

Preface

This Training Support Package (TSP) identifies the framework, standards, and resources necessary to conduct Sexual Assault Response Program (SAPR) Leadership Refresher Training in the Colorado Army National Guard (COARNG). This training sets the foundation for all SAPR learning that occurs with the COARNG Leadership, ensuring that all members, understand and can apply the fundamentals of both prevention and response. The TSP is comprised of four sections that enable leaders and SAPR professionals to plan and execute the SAPR program. As the Army enhances its capacity and capabilities to prevent sexual assault and sexual harassment, it is critical to implement practices that increase knowledge and build skills

The main audience for the TSP includes leaders, who are responsible for COARNG SAPR program management; and SAPR professionals, who are responsible for assisting leaders by providing subject matter expertise.

The proponent of this TSP is the COARNG SAPR Office, 6848 S. Revere Pkwy, Centennial, Colorado. All content has undergone COARNG policy and legal review.

Section I

1-1. Purpose

SAPR Leader Training reinforces the basic knowledge, skills, and attitudes required across the COARNG Leadership, ensuring that all members understand and can apply the fundamentals of prevention and response.

1-2. Intent

To train and reinforce the standards in the prevention of and response to Sexual Harassment and Sexual Assault, and to ensure that COARNG Leadership is informed on the COARNG's SAPR Program requirements, prevention tenets, reporting options, intervention techniques, and possible consequences for committing these acts.

1-3. Required Training Modules: COARNG SAPR Leadership Training consists of five (5) topic focused modules. The modules may be conducted separately over time, in groups of 2 to 3 over time, or during one comprehensive event. However, all of the modules must be completed by every individual on an annual basis. Below are the descriptions and associated standards for each module:

Module 1 - Prevention and Impacts on Readiness

Task: Discuss how prevention supports mission readiness, what is meant by a comprehensive approach, the difference between healthy vs. unhealthy relationships, and prevention efforts.

Standard: COARNG Leadership is able to describe their role within the scope of prevention, how incidents of sexual harassment and sexual assault can impact readiness, and the characteristics of healthy relationships vs. unhealthy relationships.

Module 1 Applicable Vignettes	Module 1 Applicable Videos
Vignette 3 - Barracks Online Surfing	Continuum of Harm - https://www.sharplearningportal.army.mil/
Vignette 4 - Company Dayroom	Hazing - https://www.sharplearningportal.army.mil/
Vignette 13 - Command Climate	Army S.H.A.R.P. Spoken Word - https://www.sharplearningportal.army.mil/

- Module 2 - Bystander Intervention

Task: Discuss the barriers to intervention, the 5-step Intervention Process, and techniques to intervene (Direct, Distract, and Delegate).

Standard: COARNG Leadership is able to describe the 5-steps of the Intervention Process and demonstrate knowledge of the three bystander intervention techniques (Direct, Distract, Delegate).

Module 2 Applicable Vignettes	Module 2 Applicable Videos
Vignette 10 - Mobile Training Team (MTT) TDY in Hotel	Bystander Intervention - https://www.sharplearningportal.army.mil/
Vignette 12 – TDY	
Civilian Vignette 1 - I can't work like this	
Civilian Vignette 5 - Who will help me?	

- Module 3 - Sexual Harassment

Task: Discuss the definition of sexual harassment, the types and categories of sexual harassment, reporting options, and possible legal and administrative consequences.

Standard: COARNG Leadership is able to describe what constitutes sexual harassment, including the types of sexual harassment.

Module 3 Applicable Vignettes	Module 3 Applicable Videos
Vignette 1 - Battalion Motor Pool PCC/ PCIs	Sexual Harassment Complaints 101 - https://www.sharplearningportal.army.mil/
Vignette 2 - Helicopter Flight Operations, Army Airfield	
Vignette 5 – Quid Pro Quo	
Vignette 6 – A Formal Sexual Harassment Complaint is Initiated	
Vignette 13 – Command Climate	
Civilian Vignette 1 – I Can't Work Like This	
Civilian Vignette 2 – I Just Need an Opportunity	
Civilian Vignette 8 - Civilian Workplace Relationships	
USAREC Vignette 1 - Sexting	
USAREC Vignette 3 - Quid Pro Quo	
USAREC Vignette 4 - Hostile Environment	

- Module 4 - Sexual Assault

Task: Discuss the definition of sexual assault and consent, reporting options, expedited transfers, and possible legal and administrative consequences.

Standard: COARNG Leadership is able to describe what constitutes sexual assault, and the available reporting options and support resources. Explain the importance of consent, and the role alcohol can play in regards to consent. Describe the possible consequences of sexual assault.

Module 4 Applicable Vignettes	Module 4 Applicable Videos
Vignette 7 - Combat Outpost (COP) Afghanistan	Sexual Assault Reporting 101 - https://www.sharplearningportal.army.mil/
Vignette 8 - Local Bar Downtown	Male Sexual Assault - https://www.sharplearningportal.army.mil/
Vignette 9 - Barracks Picture Taking	Special Victim Capability - https://www.sharplearningportal.army.mil/
Vignette 10 - Mobile Training Team (MTT) TDY in Hotel	Many Faces of Sexual Assault - https://www.sharplearningportal.army.mil/
Vignette 11 - Soldiers Drinking in the Barracks	Drugs, Alcohol, & Sexual Assault - https://www.sharplearningportal.army.mil/
Civilian Vignette 3 – I Said What...	Consent - https://www.sharplearningportal.army.mil/
Civilian Vignette 4 – That's Not Okay	
Civilian Vignette 9 - Army Civilian Training TDY in Hotel Off-post	
USAREC Vignette 2 - Don't Touch Me!	

- **Module 5 – Retaliation**

Task: Discuss the definition and types of retaliation.

Standard: COARNG Leadership is able to explain the types of retaliation, how to report, and the resources available to assist.

Module 5 Applicable Vignettes	Applicable Videos
Vignette 6 - A Formal Sexual Harassment Complaint is Initiated	Retaliation https://www.sharplearningportal.army.mil/
Civilian Vignette 6 - These Are Some Crazy Rumors	
Civilian Vignette 7 - My Words Fell on Deaf Ears	

***Note:** Module 5 (Retaliation) is best conducted in combination with Module 3 (Sexual Harassment) and/ or 4 (Sexual Assault).

Upon conclusion of this training, individuals must be able to accurately describe actions

they can take to prevent incidents of Sexual Harassment, Sexual Assault, and retaliation; and when necessary, seek help or assist others in helping to report. This includes knowing who can receive reports, available reporting options, and available services.

1-4. Supporting Materials. The COARNG Graphic Training Aid (Commanders SA Reference Card), 5 segment Podcast series, the vignettes within this guide, and the “Checks on Learning” serve as supporting instructional materials. These must be used to properly conduct this training.

1-5. Concept and Design

The training is conducted in 5 segments via 15-20 minute "podcast" generated by NotebookLM utilizing the SAPR Academy's TSP. The leader will use SAPR Commanders SA Reference Card, and Sections 3 and 4 of this TSP to understand the content. This includes review of sexual harassment, sexual assault, bystander intervention, prevention, and retaliation. The leader will use the “Checks on Learning” trifold and vignette discussions to assess their understanding of each training module. Section 3 of this TSP contains critical information for each training module. Sections 5-7 contain vignettes that are representative of actual situations, and correlate to the training modules. These should be used to reinforce key concepts of each training module, and evaluate participant understanding of the content to ensure that the topic module standards have been achieved.

1-6. Enhanced Training Opportunities

Emergent Leader Immersive Training Environment (ELITE). Three self-paced learning applications utilizing enhanced virtual human and intelligent tutoring technologies to provide students with up-front instruction, animated demonstration vignettes, practice exercises, and self-guided after-action reviews. These applications are accessible Army-wide via the following Websites:

-The ELITE SHARP POST module is used to educate Army Sexual Assault Response Coordinators (SARCs) and Victim Advocates (VAs) on their roles and responsibilities related to prevention and outreach when supporting the Commander and other SAPR stakeholders responsible for implementing the SAPR Program.
(<https://elitesharppost.azurewebsites.net/login/16>):

-Bystander Resource Assessment Virtual Exercise (BRAVE). Used to develop individual intervention knowledge, skills, and confidence.
(<https://elitesharpbave.azurewebsites.net/login/14>)

-Command Team Trainer (CTT). Used to prepare command teams to fulfill their unique roles and responsibilities to administer the SAPR program at the unit level.
(Currently undergoing revision and is unavailable for use).

The U.S. Army SHARP Academy SAPR Challenge Room

Located : Ft Carson, CO

1853 O'Connell Blvd Ft. Carson, CO. Building 1042 Room 315

The fundamentals of SAPR challenge rooms can be used to demonstrate and reinforce SAPR knowledge and principles. A SAPR Challenge Room can be used by unit leaders and SAPR personnel as a vehicle to gather data, identify SAPR knowledge and training gaps, and close those training gaps within their organizations. Challenge rooms are live-action, team-based events where groups of players collectively discover clues, solve puzzles, and accomplish tasks in one or more enclosed rooms, while attempting to navigate through the room. Challenge rooms require teamwork, communication, delegation, creative and critical thinking, and attention to detail. The most successful teams are those made up of players with a variety of experiences, skills, background knowledge, as well as physical and mental toughness.

Purpose- Executing a SAPR Challenge Room provides an engaging and unique way to educate Soldiers and Army Civilians by reinforcing critical SAPR knowledge and skills. Clue and vignette responses are based on current Army policy and references. The desired outcomes are that participants will demonstrate behaviors consistent with the Army's SAPR program by:

- Applying SAPR Program terms and knowledge
- Discussing prevention practices
- Demonstrating bystander intervention techniques
- Identifying the two types of Sexual Harassment
- Differentiating the three categories of Sexual Harassment
- Distinguishing between the reporting options for Sexual Assault
- Recognizing SARC/VA duties and responsibilities

Benefits - The benefits of conducting SAPR Challenge Rooms include:

- Enables enjoyable, interactive training using realistic scenarios.
- Tests Army personnel's mental agility and recollection of SAPR knowledge and fundamentals in a low-stress training environment
- Affords participants the opportunity to connect and work within unified teams for a common cause.
- Allows additional training opportunities to emphasize and reinforce prevention in conjunction with Army Values
- Incorporates AAR feedback to enhance future training.

Section II

3-1. Module 1 – PREVENTION



Figure 3-1. Comprehensive Approach Representation

Prevention requires a comprehensive approach that incorporates multiple, reinforcing activities implemented and sustained over time. Successful prevention requires everyone's involvement and commitment. It starts within everyone doing their part to live and uphold our Army Values and Army Ethic.

The second layer of **Peers, Friends, and Family**, within Figure 3-1, depicts the individual's closest social circles that are typically the most influential to the individual.

The third layer of **Unit/Organization**, depicts the surrounding work environment. Developing a positive command climate is vital, as well as establishing a strong command sponsorship program and encouraging leader involvement at all levels.

The outside layer, **Post/Community**, represents the broader environment in which we live and work. Communities that establish and maintain safety and security through policies and programs, make the support and services readily available, and communicate their importance and accessibility, create a positive environment in which people have a sense of belonging and a shared responsibility to contribute.

Prevention Efforts

The following are some actions you can do to prevent sexual harassment or sexual assault from occurring:

- Communicate Boundaries.
- You have the right to say "No".

- If you see something, step up and intervene.
- Achieve consent.
- Drink responsibly and have a plan.

Ask: What are other actions that you might take to prevent sexual harassment and sexual assault?

Healthy vs. Unhealthy Relationships²



Figure 3-2. Healthy vs. Unhealthy Relationships

Healthy relationships bring out the best in you and make you feel good about yourself.

Some characteristics and behaviors of healthy relationships include:

Honesty – You can be truthful and candid without fearing how the other person will respond.

Trust – Confidence that your partner won't do anything to hurt you or ruin the relationship.

Independence – You have space to be yourself outside of the relationship.

Respect – You value one another's beliefs and opinions, and love one another for who you are as a person.

Equality – The relationship feels balanced and everyone puts the same effort into the success of the relationship.

Kindness – You are caring and empathetic to one another, and provide comfort and support.

Fun – You enjoy spending time together and bring out the best in each other.

Healthy Conflict – Openly and respectfully discussing issues and confronting disagreements non-judgmentally.

² Source: OneLove, 10 signs of Unhealthy and Healthy Relationships, joinonelove.org

Taking Responsibility – Owning your own actions and words.
Learning and recognizing signs of unhealthy relationships is vital.

Some characteristics and behaviors of unhealthy relationships include:

Intensity – When someone expresses very extreme feelings and over-the-top behavior that feels overwhelming.

Possessiveness – When someone is jealous to a point where they try to control who you spend time with and what you do.

Manipulation – When someone tries to control your decisions, actions or emotions.

Isolation – When someone keeps you away from friends, family, or other people.

Sabotage – When someone purposely ruins your reputation, achievements, or success.

Belittling – When someone does and says things to make you feel bad about yourself.

Guilt – When someone makes you feel responsible for their actions or makes you feel like it's your job to keep them happy.

Volatility – When someone has a really strong, unpredictable reaction that makes you feel scared, confused or intimidated.

Betrayal – When someone is disloyal or acts in an intentionally dishonest way.

Deflecting Responsibility – When someone repeatedly makes excuses for their unhealthy behavior.

Ask: How do healthy or unhealthy relationships effect your performance at work?

