SAPR services with Military Equal Opportunity (MEO) personnel.

Applicability. This policy applies to all victims of sexual harassment who are uniformed Service Members within the DON, specifically: Active and Reserve Components to include cadets and midshipmen of the United States Naval Academy, the Naval Academy Preparatory School, and of the Naval Reserve Officer Training Corps.

Definitions. The term "victim" refers to individuals who disclose or report sexual harassment. It does not presume the guilt or innocence of an alleged offender.

The term "sexual harassment" is defined in SECNAV Instruction 5300.26E, DON Policy on Sexual Harassment, and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes violations of Article 134, Uniform Code of Military Justice (UCMJ), sexual harassment, or attempts thereof in violation of Article 80, UCMJ.

Policy. A Service Member who discloses sexual harassment to MEO or SAPR personnel shall receive services and support from that helping professional to the fullest extent practicable and shall not be denied or inappropriately delayed in getting care and support. If the victim cannot receive care and support from that organization because of programmatic eligibility criteria or other reasons, the helping professional the victim contacts shall, with the victim's permission, ensure the victim receives a warm hand-off with the appropriate service

provider, as defined, and in accordance with DON “No Wrong Door Policy” dated 24 June 2022.

Below is guidance for the MEO and SAPR programs:

- MEO personnel, when appropriate, may refer sexual harassment victims to a Sexual Assault Response Coordinator (SARC), Victim Advocate (VA), and to other available support services on and off installation. Sexual harassment victims must affirmatively consent either verbally or in writing to this referral, and be advised by MEO personnel that it is an optional, not mandatory.
- Sexual harassment victims may disclose their situation directly to a SARC, instead of MEO personnel, without a referral and on their own accord.
- SARCs and VAs may assist sexual harassment victims to address any immediate safety needs, explain their sexual assault reporting options (as applicable), and recommend any behavioral health or other services that may be helpful.
- If the SARC assesses there is a safety concern, safety issues identified shall be provided back to the command for action. MEO personnel should track this safety issue, not the SAPR program.
- SARCs shall explain all available SAPR services to the Service Member and then do a warm handoff to MEO personnel for formal reporting of sexual harassment, if desired by the Service Member. If the Service Member declines a warm hand off to MEO, the SARC shall not make a notification to MEO or command.
- SAPR referrals shall be documented using standard procedures for the SAPR Related Inquiry module in Defense Sexual Assault Incident Database only if there is a nexus to an unreported allegation of sexual assault.
- If a sexual harassment victim discloses a sexual assault offense, MEO personnel shall refer the victim to a SARC. If a Service Member discloses a sexual assault to MEO personnel, with consent of the victim, a warm hand off to the SAPR program will occur in accordance with the ‘No Wrong Door’ policy, and the sexual assault disclosure will be handled in accordance with Department of Defense, DON, and Service policies.

Training. All personnel responsible for care and support for sexual assault or sexual harassment shall be trained to ensure Service Members receive the appropriate services under this policy. This training must include instruction on intent of policy, specific procedures for implementing this policy, and contact information for key stakeholders critical to successful implementation of this policy. Navy Culture and Force Resilience Office (OPNAV N17), Commander Navy Installations Command, and Headquarters United States Marine Corps (USMC) Marine and Family Division shall be responsible for oversight of training content and

ensuring consistency of training across applicable victim service providers for the United States Navy and USMC, respectively.

Rescission. This policy shall remain in effect until such time as it is modified or rescinded, not to exceed 18 months.

A handwritten signature in black ink that reads "Carlos Del Toro." The signature is written in a cursive style with a period at the end.

Carlos Del Toro