Impacts on Readiness

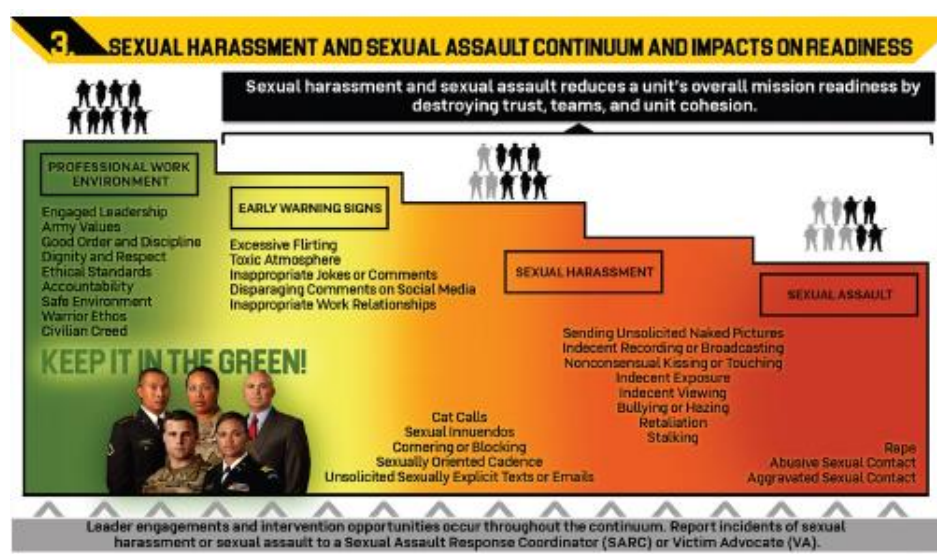


Figure 3-3. Continuum of Readiness

A professional work environment promotes trust and contributes to unit readiness. Leaders must remain aware of warning signs and take action when necessary.

This illustration demonstrates how SH/SA degrade a unit or organization's readiness.

The stair-stepped, colored boxes show the decline of a unit's readiness from green to red, which is common in all Unit Status Report (USR) briefings.

The silhouette Soldiers/Civilians depict the available personnel in a unit. The dark silhouettes represent personnel that are ready and capable to execute the mission. The grayed silhouettes depict Soldiers or Civilians that engage in and/or are affected by sexual assault or harassment who may still be present in the unit. However, their readiness and the readiness of the unit is compromised due to several reasons including investigations, medical appointments, support meetings, and the emotional effects of lack of trust, Esprit de Corps, respect, etc. The transition of the silhouettes from black to gray demonstrates how these events degrade the unit's ability to complete its wartime mission.

When observing early warning signs or more serious behaviors along the continuum, leaders must intervene early and often to maintain a professional work environment.

Background:

The green box represents a professional work environment. The Prevention of Sexual Harassment and Sexual Assault Annex to the Army People Strategy outlines the elements of a healthy environment as a unit climate that is based on mutual trust and respect where leaders serve as the center of gravity for prevention and both leaders and service members actively discourage sexist comments, sexual harassment, and sexual assaults. These are the "what right looks like" aspects of a unit. Let's discuss "how" these tenants make a unit healthy and how they create a positive environment in which an organization can operate to accomplish their mission:

- Engaged Leadership
- Army Values
- Good Order & Discipline
- Dignity & Respect
- Ethical Standards
- Accountability
- Safe Environment
- Warrior Ethos
- Civilian Creed

Once we recognize those behaviors as inappropriate, we need to be willing to intervene to correct behavior.

These signs can show a lack of discipline and professionalism in the unit. Leaders must maintain standards for conduct and ensure Soldiers understand appropriate behavior. At any time, leaders observing early warning signs can intervene and help promote a healthy work environment. These are some possible early warning signs:

- Excessive flirting
- Toxic atmosphere
- Inappropriate jokes/comments
- Disparaging comments on social media

- Inappropriate work relationships

Left unchecked, inappropriate behaviors can escalate and become more egregious. Moving towards the right, we can see how the behaviors in the yellow portion of the slide when left unchecked or without correction can create an environment where sexual harassment thrives. If these behaviors continue to occur, they can lead to more of the behaviors listed under sexual harassment and sexual assault. As previously stated, leaders can intervene when they recognize sexual harassment issues and move the unit back in the direction of a healthy work environment. Let's discuss the behaviors listed below and how they can be a natural progression from the early warning signs previously mentioned:

- Sexting
- Cat Calls
- Sexual Innuendo
- Cornering/Blocking
- Sexually Oriented Cadence
- Unsolicited Sexually Explicit Text/Email

As members of the Army team, individuals' interactions offline and online reflect on the Army and its values. Soldiers or DA Civilians who participate in, condone misconduct, whether offline or online, may be subject to criminal, disciplinary, and/or administrative action. Leaders are required to respond to this type of behavior. Contractor employee misconduct will be referred to the employing contractor through applicable contracting channels for appropriate action.

Remember these three things when you want to send a message or post something online.

“THINK” about what message is being communicated and who could potentially view it.

“TYPE” messages that are consistent with the Army Values.

“POST” if the message demonstrates dignity and respect for self and others.

The orange box contains behaviors that can border between sexual harassment and the criminal offenses of sexual assault. CID or law enforcement will determine if it is sexual assault.

- Sending Unsolicited Naked Pictures
- Unsolicited Kissing
- Bullying
- Hazing

The red area on the right side of the graphic is an unhealthy environment that is sexual assault. The behaviors in this area are criminal offenses that CID (or the appropriate M Military Criminal Investigative Organization (MCIO) on joint bases) will investigate. Let's talk about the behaviors listed from top to bottom and how early warning signs and sexual harassment left unchecked or without correction can create an environment where sexual assault could occur. Mission readiness will be degraded due to loss of manpower, productivity, cohesion, and confidence in leadership. Once this point has

been reached leadership engagement must occur. Leadership engagements can emphasize standards and trust to enforce the commander's intent to refocus the organization. As we progress through the training, pay attention to the definitions for the following illegal acts:

- Rape
- Sexual Assault
- Abusive Sexual Contact
- Aggravated Sexual Contact

The teal box at the bottom represents the notion that leader engagements and intervention opportunities are present throughout the continuum. IT IS IMPORTANT TO NOTE that units are frequently moving throughout the continuum. If a unit finds itself in the yellow to red zone of the continuum, they can reverse the movement by taking swift and appropriate action. If leaders and Soldiers engage and intervene when they recognize a negative behavior, the cycle may be interrupted or broken, and a unit can start moving towards the green box (mission ready unit). It is also important to remember that SARCs and VAs are the SMEs that are available to take all reports of sexual harassment/assault.

Ask: Where do you see your current or former unit on this continuum graphic?

Checks on Learning

1. Prevention of sexual harassment (SH) and sexual assault (SA) in the Army is a _____ effort that starts with _____.

Answer: Team; You

2. What are three indicators of a healthy relationship vs. an unhealthy relationship?

Answer: Trust, Respect, and Honesty

3. List some examples of how sexual harassment and sexual assault impact a professional work environment?

Answer: Loss of manpower, destroys unit cohesion, and distrust within the unit

3-2. Module 2 – BYSTANDER INTERVENTION

Barriers to Intervention

Intervening in an uncomfortable and/or challenging situation is a difficult task that Soldiers and Army Civilians may encounter. When questioned "would you intervene" most people will answer with a resounding "Yes". However, when asked "how would you intervene" many times the answer is not always as assured. Every Soldier and Civilian may face barriers from a variety of influences that inhibit them from intervening.

Rank can be a difficult barrier to overcome as the Army is clearly rank conscious. It might be very intimidating to intervene when dealing with someone of a higher rank or grade. It may take a high degree of personal courage to address or challenge a senior service member. One technique involves posing a non-confrontational question to the senior service member in order to prompt self-reflection, asking if the behavior is appropriate. This approach may allow them to acknowledge and identify for themselves the way Soldiers should behave, and if they were living up to Army standards.

Fear of embarrassment or retaliation can also be an obstacle to intervention. Exhibiting the personal courage to step in when a sexual harassment or sexual assault is about to occur demonstrates great character, and devotion to the well-being of teammates. In the long run, people will realize that they are an upstanding individual and will ultimately gain respect among their supervisors, peers, and co-workers.

Much along the same lines of rank, personality/communication differences can be a difficult barrier to overcome in the workplace. Living and upholding the Army Values, specifically a sense of duty, should ideally prevail. Correcting a deficiency in a work environment is a more significant than allowing personality/communication differences to continue to persist.

Simply put, overcoming barriers is a formidable task, however the benefits of intervening significantly outweigh the consequences of allowing detrimental behaviors to continue. Research shows that bystanders intervene when they can identify something as a problem, they feel responsible, and know they have the skills to act.

Ask: What are some other barriers to intervention?

Bystander Intervention Process



Figure 3-4. Bystander Intervention Process

The Bystander Intervention Process is a valuable tool if you have a good understanding of how and when to properly implement it.

The five intervention steps are as follows:

- **Step 1:** Notice the event
- **Step 2:** Interpret the event as a problem
- **Step 3:** Accept personal responsibility for doing something
- **Step 4:** Decide how to intervene
- **Step 5:** Take Action - Bottom-line: Do something to stop the negative behavior or action!

Bystander Intervention 3 Ds

- Direct
 - Address the perpetrator
 - Remove either party from the situation/hostile environment (potential victim or perpetrator)
 - Have personal courage to intervene
- Distract
 - Anything that distracts perpetrator
 - Change the subject
 - Ask either person to go do something
 - Or say: "I think someone is coming"
- Delegate
 - Delegate the intervention to others
 - Have friends, squad/section members, or co-workers take either person out of the situation
 - Send someone for help to intervene (Chain of Command, MPs, etc.)

Ask: Why is it important that we have a good working knowledge of the Bystander Intervention Process?

Checks on Learning

1. What are the five steps of the Bystander Intervention Process?

Answer:

- 1) Notice the event,**
- 2) Interpret the event as a problem,**
- 3) Accept responsibility for doing something,**
- 4) Decide how to intervene (3Ds), and**
- 5) Take action.**

2. List the Bystander Intervention 3Ds:

Answer: Direct, Distract, and Delegate

3. What is an example of one of the Bystander Intervention 3Ds?

Answer: Direct – Confronting the perpetrator; Distract – Change the subject; Delegate – Ask someone else for help such as a friend or another bystander.

3-3. Module 3 – SEXUAL HARASSMENT

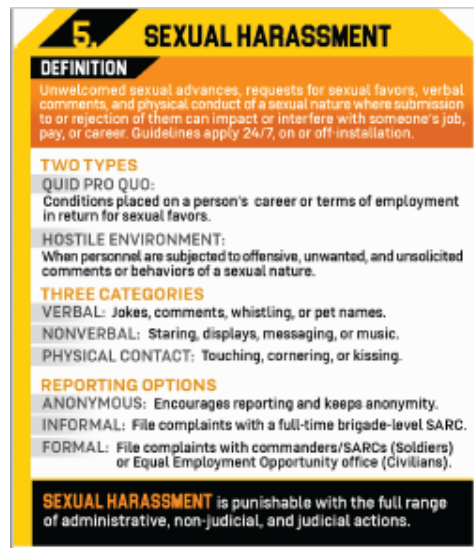


Figure 3-5. Sexual Harassment

Note: If you have DA Civilians in your training audience ensure you incorporate Section 4 information into the training discussion.

Definition

Sexual Harassment is defined as:

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) Is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive. Unwelcomed sexual advances, requests for sexual favors, verbal comments, and physical conduct of a sexual nature where submission to or rejection of them can impact or interfere with someone's job, pay, or career.

Types of Sexual Harassment

- **Quid Pro Quo**
 - Quid pro quo (this for that) is unacceptable for Soldiers and DA Civilians.
 - Quid pro quo is a Latin term meaning “this for that.” It refers to conditions placed on a person’s career or terms of employment in return for favors.
 - Quid pro quo sexual harassment may have a harassing effect on third persons. They may result in reports of sexual favoritism or general discrimination when a person feels unfairly deprived of recognition, advancement, or career opportunities because of favoritism shown to another Soldier or Army Civilian on the basis of a sexual relationship.
- **Hostile Environment**
 - Hostile environments are not beneficial to a professional workplace.
 - Hostile environment occurs when Soldiers, Family members, or DA Civilians are subjected to offensive, unwanted, and unsolicited comments, or behaviors of a sexual nature.

Ask: What are some examples of Quid Pro Quo harassment?

Categories of Sexual Harassment

- **Verbal**
 - Sexually explicit comments or sounds made aloud by individuals and overheard by others can create a hostile environment.
- **Non-Verbal**
 - Sexually suggestive actions or body movements made by individuals can create a hostile environment when observed by others.
- **Physical Contact**

Ask: What are some examples of verbal sexual harassment?

Ask: What are some examples of non-verbal sexual harassment?

Ask: What are some examples of sexual harassment with physical contact?

Army Policy

Army Soldiers

- Policy applies on/off the installation – 24/7
- Complainants are encouraged to confront subject/offenders
- Does not require complainants of sexual harassment to confront subject/offender
- File formal complaints of SH with Brigade level SARC or higher
- Family members 18 and over are eligible to file complaints with a SARC. Family members under 18 will file with Family Advocacy Program (FAP)

(Reference: AR 600-52)

Reporting Options

Military Soldiers and family members have three options to resolve sexual harassment complaints.

- Anonymous Complaint
 - This approach encourages reporting of sexual harassment yet allows the individual reporting the sexual harassment to remain anonymous.
 - Encourages reporting while maintaining anonymity.
- Informal Complaint*
 - Report made to a full-time brigade level SARC.
 - Complainant wants issue resolved; however, does not wish to file a formal complaint.
 - Resolved without the involvement of command with documentation in ICRS and a locally-filed MFR.
- Formal Complaint
 - File complaints with commanders/SARCs (Soldiers) or Equal Employment Opportunity Office (Civilians).
 - Filed in writing using DA Form 7746, CDR is notified.

***Note:** Older versions of the SAPR Reference card (GTA) listed informal sexual harassment reporting options as “Direct approach, third party, or chain of command” is no longer accurate. The correct informal sexual harassment reporting option is to “file complaints with a full-time brigade level SARC”.

Potential Consequences/Punishments

Military punishment

- Administrative
 - Mandatory counseling by a member of the chain of command, presumably their company commander
 - Administrative Separation (chapter)
 - Bar to re-enlistment
 - Adverse performance evaluations and/or specific comments concerning nonsupport of SAPR on evaluation reports
 - Relief for cause
 - Administrative reduction
 - Admonition
 - Reprimand
 - Administrative withholding of privileges
 - Rehabilitative transfer to another unit
- UCMJ
 - Article 92 - Violation of a General Regulation, with a maximum punishment of dishonorable discharge, 2 years confinement, and forfeiture of all pay and allowances.
 - Article 93 - Cruelty and Maltreatment of Subordinate, with a maximum punishment of dishonorable discharge, 1 year confinement, and forfeiture of all pay and allowances.

- Article 117 - Provoking Speeches or Gestures, with a maximum punishment of 6 months confinement, and forfeiture of 2/3 of pay for 6 months.
- Article 130 – Stalking, with a maximum punishment of dishonorable discharge, 3 years confinement, and forfeiture of all pay and allowances.
- Article 134 – Indecent Language, with a maximum punishment of bad conduct discharge, 6 months confinement, and forfeiture of all pay and allowances.
- If a commander receives a complaint of sexual harassment that includes a UCMJ offense, it will be referred to CID for investigation.

Checks on Learning

1. Sexual Harassment involves conduct that involves and is perceived as _____.

Answer: Unwelcome sexual comments or gestures, and Hostile or offensive by a reasonable person

2. True or False. Any policy on sexual harassment applies to Soldiers 24/7 and on- or off-post.

Answer: True

3. What are the two types of sexual harassment?

Answer: Quid Quo Pro and Hostile Environment

4. What are the three options to report a sexual harassment?

Answer: 1) Anonymous, 2) Informal, and 3) Formal

3-4. Module 4 – SEXUAL ASSAULT



Figure 3-6. Sexual Assault

***Note:** If you have DA Civilians in your training audience ensure you incorporate Section 4 information into the training discussion.

Definition

Sexual Assault is defined as intentional sexual contact characterized by use of force, threats, intimidation or abuse of authority or when the victim does not or cannot consent. Consent may be revoked at any time. (DODI 6495.02 Change 4) The term includes a broad category of sexual offenses of the following specific UCMJ offenses: rape, sexual assault, aggravated sexual contact, abusive sexual contact, or attempts to commit these offenses.

Consent Definition

Under the UCMJ, consent is defined as a freely given agreement to the conduct at issue by a competent person.

Lack of consent may be inferred based on the circumstances of the offense. All the surrounding circumstances are to be considered in determining whether a person gave consent, or whether a person did not resist or ceased to resist only because of another person's actions.

Alcohol and Consent

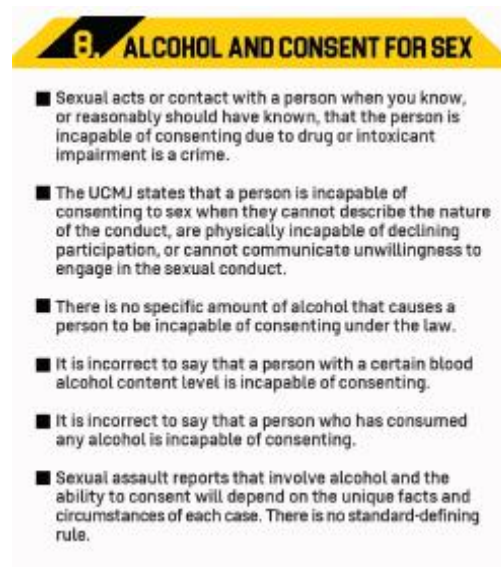


Figure 3-7. Alcohol and Consent for Sex

Sexual acts or sexual contact with a person when you know, or reasonably should have known, that the person is **incapable of consenting due to impairment by a drug or intoxicant (alcohol)** is a crime.

The UCMJ provides that a person is **incapable of consenting** when they are incapable of apprising the nature of the conduct or physically incapable of declining participation or communicating unwillingness to engage in the sexual conduct.

There is NO specified amount of alcohol that renders a person **incapable of consenting** under the law.

Training should provide the legal standard (incapable of consenting) and should focus on both the **risks** of sexual conduct with an intoxicated person and the **benefits** of healthy and consensual sexual interactions based on mutual consent.

Army Policy

Sexual assault is a criminal offense, unacceptable, and will not be tolerated.

The Army's sexual assault policy applies without regard to a person's rank, age, or gender.

In situations where a victim confides in a battle buddy or family member, they're not required to report even if the victim intends to file an Unrestricted Report, or no report at all. However, a victim's (chain of command or NCO support channel) **are always required to report to the Commander who reports to local law enforcement regardless of the victim's wishes**. This does not have an effect on the victim's ability to choose a restricted or unrestricted report.

The Army will treat every reported sexual assault seriously by following proper guidelines. The information and circumstances of the report will be disclosed on a need-to-know basis only.

This policy applies—

- Both on and off post and during duty and non-duty hours.
- At working, living, and recreational environments (including both on- and off-post housing).

Potential Consequences/Punishments

Military

- Article 93a – Prohibited Activities with Military Recruit or Trainee by Person in Position of Special Trust, with maximum punishment of dishonorable discharge, 3 years confinement, and forfeiture of all pay and allowances.
- Article 117a – Wrongful Broadcast or Distribution of Intimate Visual Images, with maximum punishment of dishonorable discharge, 2 years confinement, and forfeiture of all pay and allowances.
- Article 120 – Rape, with a maximum punishment of dishonorable discharge, life in prison without parole, and forfeiture of all pay and allowances.
- Article 120 – Sexual Assault, with a maximum punishment of dishonorable discharge, 30 years confinement, and forfeiture of all pay and allowances.
- Article 120 – Aggravated Sexual Contact, with a maximum punishment of dishonorable discharge, 20 years confinement, and forfeiture of all pay and allowances.

- Article 120 – Abusive Sexual Contact, with a maximum punishment of dishonorable discharge, 7 years to life confinement, and forfeiture of all pay and allowances.
- Article 120C – Other Sexual Misconduct, with a maximum punishment of dishonorable discharge, 1 – 20 years confinement, and forfeiture of all pay and allowances.
- Article 128B- Domestic Violence, with a maximum punishment of dishonorable discharge, additional 3 years confinement, and forfeiture of all pay and allowances.
- Article 132 – Retaliation, with a maximum punishment of dishonorable discharge, 3 years to life confinement, and forfeiture of all pay and allowances.

***Note:** There is no statute of limitations on sexual assault.

Reporting Options

RESTRICTED REPORT	UNRESTRICTED REPORT
SERVICES	
- Access to medical, advocacy, legal, and counseling services. - Receive the Sexual Assault Forensic Examination (SAFE). - Control the release of personal information. - Can change to an unrestricted report at any time. - Special victims' counsel.	- Access to medical, advocacy, legal, and counseling services. - Receive the SAFE. - Alleged offender may be held accountable. - Command support. - Can receive protective order (military protective order (MPO) or civilian protective order (CPO)). - Special victims' counsel.
LIMITATIONS	
- The alleged offender will not be held accountable. - Ineligible for expedited transfer or reassignment. - No command support. - Cannot receive a protective order. - Chaplains and Special victims' counsel cannot file a report, but information shared remains confidential.	- More people will know about the sexual assault. - The investigation may require discussion of personal matters. - Cannot change to a restricted report.
WHO CAN ACCEPT A REPORT	
- Sexual Assault Response Coordinator (SARC). - Victim Advocate (VA). - Healthcare personnel.	- Commander. - Criminal Investigation Division (CID). - Judge Advocate General (JAG). - Inspector General (IG). - SARC. - VA. - Healthcare personnel.

Figure 3-8. Restricted and Unrestricted Reporting

Restricted Reporting

Restricted Reporting allows a Soldier, or their family member (dependents) 18 years of age or older and who are eligible for treatment in the military healthcare system (AR 600-20), who is a sexual assault victim to confidentially disclose details of his/her sexual assault to specifically identified personnel without triggering an investigative process. Restricted Reporting also allows a victim to receive medical treatment, counseling, and advocacy services. To access this type of report victims can contact the Sexual Assault Response Coordinator (SARC), a Victim Advocate (VA), or to healthcare personnel. A victim can consult with an SVC if they make no report at all; it is not dependent on them making a report. The relationship between an SVC and a victim in the provision of legal advice and assistance, will be the relationship between an attorney and client. Victims can also seek assistance from a legal assistance attorney, or the DoD Safe Helpline.

Victims of a sexual assault that was perpetrated by current or former Intimate Partner or someone with whom the victim shares a child, does not fall within SAPR.

Victims that receive counseling associated with sexual assault are not required to report those counseling sessions on the SF 86, Questionnaire for National Security Positions. With regard to Restricted Reports, the Sexual Assault Forensic Examination (SAFE) kit will be retained for 10 years to allow victims the opportunity to change their report to an Unrestricted report.

Advantages of Restricted Reporting

- Access to medical, advocacy, legal, and counseling services
- Receive the Sexual Assault Forensic Examination (SAFE)
- Control the release of personal information
- Can change to Unrestricted Report at any time
- Special Victims' Counsel

Limitations of Restricted Reporting

- The alleged offender will not be held accountable
- Ineligible for expedited transfer or reassignment
- No command support
- Cannot receive a protective order

CATCH Program

The CATCH Program allows a Restricted Reporting adult victim to submit an entry into the CATCH website containing suspect or incident information for the purpose of achieving a "CATCH match", IE identifying individuals suspected of perpetrating multiple sexual assaults. At the time of filling out the DD Form 2910, the SARC and the SAPR VA will advise every Restricted Reporting victim of the opportunity to participate in the CATCH Program, but not encourage or discourage victims' participation. Participation in the CATCH Program is voluntary and the victim may decline to participate in the process at any stage, even after being contacted that there was a match in the CATCH server. There shall be no adverse consequences if the victim does not agree to participate.

Only Rape, Sexual Assault, Aggravated Sexual Contact, Abusive Sexual Contact, Rape of a Child, Sexual Assault of a Child, and Attempts of these crimes will trigger a CATCH match.

The CATCH entry will remain active for a total 10 years. Consequently, all SAFE Kits corresponding to Restricted Reports will now be retained for 10 years. Victims who are eligible to submit an entry into the CATCH Program are current

Service Members or their adult dependents, who file or have filed a Restricted Report, and also former Service Members or their adult dependents, who have filed a Restricted Report.

A victim who has filed a Restricted Report can enter the CATCH Program at any time, even if years have elapsed since the assault and the Restricted SAFE Kit has been destroyed, as long as the report remains Restricted.

Unrestricted Reporting

Unrestricted Reporting allows a victim who desires medical treatment, counseling and advocacy services, and an official investigation of the sexual assault, to use (for example, the chain of command or law enforcement) or to report the incident to a Sexual Assault Response Coordinator (SARC), Victim Advocate (VA), or to healthcare personnel. A victim can consult with an SVC if they make no report at all; it is not dependent on them making a report. The relationship between an SVC and a victim in the provision of legal advice and assistance, will be the relationship between an attorney and client.

Filing an Unrestricted Report will initiate an official investigation. Details of the sexual assault are limited to personnel with a legitimate need to know.

DoD Civilians and their adult Family members (dependents) when stationed outside the continental U.S. (OCONUS) and U.S. Citizen contractor personnel when authorized to accompany Armed Forces in a contingency operation OCONUS are eligible for treatment in the military healthcare systems and will be authorized limited SAPR services.

The SAFE kit is retained for 10 years in Unrestricted Report cases.

Advantages of Unrestricted Reporting

- Access to medical, advocacy, legal, and counseling services
- Receive the SAFE
- Alleged offender may be held accountable
- Command support
- Can receive a Military Protective Order (MPO) or Civilian Protective Order (CPO)

- Special Victims' Counsel (SVC)

Limitations of Unrestricted Reporting

- More people will know about the sexual assault
- Investigation may require discussion of personal matters
- Cannot change to Restricted Report

Both Restricted and Unrestricted Reports

The SARC will retain the Victim Reporting Preference Statement (DD Form 2910) for 50 years from the date the victim signs the DD Form 2910. DD Form 2911, DoD Safe Report shall be retained for 50 years IAW DoDI 5505.18. Restricted reports are filed locally and unrestricted reports are entered into the Defense Sexual Assault Incident Database (DSAID) where it will be retained for the 50 year period.

It is recommended that the victim retain sexual assault records for potential use in Veterans Administration (VA) benefits applications.

Mandatory Reporters for Sexual Assault

- 1) Commanders
- 2) Chain of Command (includes supervisors, supervisory chain, first sergeants, and senior enlisted advisors)
- 3) Instructors
- 4) Law enforcement, including military security forces (on and off-duty)

Victims' Rights

When a Soldier has been a victim of sexual assault and is separated from the Army within one year of final disposition of his or her sexual assault case, it is Army policy (reference DoD Retaliation Prevention and Response Implementation plan (JAN 17) and DoDI 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, 11 September 2020, Encl. 4, para 7g)) to conduct a General Officer review of the facts to ensure that the separation is not retaliation.

Military Rule of Evidence (MRE) 514

A victim has a privilege to refuse to disclosure and to prevent any other person from disclosing a confidential communication made between the victim and a victim advocate, or between the alleged victim and Department of Defense Safe Helpline staff in a case arising under the UCMJ, if such communication was made for the purpose of facilitating advice or assistance to the victim.

Confidential communication also applies to records the SARC and VA maintain pertaining to communications with the victim. These communications with a SARC and

VA and their associated records are considered privileged and are not to be released to others, including to commanders or law enforcement personnel.

(Reference MRE 514, Manual for Courts-Martial (MCM), United States (2019 Edition))

Exceptions to Restricted Reports of Sexual Assault that may warrant a break in Privileged Communications:

- In cases where victims elect Restricted Reporting, the prohibition on disclosing covered communications to the following persons or entities, as indicated, will be suspended for the following reasons:
 - To command officials, law enforcement, or others when disclosure is authorized by the victim in writing.
 - When disclosure is necessary to prevent or lessen a serious and imminent threat to the health and safety of the victim or another person.
 - To the disability retirement boards and officials when disclosure by a healthcare professional is required for fitness for duty or for disability determinations (limited to only the information necessary to process duty or disability determinations)
 - To the SARC, VA, or healthcare provider when disclosure is required for the supervision and/or coordination of direct victim treatment or services.
 - When disclosure is ordered by a military, federal, or state judge, or other officials or entities as required by federal or state statute or applicable U.S. international agreement.

Expedited Transfer

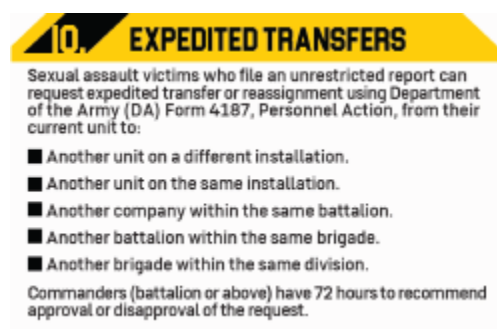


Figure 3-9. Expedited Transfer

Soldiers and their dependent family members aged 18 or older can request an Expedited Transfer if they have filed an unrestricted report.

Often, victims of sexual assault find returning to their work areas a challenge after reporting a sexual assault, particularly when the alleged offender is in the same unit or has regular contact with the victim's unit. Other victims feel isolated, being so far away from their support system, so returning to an installation near their families or friends will be the only way they can start the healing process. There are many ways a victim of sexual assault can start the healing process as they journey from victim to survivor. An "expedited transfer" or "reassignment" is one of them.

Sexual assault victims who file an Unrestricted Report can request an expedited transfer from their current unit to:

- Another unit at a different geographical location, a different unit on the installation, another company within the same battalion, another battalion within the same brigade, or to another brigade within the same division.

The request must be submitted in writing using DA Form 4187. The transfer or reassignment may be temporary or permanent. All requests for permanent change of station must be sent to the Commander, U.S. Army Human Resources Command (HRC) for approval or disapproval.

The Army has established procedures for requesting an expedited transfer/reassignment outlined in AR 614-200, Enlisted Assignments and Utilization Management, dated 25 Jan 2019, AR 614-100, Officer Assignment Policies, Details, and Transfers, dated 3 Dec 2019, and ALARACT 013/2021.

Army policy for expedited transfers requires a presumption in favor of transferring or reassigning a sexual assault victim, at his or her request, following victim's credible report of sexual assault. Commanders and civilian leaders shall consider requests for transfer or reassignment in an expedited manner. This policy applies to all Soldiers who report being the victim of a sexual assault. Requests for transfer must be in writing. If a commander cannot approve a request at his/her level of command, the victim's request will be forwarded through the chain of command to the appropriate approving authority. Each commander in the chain of command through which the request is submitted will provide his/her written recommendation to the approving authority. Requests for permanent change of station transfers must be forwarded to U.S. Army HRC for approval/disapproval.

A commander recommending disapproval of a request will provide the reason(s) for the recommendation in writing. A victim's non- Permanent Change of Station (PCS) transfer request may be disapproved ONLY by the first General Officer in the victim's chain of command, who may delegate disapproval authority to another Commands. There are 5 calendar days to obtain the first General Officer's signature on the request, unless a subordinate commander had approval authority AND approved the request. When a victim requests reassignment to another installation, or reassignment to another Army Command on the same installation, the authority to approve or disapprove that request is reserved to the Commander, U.S. Army HRC.

The commander (battalion or above) shall make a credible report determination at the time the request is made after considering the advice of the supporting judge advocate, or other legal advisor concerned, and the available evidence. Only reports that are determined credible will be forwarded to the approval/disapproval authorities for reassignment consideration. For local moves that do not cross Army Service Component Commands (ASCCs), and/or direct reporting unit, the approval authority is the lowest level Commander exercising authority over both the losing and gaining unit, though the Bde Cdr always has to be notified (even if the Bn Cdr has authority). For

local moves that do not cross Army command, ASCC, etc. then approving authority is the Senior Cdr at the installation. For disapproval, it is the Senior Cdr if they are also a General Officer (GO), or the first GO in the Soldier's CoC, if not. Enlisted Personnel Management Directorate (EPMD) for enlisted and same for disapproval.

Military Protective Order (MPO)

A Military Protective Order is a tool Commanders can use to protect Soldiers.

In Unrestricted Reporting cases, commanders will execute the following procedures regarding MPOs:

- A Military Protective Order (MPO) is a short-term order issued by a unit commander against an active duty service-member under his or her command. Protective orders can be issued verbally or in writing.
- The MPO is intended to:
- Safeguard victims;
- Quell disturbances;
- Maintain good order and discipline.

Once an MPO is finalized and been issued, under the advisement of the Brigade SJA, Commanders must submit a copy of the MPO to the local Provost Marshall Office (PMO). The PMO will upload the MPO into the National Crime Information Center (NCIC). In the event of a sexual assault incident occurring off the installation, Civilian Law Enforcement will be aware of the MPO, but may not be able to take action, based solely on the MPO.

MPOs are not enforceable by civilian authorities off post and that victims desiring protection off post should seek a TRO (temporary restraining order) and a CPO (civilian protective order). Off-base violations of the MPO should be reported to the issuing commander, the MPs, and CID for investigation.

Checks on Learning

1. True or False. A person who is asleep, unconscious, or incompetent (incapable of consenting due to intoxication) cannot consent to sex.

Answer: True

2. Sexual Assault is punishable under which laws for Army Soldiers and Army Civilians?

Answer: Army Soldiers – UCMJ; Army Civilians – Federal/State

3. A freely given agreement to sex by a competent person is what?

Answer: Consent

4. What are the two types of sexual assault reporting options for Army Soldiers?

Answer: Restricted or Unrestricted Reporting

3-5. Module 5 – RETALIATION



Figure 3-10. Retaliation

No Soldier may retaliate against a victim, alleged reported victim, or another member of the Armed Forces based on that individual's report of a criminal offense.

A Soldier who wrongfully takes or threatens to take an adverse personnel action against any person, or who withholds or threatens to withhold a favorable personnel action against any person for reporting or planning to report a criminal offense, or making or planning to make a protected communication, is guilty of retaliation.

The term “protected communication” means the following:

1. A lawful communication to a Member of Congress or an Inspector General.
2. A communication to a covered individual or organization in which a member of the armed forces complains of, or discloses information that the member reasonably believes constitutes evidence of, any of the following:
 - A violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination.
 - Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(Reference: AR 600-20, Army Command Policy, 24 Jul 20)

Personnel action is defined as any action taken against a member of the Armed Forces that affects, or has the potential to affect, that member's current position or career. Such actions include a promotion; a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards or training; referral for mental health evaluations and any other significant change in duties or responsibilities inconsistent with the member's grade.

Incidents of retaliation, reprisal, ostracism, and maltreatment violate good order and discipline, erode unit cohesion, and deter reporting of sexual assault incidents.

Elements of Retaliation

Retaliation also includes:

Ostracism – defined as excluding from social acceptance, privilege or friendship a victim or other member of the Armed Forces because:

- (a) The individual reported a criminal offense;
- (b) The individual was believed to have reported a criminal offense; and
- (c) The ostracism was motivated by the intent to discourage reporting of a criminal offense or otherwise to discourage the due administration of justice; and

Acts of cruelty, oppression, or maltreatment committed against a victim, an alleged victim or another member of the Armed Forces by peers or other persons, because the individual reported a criminal offense or was believed to have reported a criminal offense.

Army Policy on Retaliation

- No soldier may retaliate against a victim, an alleged victim or another member of the Armed Forces based on that individual's report of a criminal offense.
- All reports of retaliatory behavior must be investigated, including actions against other individuals (for example, family members) intended to harm or influence a Soldier.
- Allegations of retaliation will be investigated by the Inspector General (IG).
- IAW Army Directive (AD) 2015-16, allegations of retaliation against a victim, witness, intervener, SARCs, VAs, or first responders should be referred to a battalion or higher commander to develop a plan to immediately address the issue and forward the plan to the Sexual Assault Review Board (SARB) chair.
- IAW DODI 6495.02, service members may request a review from a general or flag officer if they experience retaliation, reprisal, restriction, ostracism, or maltreatment involving an administrative separation within one year of the final disposition of their sexual assault case.
- IAW 6495.02, sexual assault victims have the right to communicate with a general or flag officer if they believe there were impacts to their military career because they reported a sexual assault.

Victims' Rights

All personnel in the victim's chain of command, officer and enlisted, when they become aware of allegations of retaliation, reprisal, ostracism, or maltreatment, are required to take appropriate measures to protect the victim.

Victims can seek assistance on how to report allegations of retaliation by requesting assistance from:

- Sexual Assault Response Coordinator (SARC)
- Victim Advocate (VA)
- Inspector General (IG)
- A SARC in different installation, which can be facilitated by the Safe Helpline
- Immediate Commander
- A commander outside chain of command

***Note:** Article 138, of UCMJ, provides every member of the Armed Forces the right to complain that he/she was wronged by his or her commanding officer.

If the allegation is an act that is criminal in nature and victim filed an unrestricted report, the allegation should immediately be reported to an MCIO.

Checks on Learning

1. What are three actions that constitute retaliation?

Answer: 1) Adverse/unfavorable personnel action, 2) Os tracism, and 3) Acts of cruelty, oppression, & maltreatment

2. If you want to report retaliation, who can you report it to?

Answer: Chain of Command, Inspector General (IG), or SARC/VA

3-6. Additional Resources and References

AR 614-100, Assignments, Details, and Transfers Officer Assignment Policies, Details, and Transfers

This regulation prescribes policies and procedures pertaining to the assignment, reassignment, details, and transfers of officers between commands, units, branches, specialties, and components within the Regular Army, or between external military organizations.

AR 614-200, Assignments, Details and Transfers, Enlisted Assignments and Utilization Management

This regulation provides guidance on the selection of enlisted Soldiers for assignment, utilization, reclassification, detail, transfer, and training as implemented by DoDI 1315.18 Procedures for Military Personnel Assignments, Incorporating Change 3, Effective June 24, 2019.

Bystander Intervention Techniques Training Support Package (TSP)

This TSP provides standardized means to conduct interactive, unit-level training on Bystander Intervention techniques within the context of Army Values. Designed for delivery in a small group setting, it includes a comprehensive instructor reference guide along with 46 supporting vignettes for Soldiers, leaders, DA Civilians, and ROTC.

Department of Defense Instruction – (DoDI) 1020.03 - Harassment Prevention and Response in the Armed Forces

Incorporating Change 1, Effective December 29, 2020

In accordance with the authority in DoD Directive (DoDD) 5124.02, this issuance:

- Establishes a comprehensive DoD-wide military harassment prevention and response program.
- Updates military harassment prevention and response policies and programs for Service members.
- Updates harassment prevention and response procedures for Service members to submit harassment complaints, including anonymous complaints; procedures and requirements for responding to, processing, resolving, tracking, and reporting harassment complaints; and training and education requirements and standards.
- Supplements the DoD Retaliation Prevention and Response Strategy (RPRS) Implementation Plan for sexual harassment complaints involving retaliation.

DoDI 6400.09 DoD Instruction – Policy on Integrated Primary Prevention of Self-Directed Harm and Prohibited Abuse or Harm

This DoD policy establishes and integrates policies and responsibilities to mitigate self-harm and prohibited abusive or harmful acts. It also focuses prevention efforts on research-based programs, policies, and practices.

DoDI 6495.02 DoD Instruction – Sexual Assault Prevention and Response (SAPR) Program Procedures

This DoD policy establishes policy and assigns responsibilities and provides guidance and procedures for the SAPR Program.

GTA_19-11-011 SAPR Reference Card

This pocket-sized resource for leaders, Soldiers, and DA Civilians contains key program elements and information, both Prevention and Response. Included is the bystander intervention process and “3D’s” along with graphic representation of the continuum of sexual harassment and sexual assault behaviors.

Manual for Courts-Martial United States 2019

This manual is the official guide to the conduct of courts-martial in the United States Military.

Section III

4-1. Army Civilian Sexual Harassment/Assault Reporting/Resources

Sexual Harassment

DA Civilians have two complaint options under EEO, but any DA Civilians can go to a Commander and report sexual harassment under 10 USC 1561.

- Pre-Complaint – Process when an individual contacts EEO and exhibits intent to proceed with the complaint process.
 - EEO helps to resolve the complaint
- Formal Complaint – Process that involves a formal investigation of complaint

Civilians must contact the EEO office within 45 calendar days of becoming aware of the sexual harassment to initiate the complaint process.

Complainants have the right to pursue administrative remedies through the Equal Employment Opportunity (EEO) complaint process.

- DA Civilians have the right to sue
- DA Civilians are protected from retaliation (reprisal) for their EEO activity under federal law

(Reference: AR 690-600)

Ask: With what office should DA Civilians file complaints of sexual harassment?

Sexual Assault

- DA Civilians in the continental United States and outside the continental United States who are victims of sexual assault have the option to file an unrestricted or restricted report. DA Civilians electing to make an unrestricted report of sexual assault using a DD Form 2910 (Victim Reporting Preference Statement) are eligible to receive victim advocacy services from Sexual Assault Response Coordinators (SARCs) and Sexual Assault Response Program (SAPR) Victim Advocates (VAs) or Victim Representatives (VRs). These services do not include expedited transfers or any medical entitlements or legal services that DA Civilians are not already authorized by law or policy.
- If DA Civilians report experiencing retaliation associated with their unrestricted report of sexual assault, the victim has the ability to file a report of retaliation using DD Form 2910-2 (Retaliation Reporting Statement for Unrestricted Sexual Assault Cases). Activities will comply with collective bargaining obligations, as applicable.
- Veterans are provided free confidential counseling and treatment at the Veterans Affairs Medical Center (VAMC)
- Crime Victims Compensation (SARC and VA can provide contact information)

- SARC and VA are always available to:
 - Discuss options
 - Provide POCs for local civilian resources
 - Provide referrals to Employee Assistance Program (EAP) and Equal Employment Opportunity (EEO) offices

	SARC/ VA	DD Form 2910	Emergency Medical Care @ MTF	Chaplain	Special Victim Counsel
CONUS					
Army Civilian	X	X	X ⁵	X	X ³
Army Civilian who is a SM's dependent 18 years old and older	X	X	X	X	X
Army Civilian's dependents 18 years old and older			X ⁴	X	X ³
Contractor				X	
OCONUS					
Army Civilian	X ¹	X ²	X	X	X ³
Army Civilian who is a SM's dependent 18 years old and older	X	X	X	X	X
Army Civilian's dependents 18 years old and older	X ¹	X ²	X	X	X ³
Contractor	X ¹	X ²	X	X	X ³

¹ Limited SARC & VA services (During emergency medical care & SAFE Exam)

² Can file an unrestricted report

³ SVC representation only when subject is subjected to the UCMJ

⁴ If incident occurred on the military installation

⁵ SAFE Kit exam and prophylaxis, but not follow on care

Figure 4-1. Civilian Reporting Options/Resources

4-2. Army Civilian Sexual Harassment/Assault Possible Consequences

Sexual Harassment

- Civilian consequences can range from administrative actions to termination.
- Involving a Subordinate Offense – 1 day suspension to removal for first offense, 10 day suspension to removal for second offense, and 30 day suspension to

removal for third offense.

- Not involving a Subordinate – Written reprimand to 30 day suspension for first offense, 5 day suspension to removal for second offense, and 10 day suspension to removal for third offense.

(Reference: AR 690-700, Table 1-1)

Sexual Assault

- 18 USC 2241 – Aggravated Sexual Abuse, with a maximum punishment of life in prison.
- 18 USC 2242 – Sexual Abuse, with a maximum punishment of life in prison.
- 18 USC 2243 – Sexual Abuse of a Minor or Ward, with a maximum punishment of 15 years in prison.
- 18 USC 2244 – Abusive Sexual Contact, with a maximum punishment of 2 years to life in prison.
- 18 USC 2245 – Sexual Abuse Resulting in Death, with a maximum punishment of death, life in prison.

Section IV

5-1. Vignette 1 – Battalion Motor Pool PCC/PCIs

Topic: Sexual Harassment (Hostile Work Environment/Verbal and Non-Verbal)

Module: 3 – Sexual Harassment

Situation: Inappropriate NCO behaviors in the Motor Pool

The Platoon (PLT) is conducting their standard Pre-combat checks (PCC)/ Pre-combat inspections (PCI) in preparation for an upcoming Field Training Exercise (FTX). Everyone is present including the Platoon Sergeant (PSG) and Platoon Leader (PL). It is known throughout the company that Staff Sergeant (SSG) Smith likes to bring a blowup doll to the field. He and his crew like to take pictures with the doll in various positions and stages of undress. “Molly”, as she has been called, even sometimes mans the “crew served weapons” at night while the team sleeps. Specialist (SPC) Winn is the new loader for the crew and this is his first field problem with this unit. The PSG asks SSG Smith if SPC Winn has been introduced to the “5th crew member” at which time SSG Smith produces “Molly” out of a duffel bag and instructs SPC Winn to blow her up. SPC Winn uncomfortably complies. The rest of the platoon stops to watch and make vulgar comments about what they are going to do with “Molly” once the platoon deploys. Afterward, SPC Winn returns to work but feels humiliated by the whole situation. At the end of the day, SPC Winn goes to the Brigade (BDE) SARC to talk about what happened.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?
5. How do actions like this affect readiness and team cohesion?

Solution: In this vignette, the use of the blow up doll and comments are an example of creating a hostile work environment. This is in violation of AR 600-20 and 10 USC 1561. Possible methods of addressing this behavior would be informing someone in the higher chain of command, talking to the unit SARC, or making an anonymous complaint to SARC or Commander.

5-2. Vignette 2 – Helicopter Flight Operations, Army Airfield

Topic: Sexual Harassment (Verbal and Non-Verbal/Hostile Work Environment)

Module: 3 – Sexual Harassment

Situation: Brigade Commander's inappropriate behavior and comments towards a female CW2 pilot

A female Army helicopter pilot, Chief Warrant Officer 2 (CW2) Hardy, who is also a victim advocate, has just finished her check ride. She is preparing to debrief the mission. Around the Flight Operations desk, Lieutenant Colonel (LTC) Green is visiting with the check pilot and CW2 Hardy, when the Combat Aviation Brigade (CAB) Commander, Colonel (COL) Moore, stopped by to say hello. COL Moore says something inappropriate about CW2 Hardy to the other male Soldiers present, which CW2 Hardy isn't able to hear. The Colonel's remarks are followed by laughter and quick glances towards CW2 Hardy. The next thing she is able to hear clearly is LTC Green say to the BDE CDR "be careful, she's a victim advocate". COL Moore takes a slight step back to get a good view of CW2 Hardy, looks her up and down then states with a devious grin and wink, "She's not a victim.... yet".

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?
5. How would you describe the impacts of actions like this on a command climate?

Solution: This vignette is a clear representation of Sexual Harassment. Leaders (LTC Green) have to be able to address situations that arise even if they involve superiors. Possible methods of addressing this behavior would be LTC Green using the direct approach, talks to COL Moore about the inappropriate conduct. LTC Green could also notify COL Moore's Commander.

5-3. Vignette 3 – Barracks and Online Surfing

Topic: High-risk Behavior

Module: 1 - Prevention

Situation: Inappropriate discussions among Soldiers

Specialist (SPC) Jones is passing through his platoon area when he overhears a conversation between SPC Williams and SPC Duffy. They are discussing a woman that they are both conversing with through an online dating site. SPC Duffy states that “Brandy” is looking for a man in uniform and that she is open to having sex with two Soldiers at once. SPC Jones asks if they are sure that she is who she claims to be, and wonders if this could be a set-up. SPC Williams states that she sent them a picture of herself in her bra and panties and that she is hot. They plan to meet Brandy at a local motel on Friday night for sex. SPC Williams shares his concerns regarding Brandy’s statement that she uses oral birth control, as she is allergic to latex, and she requests that her husband watch and video tape them having sex.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette explores the types of high-risk behavior and inappropriate workplace discussions that can take place. SPC Jones can address his peers about the inappropriateness of discussing this in the workplace. He can also address the risks of unprotected sex, the violation of the UCMJ by having sexual relations with a married person, and also express concern about consequences of the husband filming the incident. Having the husband watch and video tape them having sex could be a violation of Article 134.

5-4. Vignette 4 – Company Dayroom

Topic: Prevention

Module: 1 - Prevention

Situation: Toxic Command Climate

Staff Sergeant (SSG) Alfred and SSG Jones are squad leaders and are informed by Sergeant First Class (SFC) Woods, the platoon sergeant, that four new junior enlisted female Soldiers will be assigned to the BN. SSG Alfred says “Hey, \$50 says that I will be tapping some of that ass within the first month” and SSG Jones replies, “Not taking that bet until I see what they look like. Girls asking to play right alongside the men might not be my type if you know what I mean.” SFC Woods immediately makes an on the spot correction and reminds both SSG Alfred and SSG Jones that the discussion is unacceptable and does not represent the Army Values or the NCO Creed.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?
5. Where do you think this kind of action falls on the continuum of readiness?

Solution: This vignette demonstrates an example of a proper response on bystander intervention. SFC Woods addresses the behaviors of SSG Alfred and SSG Jones. By using the direct approach, SFC Woods addresses a toxic unit climate issue at the lowest level. The behavior is wrong whether or not women are assigned to the unit, and ultimately will always be unacceptable in the Army.

5-5. Vignette 5 – Quid Pro Quo

Topic: Quid Pro Quo/Threat

Module: 3 – Sexual Harassment

Situation: Staff Duty

SPC Humble is working staff duty when SFC Dunn approaches her with a work related question. When she answers his question he proceeds to wink and ask her if she would like to pull some “fun duty” in order to get out of staff duty. She replies “I’m not sure what you mean by that, but I am fine with my present tasks Sergeant.” When SFC Dunn is exiting the area he slowly looks up and down her body and states, “I will be back later for your real answer. It would be a shame if the 1SG found out that you are displaying inadequacies in your MOS.”

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette demonstrates how a superior could use power and position to coerce a subordinate into doing something they don’t want to do. By threatening SPC Humble’s career progression, SFC Dunn is committing sexual harassment (Quid Pro Quo). SPC Humble can file a complaint to the chain of command or SARC.

5-6. Vignette 6 – A Formal Sexual Harassment Complaint is Initiated

Topic: Sexual Harassment and Retaliation

Module: 3 – Sexual Harassment and 5 - Retaliation

Situation: SPC Coles is Being Harassed

SPC Coles files a formal sexual harassment complaint against several members of her new infantry squad. She files the complaint when she discovers that the male members of the squad have a “hot” list on which she is ranked based on her physical appearance. After filing the complaint, SPC Coles is called a slut, a troublemaker, and a non-team player. Soldiers say things like, “What? You think you’re better than the rest?”; “Why do you think they let females in the Infantry? It was to entertain the men.” Members of the squad tell others in the platoon not to associate with SPC Coles because they can get brought up on charges for just speaking with or looking at her. Someone leaves a note under her barracks room door telling her “drop the complaint, Bitch, if you ever want to be part of the team.”

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette demonstrates ostracism, a form of retaliation. Upon filing a formal sexual harassment complaint, her peers began excluding her from the squad and encourages others to do the same. Incidents of retaliation can be reported to the chain of command, SAPR Victim Advocate, or IG.

5-7. Vignette 7 – Combat Outpost (COP) Afghanistan

Topic: Hazing/Sexual Assault

Module: 4 – Sexual Assault

Situation: Platoon Birthday Celebration in the motor pool

B Troop, 1st platoon has a tradition that their Soldiers receive swats with the top of a vehicle antenna on their birthday. The practice has been around for years with every new Platoon Sergeant and Platoon Leader seemingly more than happy to carry on the tradition. The hits with the antenna were never hard and afterwards the Soldiers celebrated the occasion with cake or a BBQ cookout. About six months ago, the platoon got a new PSG and the birthday tradition took a darker turn. SFC Smith frequently administers the swats himself and in the last instance instructed two Soldiers to hold the “Birthday Boy” and drop his pants to his knees.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates how a unit’s tradition can quickly turn into something illegal and destroy trust and cohesion. Once SFC Smith started escalating the hazing, someone in the platoon should have brought this to the attention of the command, a SARC, or IG.

5-8. Vignette 8 – Local Bar Downtown

Topic: Sexual Assault

Module: 4 – Sexual Assault

Situation: New Soldier at a local bar

SGT Wilson is new to the area. After a hard day at work, he takes a taxi downtown to a bar. While SGT Wilson is sitting at the bar, another Soldier sits down beside him and strikes up a conversation. SGT Wilson informs the Soldier that he has to use the restroom. The Soldier asks SGT Wilson what he is drinking as he will order another round while SGT Wilson is gone. SGT Wilson returns from the restroom and they continue drinking. SGT Wilson informs the Soldier that he is beginning to feel dizzy. The Soldier tells SGT Wilson that he will share a taxi with him. SGT Wilson wakes up in a hotel room that he does not recognize and he realizes that he does not have any clothes on. He does not remember how he got there. The last thing he remembers is starting his second drink at the bar. He suspects that he has been sexually assaulted.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates a drug-facilitated sexual assault. SGT Wilson's best option is to talk to CID, or a SARC or VA to determine the reporting option that is best for him and what additional services are available to him.

5-9. Vignette 9 – Barracks Picture Taking

Topic: Online Misconduct/Sexual Assault

Module: 4 - Sexual Assault

Situation: Taking and Posting Inappropriate Pictures Online

PFC Ross and PFC Hoffman are two unaccompanied male Soldiers who return to their barracks around 0200 hrs. On a Sunday morning after a heavy night of drinking. As they are walking to their room, they notice PV2 Tabor passed out in his bunk also from a heavy night of drinking. PFC Ross tells PFC Hoffman to watch what he does to PV2 Tabor. PFC Ross drops his trousers and underwear, then squats above PV2 Tabor's face ensuring that his scrotum ends up in PV2 Tabor's open mouth. PFC Ross asks PFC Hoffman to take pictures so that they can post them online. After taking a dozen or so pictures they go to their room and post them online before they both pass out.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates online misconduct and sexual assault. PFC Hoffman should have intervened to stop PFC Ross. He could have directly intervened, went to find someone else, or called for assistance, instead he participated and committed sexual assault as well. Anyone who becomes aware of this misconduct should notify CID.

5-10. Vignette 10 – Mobile Training Team (MTT) TDY in a Hotel

Topic: Prevention/Inappropriate Work Relationships

Module: 2 – Bystander Intervention and 4 – Sexual Assault

Situation: Rape and a prior consensual sexual relationship

It is common knowledge throughout the entire unit, to include leadership, that a female NCO, SGT Spears is having an affair with an Instructor, CPT Dudley. Both members are married. They commonly request to go TDY together so they can spend time alone in the hotel. One evening, the entire team is at the hotel bar having a few drinks. SGT Spears is the first to retire to her room. CPT Dudley stays with the guys at the bar for a little while longer. He brags to the guys about their sex life. However, he complains that she won't have anal sex with him. He laughs and says, "until tonight". He then shows a zip lock baggie to the guys that has 2 Ambien capsules in it. He says that he put one in her drink and leaves to go to her room.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Does the fact that the victim was engaging in a consensual, though inappropriate, work relationship have any effect on consent?
5. How does the unit's tolerance of an inappropriate work relationship affect the workplace?
6. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates inappropriate relationships with co-workers. SGT Spears and CPT Dudley are both married, yet involved in a sexual relationship. It also explores the fact that prior sex does not mean that CPT Dudley can drug someone to benefit himself. The teammates had the obligation to intervene (direct, delegate, distract) and stop CPT Dudley from committing this sexual assault. There are potential legal consequences and could be considered an attempted sexual assault. CID needs to be called, as well as medical.

5-11. Vignette 11 – Soldiers Drinking in the Barracks

Topic: Alcohol and Consent

Module: 4 – Sexual Assault

Situation: Soldiers drinking in the barracks

SPC Sam and SPC Williams were close friends. They agreed to meet in SPC Williams's barracks room to drink alcohol and watch a movie. A new Soldier from the same company, SPC Gordon was also invited over watch the movie. While watching the movie, SPC Sam drank five glasses of whiskey from a bottle of Jack Daniels that SPC Williams had purchased for her. SPC Gordon was also drinking and noticed SPC Sam was getting really intoxicated. SPC Gordon and SPC Williams had to check on SPC Sam when she went to vomit in the barracks restroom. Outside the bathroom SPC Williams said to SPC Gordon, "SPC Sam is a hot mess when she drinks, but she is fine as hell and I want to tap that." SPC Gordon did not respond to that statement. SPC Sam stumbled back to the room, and fell into SPC Williams lap. SPC Sam gave SPC Williams a big hug and started making out with him saying, "Oh I love you, you are like my best friend." This was the first time the two had ever kissed. SPC Sam then fell on the floor and passed out. SPC Gordon asked SPC Williams to help him get SPC Sam back to her barracks room so she could sleep it off. SPC Williams lied and said, "Yeah she does this all the time, don't worry about it, I will get her back or let her sleep it off here." SPC Gordon then left the room. Once SPC Gordon left, SPC Williams hovered over a motionless, unresponsive SPC Sam, pulled her PT shorts down and sexually assaulted her. SPC Sam was passed out, unresponsive, and motionless throughout the entire sexual assault. The next morning SPC Sam woke up on the floor, felt pain in her vagina, and had no idea what had happened. She asked SPC Williams what happened, and he lied and said, "You were wild last night, you came onto me and rode me like a cowgirl." SPC Sam returns to her room.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette demonstrates how alcohol can be weaponized to facilitate a sexual assault. SPC Williams could clearly tell that SPC Sam was intoxicated and unable to consent. SPC Gordon attempted to get SPC Sam back to her room when

SPC Williams talked him out of it. SPC Gordon could have tried other means to getting her back to her room safely, such as getting help from others. SPC Sam has several options available to her and the best solution is to see her SARC.

5-12. Vignette 12 – Soldiers TDY for Training

Topic: Bystander Intervention/Inappropriate Sexual Comments

Module: 2 – Bystander Intervention

Situation: Soldiers TDY for Training

You and 3 of your friends from your unit are sent TDY to attend training. It's Friday night and you and your friends are in the lobby of the hotel. A family walks by, recognizes you as Soldiers, and thanks you for your service. Then you notice an attractive woman walking across the lobby. As she walks by and gets in the elevator, SGT Marks begins to make crude gestures and remarks referring to her body and clothes, and states "Man, I would like to tap that." The two guys in the group laugh it off and SGT Marks gives the other two fist bumps and extends his fist to you.....

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?
5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates verbal sexual harassment. Whether the unnamed attractive woman heard his remarks or not, it was still highly inappropriate. The other people involved should have spoken up and told SGT Marks to cut it out. Possible reasons they did not say anything are fear of ostracism or retaliation.

5-13. Vignette 13 – Command Climate

Topic: Toxic Atmosphere/Inappropriate Jokes or Comments

Module: 1 – Prevention and 3 – Sexual Harassment

Situation: Squad Group Text

You are new to the unit and your squad leader joins you to the group text so the squad leader can pass on important information to the squad quickly. Over the weekend, several Soldiers on the group text start adding funny memes from the web site *Army WTF* that everyone enjoys. You can tell this is a tight group and you show your spouse your phone and tell her you are glad to be assigned to this squad. Then, one male Soldier sends a “dumb blonde” meme and another female Soldier replies with a meme about “hogging” – having sex with overweight women – with the tag line “it’s like riding a moped – it’s cool and fun as long as your friends don’t see you.” The squad leader immediately “laughs” at the text. You are very uncomfortable with the way the texts are going and send the squad leader a separate text saying that seems like an inappropriate joke that you would not want your spouse to see. The squad leader replies “fine – I can drop you from the group and just text you individually when I have information to pass on.”

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?
5. Where on the continuum of readiness does this fall?

Solution: This vignette demonstrates a toxic atmosphere where inappropriate jokes and comments are not just tolerated, but encouraged. The squad leader sets the tone for the climate of the squad and all of the Soldiers should have spoken up or gone to their chain of command for guidance.

Section V

6-1. Civilian Vignette 1 – I Can't Work like this

Topic: Inappropriate work conversations

Module: 2 – Bystander Intervention and 3 – Sexual Harassment

Situation: Workplace Discussions

Ms. Leslie Red is a DA Civilian who works in an office cubicle. One day, Mr. Phil Orange, the section leader, stopped by Mr. Wallace Brown's cubicle, and the conversation turned to a discussion of Leslie's breasts and butt. Phil says he would like to take Leslie to the break room and "show her a few things." Leslie did not hear any of it, but two other co-workers, Ms. Karen Blue, and Mr. Jimmy Green, sitting unseen in the adjacent cubicles, heard the comments. Karen noticed that Phil's conversation upset Jimmy.

Later in the day, Jimmy tells Karen that he does not want to work with Phil or Wallace because this is not the first time he's heard them having sexually explicit conversations. He doesn't want to work with either of them if that's how they are going to talk about women. Jimmy also said he was going to tell Leslie about the remarks he overheard.

Jimmy tells Leslie about Phil and Wallace's conversation. Leslie becomes very angry and decides something needs to be done.

Solution:

Ms. Red and Mr. Brown, who are obviously offended by Mr. Orange's inappropriate behavior could file sexual harassment complaint against Mr. Orange. They could use one of the 3Ds - Direct, Delegate and Distract. For instance, Ms. Red, the complainant, could use the delegate approach and have a peer or supervisor confront the harasser by telling Mr. Orange to stop the sexual harassment behavior. If the behavior persists, Ms. Red can take it to the Chain of Command (COC) and/ the SAPR VA who will contact the BDE SARC. The BDE has the responsibility to explain what an informal complaint vs a formal complaint entails without trying to influence Ms. Red in anyway. Ms. Red would have to make the decision which course of action to take.

6-2. Civilian Vignette 2 – I Just Need an Opportunity

Topic: Power and Coercion

Module: 3 – Sexual Harassment

Situation: Workspace and Inappropriate behavior

SSG James Thomas and SSG Amanda Freeman are assigned to Joint Base Lewis-McChord (JBLM) to the replacement company. Their duties include escorting incoming Soldiers through CIF. The NCOs collect the new Soldiers ID cards to give to the civilian CIF employee, Ms. Dina Trapezoid.

Initially the relationship between SSG Thomas and Dina Trapezoid was always professional, however over time they became friendlier. One day SSG Thomas was complaining about heavy traffic he encountered in the late Thursday afternoons due to having the afternoon CIF time slot. Dina said, "It wouldn't have been so bad if I had been stuck in that traffic with you!" Dina's comment seemed odd, but SSG Thomas brushed it off and went about his business.

The following week, while chatting with Dina, SSG Thomas told Dina that he and his wife had spent the past weekend in Seattle celebrating their wedding anniversary. He said the hotel was expensive, but hotel costs aside, they had a really great weekend. Dina grabbed his hand, squeezed it and said, "If I were there, you wouldn't have complained about anything!" SSG Thomas pulled his hand away as Dina said, "Let's plan a little lunch trip and I'll see if I can move you to the 0900 appointment time slot."

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?
5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette demonstrates how a person, Ms. Trapezoid, could use power and position to coerce another person into doing something they don't want to do. By offering SSG Thomas the earlier CIF appointment time in exchange for sex, Ms. Trapezoid is committing sexual harassment (Quid Pro Quo). Additionally, Ms. Trapezoid has steadily escalated her inappropriate behavior towards SSG Thomas and it has

clearly evolved into a solid case of sexual harassment. SSG Thomas can file a complaint to the chain of command or a SARC.

6-3. Civilian Vignette 3 – I said what...

Topic: Obtaining Consent

Module: 4 – Sexual Assault

Situation: After work situation

Mr. Herb Rain and Mr. Archie Wind work in the same department. Herb told Archie he recently went through a really terrible divorce from his spouse of 10 years.

Herb was out at a bar one evening and got really drunk. He called Archie to see if he would come pick him up and take him home; he did. Because Herb was heavily intoxicated, Archie walked him up to his apartment. At the door, Herb told Archie he wanted to have sex with him.

Once they entered his apartment, Herb kissed Archie and even guided Archie to his bedroom where they both began undressing. While undressing, Herb laid back and passed out, so Archie finished undressing himself and Herb. Archie decided he would get things going by performing oral sex on Herb in the hopes that Herb would become aroused and wake up.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?
5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette demonstrates how alcohol can become an obstacle in obtaining consent and thus facilitate a sexual assault. Mr. Archie Wind knew that Mr. Herb Rain was extremely intoxicated and had passed out and thus was unable to consent. Even though Herb had told Archie earlier that he wanted to have sex with him he was ***incapable of consenting due to impairment by an intoxicant (alcohol) and that*** is a

crime. Mr. Herm has several options available to him and the best solution is to see his SARC.

6-4. Civilian Vignette 4 – That’s not okay

Topic: Obtaining Consent

Module: 4 – Sexual Assault

Situation: Going too far

Mr. Marco Done is an employee and owns a fishing boat and regularly talks about his weekend fishing trips. Ms. Li Coin is new to the organization and overhears Marco talking about his fishing trips and told him that she also loves to go fishing. Marco asks Li if she’d like to go fishing next Saturday.

Marco and Li really hit it off the first weekend and agreed to go out again. Marco and Li eventually developed a romantic relationship. One Saturday, they begin making out and have sex. After, they got dressed and went to lunch and talked about what a great day they were having.

The following week, they went out again, and this time when they were kissing, Li said she’s not feeling it and stops Marco’s hands from unbuttoning her shirt, but he continued kissing her and tried again to unbutton her shirt.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?
5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette reinforces that the fact that just because a person has previously consented to a relationship that doesn’t mean they have free pass to do whatever they feel, whenever they feel like it. The following sentence, is a part of the definition of consent, ***“A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent.”*** All Army Soldiers and civilians must

understand what the meaning of consent is and comply. Mr. Done has committed sexual assault.

6-5. Civilian Vignette 5 – Who will Help Me?

Topic: Nonconsensual Behavior

Module: 2 – Bystander Intervention

Situation: Holiday Party

The unit always hosts an annual holiday party. Ms. Sheena Harold attended and brought alcohol pre-mixed in her “water bottle”. Sheena struck up a conversation with Mr. Randy Johnson and several other employees. Sheena told Randy she brought the good stuff and asked if he’d like to take a sip. He took her up on the offer.

After a few more drinks, Randy started slurring his words and it was obvious to others at the table he was intoxicated. Sheena suggested they go outside to get some fresh air but Randy declined and said that he needed to use the bathroom.

Sheena told coworkers she was going to check on Randy. She followed him down the hallway to the bathroom, noticing that he was unable to stand on his own and is hugging the wall. As Randy entered the bathroom, he vomits onto the floor and asks where he is. Sheena put her foot down so he could not close the door. She entered the bathroom with Randy and locked the door behind them.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?
5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The vignette has two major issues that need to be addressed, Consent and Bystander Intervention. Randy Johnson is intoxicated and may be incapable of consenting to sexual activity and what Ms. Sheena Harold is up to in the bathroom with Randy Johnson behind the locked door. Reference the following sentence from the

definition of Consent, (B) *A sleeping, unconscious, or incompetent person cannot consent.* All Army Soldiers and civilians must understand what the meaning of consent is and comply.

The second issue is that in order to effectively eliminate sexual harassment and sexual assault from our Army we must all take responsibility to our as Army professional and not just be Bystanders but must actively intervene when we observe something suspicious like what occurred between Ms. Sheena Harold and Randy Johnson in the locked stall in the bathroom.

6-6. Civilian Vignette 6 – These are some Crazy Rumors

Topic: Retaliation and Online Misconduct

Module: 5 - Retaliation

Situation: Social Media

Facebook / Twitter

SSG Smith reports that her warrant officer, CW4 Balloon sexually assaulted her. Others in the unit do not believe that CW4 Balloon would ever do something like this.

People begin to discuss rumors they have heard about the “facts” of the case – that SSG Smith was drunk at the unit org day and performed oral sex on another Soldier in full view of everyone there. SSG Smith’s supervisor, MSG Tell-all gossips with other people that SSG Smith has a different man in her bed every weekend and enjoys rough sex. Unit members post comments all over twitter and the unit Facebook page expressing their support for CW4 Balloon.

SSG Smith reports to the SARC/VA that Soldiers and civilians are discussing rumors about her case and are posting favorable comments for CW4 Balloon on Facebook. She feels she is being retaliated against because she reported a sexual assault.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?

5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: SSG Smith did the right thing and reported to the SARC/VA that she feels she is being retaliated against for reporting a sexual assault. The SARC/VA can discuss the options they have when it comes to retaliation, such as how allegations of retaliation are investigated by the Inspector General (IG).

6-7. Civilian Vignette 7 – My Words Fell on Deaf Ears

Topic: Discrimination and Reprisal

Module: 5 - Retaliation

Situation: An employee is singled out for filing a discrimination complaint

Ms. Lawanda Purple began work October 1, 2020, as a new mechanic with the organization. Even though Lawanda was new to the unit, she had 8 years' experience. Lawanda was assigned to a team with no other female employees.

December 15, 2020, her team leader pulled all the male mechanics together to discuss an upcoming special project and asked for volunteers. After the "meeting" Lawanda asked one of her peers Mike Orange, what the meeting was about and wondered why she wasn't included. Later, Lawanda approached her team leader to ask if she could volunteer for the project and he told her he didn't need any more volunteers. She asked him to please include her if any other special projects came up.

A few months later another special project came up. Lawanda was not aware. Around late May 2021, Lawanda noticed that co-workers Mike and Reggie had not been in the shop for a few days and she asked her teammate Paul if he knew where they were. Paul informed her that back around the end of March, 2021, they were both selected to work on a special project. Lawanda went to the EEO office to file a discrimination complaint. When the supervisor James was called for an interview, Lawanda was moved to a different team.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. Where does this kind of conduct fall on the continuum of readiness?

5. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: The best way to handle this situation is to speak to someone at EEO and an investigation needs to be initiated to determine two things: 1) If Ms. Purple was discriminated against and 2) If the action to move Ms. Purple to a different team was an act of retaliation.

6-8. Vignette 8 – Civilian Workplace Relationships

Topic: Inappropriate Work Relationships/Non-consensual Touching

Module: 3 – Sexual Harassment

Situation: Office Misconduct

Mr. Ray just started in your office. He and his wife just moved from Virginia. He tells you that he is former Army, and this is his first civilian job. You ask how he likes being out of the Army. He says the jury's still out, and he laughs. He asks you what you like about working here. You tell him that you too are a recent hire, but from what you can gather the supervisor, Mrs. Reeves, is a real old-school type. She is also ex-military and has very particular ideas about professionalism and dress. He laughs and says "Ahhh, thanks for the heads up. I am still unpacking, better look for the box with my suits."

Two days later you notice that Mrs. Reeves is hanging around Mr. Ray's desk all the time, and she keeps Mr. Ray late on Friday. You ask him why. He shrugs and says, "Who knows why she does anything" and changes the subject.

A few weeks later you run into Mr. Ray at a gas station at the other side of the post, you are surprised because he had called in sick. He looks both surprised and irritated. You ask what's up, and he tells you it's "nothing, bad day, but thanks for asking."

The next day you are walking down the hall and you overhear him talking to someone else. You hear Mr. Ray say "she is a nightmare; she's accidentally touched my butt three times today. I hate it and I want to make a complaint." The other voice says "hey man, you know I get it, hell, I lived it, but she's two months from leaving and no one wants to go through all that BS that comes with charges. She gets investigated, found not responsible, and then remains in her job just to screw with us. Just take one for the team."

Discussion Questions:

1. What did you notice was happening in this vignette?

2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates inappropriate work relationships and non-consensual touching. The supervisor is sexually harassing her employee. The employees' peers are minimizing the conduct of the supervisor. Due to the fact that the supervisor touches the employees buttocks is indicative of a criminal offense. The best option for Mr. Ray is to talk to a SARC about options to report this type of behavior.

6-9. Vignette 9 – Army Civilian Training TDY in Hotel Off-post

Topic: Sexual Assault (Abusive Sexual Contact)

Module: 4 – Sexual Assault

Situation: A Co-workers Sexual Assault

You are TDY and after a long day of intense and challenging training with your team everyone agrees to go to the hotel Happy Hour and blow off some steam. It has been a long time since you have been able to go TDY and everyone has been so happy to finally be back together. While having some appetizers one of your co-workers, Ms. Little, sits really close to you and keeps making weird comments to you all evening; things like "You look so great since I last saw you. I wish my spouse had a body like yours." After you give Ms. Little an intense look of disapproval you change the subject but she keeps "eyeing" you all evening. As you tell everyone good night and head up to your room Ms. Little asks if she can accompany you. You say "no" but she follows you to the elevator saying your rooms are close to each other and she needs to get a copy of tomorrow's training schedule from you. When you get to your door, Ms. Little begins to press her body against yours, groping your crotch, and your buttocks.

Discussion Questions:

1. What did you notice was happening in this vignette?
2. What is your reaction to what is happening here?
3. If confronted with a similar situation, what would you do?
4. What Army values have been violated and how could you use the Army values to address/intervene in this situation?

Solution: This vignette demonstrates abusive sexual contact. Ms. Little made uncomfortable comments. What started out with little comments, quickly turned into something much more severe, despite the looks of disapproval and clear response of “no” to her invitation. Once Ms. Little started to press her body against his and touching him in his crotch, it turned into sexual assault. You should report to CID, SARC or your command.

Section VI

SAPR Vignettes

*Use the associated video within each vignette to guide discussions.

7-1. USAREC Vignette 1 – Sexting

Topic: Sexting

Module: 3 – Sexual Harassment

Video: <https://www.milsuite.mil/video/41309>

SCENE – Recruiter sitting at his desk. Station Commander approaches to talk to him.
Station Commander: “Hey, SSG Jones, contact to your Future Soldier and ask if she will be attending Future Soldier training tonight.”

SSG Jones: text to FS, “Hey Davis, are you coming to FS training tonight?”

FS: “No SSG, I have to work this evening”

SSG Jones: “Dang! I was really looking forward to seeing you.”

FS: “I was really looking forward to learning more about the Army”

SSG Jones: “Are you sure you can’t call out and come to training anyway?”

FS: “No, I need this job until I ship.”

Instructor/Facilitator: Stop, let’s evaluate. Has any of this communication been inappropriate so far? Recruiter asking a FS to call out of work is suspicious and unprofessional.

Note: Pause the video and ask the students the question.

Ask: “Has any of this communication been inappropriate so far? Recruiter asking a FS to call out of work is suspicious and unprofessional”.

Note: Continue with the video.

SSG Jones: “I understand that. I do enjoy seeing you when you are able to come to training.”

FS: “I enjoy going to the training and getting the chance to learn about the Army”

SSG Jones: "I also look forward to seeing what you're wearing when you show up."

FS: "I didn't think what I've been wearing was inappropriate..."

SSG Jones: "You weren't, I just like seeing you in those jeans."

FS: "Which jeans?"

SSG Jones: "You know, the ones that are so tight they can't hide how great you look from behind..."

Instructor/Facilitator: Is this a case of sexual harassment?

Note: Pause the video and ask the students the question.

Ask: "Is this a case of sexual harassment?"

Answer: After the discussion, the correct is "No".

Note: Continue with the video.

Instructor/Facilitator: No. Why or why not?

Note: Pause the video and ask the students the question.

Ask: Why or why not is this situation sexual harassment?

Answer: After the discussion, the correct answer is this is not sexual harassment, but sexual misconduct.

Note: Continue with the video.

Instructor/Facilitator: In order for a complaint to be sexual harassment the complainant must be a Soldier. This a case of sexual misconduct (Prohibited activities with a SRE or FS) - if an AR 15-6 investigation substantiates this conduct as making sexually inappropriate comments to an SRE, this is a Type I offense, *IF the Soldier is found guilty at an Article 15 or CM. If there is no Article 15 or CM conviction, then this is a Type II offense. Have you witnessed your fellow Recruiters exhibit this behavior? What have you done about it?

7-2. USAREC Vignette 2 – Don't Touch Me!

Topic: Don't Touch Me!

Module: 4 – Sexual Assault

Video: <https://www.milsuite.mil/video/watch/video/41302>

SCENE - *Series of several different touching events plays for audience...

Recruiter (SSG Astudillo) Peeks her head into the Station Commander's (SFC Wilmore) office door and asks if she can speak to him for a minute. The following conversation takes place:

SFC Wilmore: "What's going on SSG Astudillo?"

SSG Astudillo: "Every week, going on three months now, during the Monday morning huddle, Staff Sergeant Medina makes a point of sitting right up next to me. It didn't bother me at first, but for the last couple of months when he gets up he brushes up against my butt. He always says, "Excuse me or Pardon me", so at first I thought maybe he was just clumsy or had vision problems. But now it is escalating, last week AND this morning he brushed up against my chest!"

SFC Wilmore: "I can understand why you would find this so upsetting. What would you like to do about it?"

Instructor/Facilitator: What offense is being committed here?

Note: Pause the video and ask the students the question.

Ask: What offense is being committed here?

Answer: After the discussion, the correct answer is Sexual Assault.

Instructor/Facilitator: Sexual Assault, UCMJ, Art. 120(d), Abusive Sexual Contact. Is the Station Commander obligated to do anything? Yes, leaders are obligated to report all allegations of sexual assault.

7-3. USAREC Vignette 3 – Quid Quo Pro

Topic: Quid Pro Quo

Module: 3 – Sexual Harassment

Video: <https://www.milsuite.mil/video/41432>

SCENE - Recruiter (SFC Smith) is driving Applicant (Mellisa Dove) to Military Entrance Processing Station (MEPS). Sergeant First Class Smith does not have a battle buddy so he calls the Station Commander (SC) right before he leaves to inform the SC of his departure time. While driving the following conversation take place:

SFC Smith: "You look nervous, are you okay?"

Dove: "Yeah, I'm REALLY nervous."

Smith: "Ah, Just tell them all the same things you told me and everything should be fine."

Dove: "Yes, Sergeant."

Smith: Explains the MEPS process, he has done this before but reiterating to calm the Applicant's nerves.

Dove: "Thank you Sergeant, that really makes me feel better. Knowing the way events will flow gives me goals to look for.

Smith: "You're welcome Dove."

SCENE - SFC Smith and Applicant Dove arrive at MEPS. SFC Smith calls his SC to give his arrival time. As they two are walking into MEPS:

Smith: "You know Dove, I could probably help you get the MOS you want but you would have to do something for me..."

Dove: "Sergeant Smith, what do you mean? I really want to be an MP! What do I need to do to get you to help me get that MOS?"

Smith: "Well Dove, for starters you will need to give me a hug...."

SCENE - SFC Smith leans in for a hug, which lasts uncomfortably long. Angrily, Dove decides this has gone long enough and she pushes SFC Smith away.

Note: Pause the video and ask the students the question.

Ask: Is this a case of Recruiter Misconduct?

Answer: After the discussion, the correct answer is Yes.

Instructor/Facilitator: Yes. UR 27-4, 2-1d. (1) prohibits a Recruiter from attempting to develop a relationship with an SRE and (2) prohibits a Recruiter from promising to return a favor or provide favorable treatment in an attempt to gain sexual favor from the SRE.

1. When did SFC Smith cross the line? When SFC Smith suggested he could help her get the MOS she wants for a price.

2. Can the Applicant report the Recruiter's action? Yes.

3. Should she? Yes, SFC Smith has crossed a line and he will cross it again if he is not stopped.

7-4. USAREC Vignette 4 – Hostile Environment

Topic: Unwanted Advances/Hostile Environment

Module: 3 – Sexual Harassment

Video: <https://www.milsuite.mil/video/41310>

SCENE - SGT Snyder arrives to his Recruiting Station for his first day. He is immediately introduced to his new Station Commander, SFC Stark, who takes him around the station to show him the layout and introduce him to all his fellow Recruiters. SFC Stark ends the tour in her office to conduct an informal initial counseling session but does not shut the office door.

SFC Stark: “So, Sergeant Snyder, you have seen the layout of the Station, met all your fellow Recruiters, and been assigned a desk. Tell me a little about yourself and if there is anything you think I need to know before you get started.”

SGT Snyder: “Yes, Sergeant. Right before I went to school my wife and I divorced. She is also in the Army, and has PCSd with my child. Being here in Texas is going to be very difficult since my son is so far away. I am a bit raw emotionally but that won’t stop me from giving 110% while I am here.”

Stark: “Where did you ex-wife get stationed?”

Snyder: “She went to Germany Sergeant.”

Stark: “Oh wow!! That really is going to be difficult!”

Snyder: Nods his head and looks down at his feet feeling emotional.

Stark: “Don’t worry Sergeant Snyder, we are a close station, we take care of our own here.”

Snyder: “Thank you Sergeant.”

Stark: “Is there anything I can do for you?”

Snyder: “No Sergeant, I just miss my wife and kid.”

SCENE - SSG Blank walks down the hall to use the restroom and hears:

Stark (looking Snyder up and down): “Well SGT Snyder, let me know if you want me to help you forget about your ex-wife. Not only am I good at Recruiting, but I am DAMN good at helping men forget AAALLLL about their problems...”

SCENE - SSG Blank can see SGT Snyder’s eye get wide before he looks back down at his feet and hears:

Snyder: "I'm good Sergeant, but thank you for the offer."

SCENE or (Narrator) - Later that day, SSG Blank can see that SGT Snyder is still shocked by SFC Stark's words but has not said anything to him. Having been treated in a similar manner when he arrived just two months ago, he decided use his personal cell phone to call his Battalion SAPR representative and anonymously report the sexual harassment.

Instructor/Facilitator: What type of sexual harassment happened?

Note: Pause the video and ask the students the question.

Ask: What type of sexual harassment happened?

Answer: After the discussion, the correct answer, hostile environment.

Instructor/Facilitator: Hostile environment. What was the category of sexual harassment?

Note: Pause the video and ask the students the question.

Ask: What was the category of sexual harassment?

Answer: After the discussion, the correct answer is verbal and nonverbal.

Note: Pause the video and ask the students the question.

Ask: Who else could he have anonymously reported the incident to?

Answer: After the discussion, the correct answer is any SAPR representative, anyone in the NCO Support Channel, any Commander.

Narrator: Any SAPR representative, anyone in the NCO Support Channel, any Commander.

SAPR Key Terms and Definitions

Anonymous Complaints - Actions taken regarding anonymous complaints will depend upon the extent of information provided by complainants. If an anonymous complaint contains sufficient information to permit the initiation of an investigation, the investigation will be initiated by the commanding officer or supervisor in accordance with this instruction and any Service-specific guidance. If an anonymous complaint does not contain sufficient information to permit the initiation of an investigation, the information should be documented in a Memorandum for Record (MFR) and maintained on file in accordance with (IAW) disposition instructions and the central point of contact responsible for processing harassment complaints. The MFR should contain the following information, if available:

1. Date and time the information was received;
2. A detailed description of the facts and circumstances included in the complaint;
3. Date and time
the complaint was resolved and by whom; and
4. Any other pertinent information. (DoDI 1020.03, paragraph 4.6, AR 600-20)

Confidential Communication - Oral, written, or electronic communications of personally identifiable information (PII) concerning a sexual assault victim and the sexual assault incident provided by the victim to the SARC, SAPR VA, or healthcare personnel in a Restricted Report. This confidential communication includes the victim's SAFE Kit and its information. (DoDD 6495.01, Sexual Assault Prevention and Response (SAPR) Program, Incorporating Change 4, September 11, 2020, Glossary, Definitions)

Consent - (A) The term "consent" means a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance does not constitute consent. Submission resulting from the use of force, threat of force, or placing another person in fear also does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent.

(B) A sleeping, unconscious, or incompetent person cannot consent. A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered unconscious. A person cannot consent while under threat or in fear or under the circumstances described in subparagraph (B) or (C) of subsection (b) (1).

(C) All the surrounding circumstances are to be considered in determining whether a person gave consent. (Article 120(g) (8), Uniform Code of Military Justice) (DoDD 6495.01, Part II. Definitions)

Formal Complaint – of sexual harassment requires use of DA Form 7746 (Sexual Harassment Complaint Form) and complainants must swear to the accuracy of their report. The process contains specific timelines, and commands are required to include specific documentation.

Gender-responsive care - Care that acknowledges and is sensitive to gender differences and gender-specific issues. (DoDD 6495.01, Glossary, Definitions)

Healthcare Personnel - Persons assisting or otherwise supporting healthcare providers in providing healthcare services (e.g., administrative personnel assigned to a military medical treatment facility, or mental healthcare personnel). Healthcare personnel also includes all healthcare providers. (DoDI 6495.02, Glossary, Definitions)

Hostile Environment - A hostile environment occurs when Soldiers or DA Civilians are subjected to offensive, unwanted and unsolicited comments, or behaviors of a sexual nature. If these behaviors unreasonably interfere with their performance, regardless of whether the harasser and the victim are in the same workplace, then the environment is classified as hostile. A hostile environment brings the topic of sex or gender differences into the workplace in any one of a number of forms. It does not necessarily include the more blatant acts of “quid pro quo;” it normally includes nonviolent, gender-biased sexual behaviors (for example, the use of derogatory gender-biased terms, comments about body parts, suggestive pictures, explicit jokes, and unwanted touching).

Informal Complaint - of sexual harassment involve less severe or egregious incidents that can be resolved by the individual, with the help of another, and/or by the commander or other authority. Typically, these involve something a complainant believes can be resolved through discussion, problem identification, counseling, and/or clarification of the issues. Initiating an informal complaint does not require the complainant to submit anything in writing and is not subject to timelines. If the Commander learns of an informal complaint, they are required to investigate. The complaint then becomes a formal investigation and recorded in ICRS.

Non-Identifiable Personal Information - Non-identifiable personal information includes those facts and circumstances surrounding the sexual assault incident or that information about the individual that enables the identity of the individual to remain anonymous. In contrast, personal identifying information is information belonging to the victim and alleged assailant of a sexual assault that would disclose or have a tendency to disclose the person's identity. (DoDD 6495.01, Glossary, Definitions)

Online Misconduct - The use of electronic communication to inflict harm. Examples include, but are not limited to: harassment, bullying, hazing, stalking, discrimination, retaliation, or any other types of misconduct that undermine dignity and respect. (AR 600-20)

Ostracism - Consists of:

1. With a nexus to military service, wrongfully excluding a military member from social acceptance or membership in or association with a group of which such military member was a part or a reasonable person would conclude wanted to be a part with the intent to do any of the following:
 - a. inflict emotional distress on the military member ("emotional distress" means a highly unpleasant mental reaction, such as anguish, grief, fright, humiliation, or fury);
 - b. discourage reporting of a criminal offense or sexual harassment; or
 - c. otherwise discourage the due administration of justice concerning a criminal offense or sexual harassment; and
2. Because the perpetrator knew or believed that:
 - a. the member reported or was planning to report a criminal offense or sexual harassment;
 - b. the member was a victim or alleged victim of a criminal offense or sexual harassment;
 - c. the member was reported by another as being the victim of a criminal offense or sexual harassment;
 - d. the member intervened to prevent or attempt to prevent a criminal offense or sexual harassment from occurring; or
 - e. the member cooperated in an investigation or the member has served or will or may serve as a witness or otherwise cooperate in the future in a criminal, disciplinary, or administrative proceeding or investigation involving a criminal offense or sexual harassment.

Personal Identifiable Information (PII) - Includes the person's name, other particularly identifying descriptions (e.g., physical characteristics or identity by position, rank, or organization), or other information about the person or the facts and circumstances involved that could reasonably be understood to identify the person (e.g., a female in a particular squadron or barracks when there is only one female assigned). (DoDD 6495.01, Glossary, Definitions)

Qualifying Conviction - A State or Federal conviction, or a finding of guilty in a juvenile adjudication, for a felony crime of sexual assault and any general or special court-martial conviction for a UCMJ offense, which otherwise meets the elements of a crime of sexual assault, even though not classified as a felony or misdemeanor within the UCMJ. In addition, any offense that requires registration as a sex offender is a qualifying conviction. (DoDD 6495.01, Glossary, Definitions)

Quid Pro Quo - Is a Latin term meaning, "this for that." This term refers to conditions placed on a person's career, or terms of employment, in return for favors.

Reprisal - This term is defined for DoD purposes by DoDD 7050.06 (April 17, 2015) or subsequent editions of that issuance. That issuance defines reprisal as "Taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication.

Restricted Reporting - Reporting option that allows sexual assault victims to confidentially disclose the assault to specified individuals (i.e., SARC, SAPR VA, or health care personnel), and receive medical treatment, including emergency care, counseling, and assignment of a SARC and SAPR VA or VR, without triggering an investigation. The victim's report or disclosure provided to healthcare personnel (including the information acquired from a SAFE Kit), SARCs, or SAPR VA's, or VR's, will NOT be reported to law enforcement or to the command to initiate the official investigative process unless the victim consents or an established EXCEPTION applies. The Restricted Reporting Program applies to Service members and their military dependents 18 years of age and older.

Additional persons who are entitled to Restricted Reporting are NG and Reserve members and DA Civilians. Contractors, at this time, are only eligible to file an Unrestricted Report. Only a SARC, SAPR VA, or VR may receive a Restricted Report, previously referred to as Confidential Reporting. (DoDI 6495.02, Glossary, Definitions)

Restriction - This term is defined for DoD purposes by DoDD 7050.06 (April 17, 2015) or subsequent editions of that issuance. That issuance defines restriction as: "Preventing or attempting to prevent a current Service member from making or preparing to make a lawful communication to a member of Congress or an IG."

Retaliation - IN GENERAL- Any person subject to this chapter who, with the intent to retaliate against any person for reporting or planning to report a criminal offense, or making or planning to make a protected communication, or with the intent to discourage any person from reporting a criminal offense or making or planning to make a protected communication-

- (1) Wrongfully takes or threatens to take an adverse personnel action against any person: or
- (2) Wrongfully withholds or threatens to withhold a favorable personnel action with respect to any person; shall be punished as a court-martial may direct.

Sexual Assault Forensic Examination (SAFE) Kit - The medical and forensic examination of a sexual assault victim under circumstances and controlled procedures to ensure the physical examination process and the collection, handling, analysis, testing, and safekeeping of any bodily specimens and evidence meet the requirements necessary for use as evidence in criminal proceedings. The victim's SAFE Kit is treated as a confidential communication when conducted as part of a Restricted Report. This term and its definition are proposed for inclusion in the next edition of Reference (r). (DoDD 6495.01, Glossary, Definitions)

Sexual Assault Response Coordinator (SARC) - The single point of contact at an installation or within a geographic area who oversees sexual assault awareness, prevention, and response training; coordinates medical treatment, including emergency care, for victims of sexual assault; and tracks the services provided to a victim of sexual assault from the initial report through final disposition and resolution. (DoDD 6495.01, Glossary, Definitions)

Senior Commander – An officer designated on orders from HQDA as the SC of an installation. Normally, the senior GO at the installation. The SC's mission is the care of Soldiers, Families, and DA Civilians, and to enable unit readiness. While the delegation of senior command authority is direct from HQDA, the SC will routinely resolve the installation issues with IMCOM and, as needed, the associated ACOM, ASCC, or DRU. (AR 600-52, February 2025)

Sexual Assault – Intentional sexual contact characterized by 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, or attempts to commit these acts.

Sexual Contact -- Touching, or causing another person to touch, either directly or through the clothing, the vulva, penis, scrotum, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person. Touching may be accomplished by any part of the body or an object.

Sexual Harassment - Sexual harassment is

(1) Conduct that:

(A) Involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments of a general nature when-

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

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

(iii) 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

(B) 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 Department of Defense.

(3) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any member of the Armed Forces or DA Civilian employee of the Department of Defense. (AR 600-52)

Unrestricted Reporting - A Soldier who is sexually assaulted and an official investigation of his or her allegation should use current reporting channels (for example, chain of command, law enforcement or report the incident to the SARC). Upon notification of a reported sexual assault, the SARC will immediately assign a VA. Healthcare providers will, with the consent of the victim, initiate the appropriate care and treatment, and report the sexual assault to law enforcement or the chain of command. Additionally, at the victim's request, the healthcare provider will conduct a Sexual Assault Forensic Examination, which may include the collection of evidence. Details regarding the incident will be limited to only those personnel who have a legitimate need to know. (AR 600-52, Appendix G)

Victim - A person who asserts direct physical, emotional, or pecuniary harm because of the commission of a sexual assault. The term encompasses all persons 18 and over eligible to receive treatment in military medical treatment facilities; however, the Restricted Reporting Program applies to Service members and their military dependents 18 years of age and older. For additional persons who may be entitled to Restricted Reporting, see eligibility criteria in DoDD 6495.01.

Acronyms

1SG	First Sergeant
3Ds	Direct, Delegate, and Distract
AD	Army Directive
ART	Annual Refresher Training
ASA	Army SHARP Academy
ASCC	Army Service Component Commands
ATN	Army Training Network
BDE	Brigade
BN	Battalion
BN CDR	Battalion Commander
BRAVE	Bystander Resource Assessment Virtual Exercise
CAC	Combined Arms Center
CID	Criminal Investigation Command (U.S. Army)
CIF	Central Issue Facility
CO	Company
COA	Course of Action
COC	Chain of Command
COL	Colonel
COP	Combat Outpost
CPO	Civilian Protective Order
CPT	Captain
CTT	Command Team Trainer
CW2	Chief Warrant Officer Two
CW4	Chief Warrant Officer Four
DA	Department of the Army
DoD	Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
DSAID	U.S. Army Criminal Investigation Command
DSN	Defense Switched Network
DTMS	Digital Training Management System
EAP	Employee Assistance Program
ELITE	Emergent Leader Immersive Training Environment
EEO	Equal Employment Opportunity
EPMD	Enlisted Personnel Management Directorate
ET	Expedited Transfer
FAP	Family Advocacy Program
FTX	Field Training Exercise
GO	General Officer
GTA	Graphic Training
HRC	Human Resources Command
IG	Inspector General
IS-STX	Intervention Skills Situational Training Exercise
JBLM	Joint Base Lewis-McChord

LDE&T	Leader Development, Education, and Training
LTC	Lieutenant Colonel
MCIO	Military Criminal Investigative Organization
MCM	Manual for Courts-Martial
MEO	Military Equal Opportunity
MEPS	Military Entrance Processing Station
MP	Military Police
MPO	Military Protective Order
MRE	Military Rule of Evidence
MSG	Master Sergeant
MTF	Medical Treatment Facility
MTT	Mobile Training Team
NCIC	National Crime Information Center
OCIE	Organizational Clothing and Individual Equipment
OCONUS	Outside the Continental U.S.
OPMD	Officer Personnel Management Directorate
OPORD	Operation Order
PCC/PCI	Pre-Combat Checks / Pre-Combat Inspections
PCS	Permanent Change of Station
PFC	Private First Class
PLT	Platoon
PMO	Provost Marshall Office
PT	Physical Training
PSG	Platoon Sergeant
PV2	Private Second Class
QR	Quick Response
ROE	Rules of Engagement
ROTC	Reserve Officer Training Corps
SAFE	Sexual Assault Forensic Examination
SARB	Sexual Assault Review Board
SARC	Sexual Assault Response Coordinator
SC	Station Commander
SFC	Sergeant First Class
SARP	Sexual Assault Response & Prevention
SH/SA	Sexual Harassment/ Sexual Assault
SGT	Sergeant
SJA	Staff Judge Advocate
SPC	Specialist
SSG	Staff Sergeant
SVC	Special Victims' Counsel
TDY	Temporary Duty travel
TRO	Temporary Restraining Order
TSC	Training Support Center
TSP	Training Support Package
UCMJ	Uniform Code of Military Justice
UIC	Unit Identification Code

USR	Unit Status Report
VA	Veterans Administration
VA	Victim Advocate
VAMC	Veterans Affairs Medical Center
VR	Victim Representative

Module 1: Prevention

1. Prevention of sexual harassment (SH) and sexual assault (SA) in the Army is a _____ effort that starts with _____.

2. What are three indicators of a healthy relationship vs. an unhealthy relationship?

a. _____

b. _____

c. _____

3. List some examples of how SH and SA impact a professional work environment.

a. _____

b. _____

c. _____

Module 2: Bystander Intervention

4. Bystander Intervention Process five steps:

a. _____

b. _____

c. _____

d. _____

e. _____

5. List the Bystander Intervention 3Ds:

a. _____

b. _____

c. _____

Module 3: Sexual Harassment

6. Sexual Harassment involves conduct that involves and is perceived as:

a. _____

b. _____

7. Army policy on sexual harassment applies to Soldiers 24/7 and on- or off-post. T / F

8. The three categories of sexual harassment:

a. _____

b. _____

c. _____

9. The two types of sexual harassment:

a. _____

b. _____

10. What are the three options to report a Sexual Harassment:

a. _____

b. _____

c. _____

Module 4: Sexual Assault

11. A person who is asleep, unconscious, or incompetent (incapable of consenting due to intoxication) cannot consent to sex. T / F

12. SA is punishable under which laws:

a. Army Soldiers _____

b. Army Civilians _____ / _____

13. A freely given agreement to sex by a competent person is: _____

14. The two types of sexual assault reporting options for Army Soldiers:

a. _____

b. _____

Module 5: Retaliation

15. Three actions that constitute retaliation:

a. _____

b. _____

c. _____

16. If you want to report retaliation, who can you report it to?

a. _____

b. _____

c. _____

Module 1: Prevention

1. Prevention of sexual harassment (SH) and sexual assault (SA) in the Army is a team effort that starts with You .

2. What are three indicators of a healthy relationship vs. an unhealthy relationship?

a. Trust

b. Respect

c. Honesty

3. List some examples of how SH and SA impact a professional work environment.

a. Loss of Manpower

b. Destroys unit cohesion

c. Distrust within the unit

Module 2: Bystander Intervention

4. Bystander Intervention Process five steps:

a. Notice the event

b. Interpret the event as a problem

c. Accept responsibility for doing something

d. Decide how to intervene

e. Take action

5. List the Bystander Intervention 3Ds:

a. Direct

b. Distract

c. Delegate

Module 3: Sexual Harassment

6. Sexual Harassment involves conduct that involves and is perceived as:

a. Unwelcome sexual comments/gestures

b. Hostile or offensive by a reasonable person

7. Army policy on sexual harassment applies to Soldiers 24/7 and on- or off-post. T / F

8. The three categories of sexual harassment:

a. Verbal

b. Non- Verbal

c. Physical Contact

9. The two types of sexual harassment:

a. Quid Quo Pro

b. Hostile Environment

10. What are the three options to report a Sexual Harassment:

a. Anonymous

b. Informal

c. Formal

Module 4: Sexual Assault

11. A person who is asleep, unconscious, or incompetent (incapable of consenting due to intoxication) cannot consent to sex. T / F

12. SA is punishable under which laws:

a. Army Soldiers UCMJ

b. Army Civilians Federal/ State

13. A freely given agreement to sex by a competent person is: Consent

14. The two types of sexual assault reporting options for Army Soldiers:

a. Restricted Reporting

b. Unrestricted Reporting

Module 5: Retaliation

15. Three actions that constitute retaliation:

a. Adverse/Unfavorable Personnel Action

b. Ostracism

c. Acts of Cruelty, Oppression, & Maltreatment

16. If you want to report retaliation, who can you report it to?

a. Chain of Command

b. Inspector General (IG)

c. SARC or VA