



UNCLASSIFIED



# SHARP Unit Refresher Training (Pre and Post Deployment)

Action	Demonstrate behavior consistent with the Army's Sexual Harassment and Assault Response and Prevention (SHARP) Program
Conditions	As Commanders, managers, Soldiers, and civilians confronted with real-life scenarios involving potential and actual sexual harassment and sexual assault
Standards	<p>Upon completion of this lesson, commanders, managers, Soldiers, and civilians will be able to demonstrate behavior consistent with the Army's SHARP Program to eliminate sexual harassment and sexual assault from the Army , with 100% accuracy:</p> <ul style="list-style-type: none"> <li>A. Define the Army's sexual harassment and sexual assault policies and prevention strategy</li> <li>B. Recognize potential sexual harassment behavior</li> <li>C. Recognize potential sexual assault behavior</li> <li>D. Apply techniques to safely intervene to prevent sexual harassment and sexual assault</li> <li>E. Identify reporting options, procedures, and the importance of reporting</li> <li>F. Describe the role of commanders, managers, Soldiers, and civilians in preventing sexual violence</li> </ul>

What is the difference between sexual harassment and sexual assault?



**Sexual  
Harassment**

**Sexual Harassment  
involves verbal, non-  
verbal and physical  
behaviors**



**Sexual  
Assault**

**Sexual Assault  
involves sexual  
contact characterized  
by use of force**

- ❑ Harassment is any unwelcome verbal or physical conduct based on protected bases (Race, Color, Religion, Sex, National Origin, Age (40 and over), Disability, Retaliation, and Sexual Orientation) when the conduct culminates in a tangible employment action, or... was sufficiently severe or pervasive to create a hostile work environment.  
**NOTE: Harassment on any of these grounds is prohibited!**
- ❑ Sexual Harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - Submission to or rejection of is made a term or condition of a person's job, pay, career
  - Submission to or rejection of is used as a basis for career or employment decisions
  - Conduct interferes with an individual's work performance
  - Conduct creates an intimidating, hostile, or offensive work environment

- ❑ If we know that sexual harassment and sexual assault are wrong, why do these behaviors continue?
- ❑ **Answer: Because we as a society allow it to happen.**
- ❑ As leaders, why is it important for us to stop sexual harassment and sexual assault?
- ❑ **Answer: We all have a responsibility to take action to change our culture to eliminate an “enemy that lies within our ranks.” (CSA General Casey, SHARP Summit 2010)**

*We are all leaders, and as leaders there is no such thing as a passive bystander. Each of us is either enabling sexual harassment and sexual assault or standing up to stop it.*

## Sexual Harassment Affects Men and Women

- ❑ Who do you think has experienced sexual harassment in the Army?

Of those surveyed in the ARI Human Relations 2009 Operational Troops Survey....

- Male officers: 40%
- Female officers: 60%
- Male enlisted Soldiers: 50%
- Female enlisted Soldiers: 70%

Note: The ARI survey did not include comparable data for Army civilians and no comparable data is currently available.



## Sexual Assault is a Crime

According to Army sexual assault data for FY2009:

- ❑ 67% of violent crime in the Army was due to sexual assaults
- ❑ 65% of sexual assaults were felony offenses
- ❑ 59% of sexual assaults were “Blue on Blue”

Bottomline: Sexual assault is a crime that is endangering the Army from the inside out



## What's the Impact?

How does sexual harassment and sexual assault affect Soldiers and civilians in their units and communities?

**It undermines the strength of our Army and fundamentally goes against the Warrior Ethos, the Army Civilian Corps Creed, and the Army Values**

## Individual

- Isolation
- Depression
- Degrading of individual
- Difficulty with trust
- Excessive absenteeism
- Loss of career
- Post Traumatic Stress Syndrome

## Unit

- Loss of unit cohesion
- Inability to accomplish goals/mission
- Decreased unit readiness
- Low morale
- Excessive absenteeism
- Loss of personnel

## Community

- Loss of safety
- Diminishes community relations
- Instability
- Higher rates of violent crime
- Degradation to community

**Bottomline:** Sexual harassment and sexual assault endanger the lives of individuals and threaten the Army's mission.

## Why Prevention?

- ❑ As a society, the Army does not tolerate crime or mistreatment of its Soldiers and civilians
- ❑ Prevention
  - Attacks the issue at the earliest point
  - Makes life safer on and off-post
  - Aligns with and reinforces Army Values
  - Keeps the focus on the mission
  - Enhances unit camaraderie
  - Maintains goodwill

Launched  
Sep 2008

## Phase I: Committed Army Leadership

- Develop Baseline
- Start: Propensity to report: 33%

### Exit Criteria

Aggressive Senior Leader  
Condemnation

Launched  
April 2009

## Phase II: Army-Wide Conviction

- Post-Year 2 Propensity to report: 50%
- Post-Year 2 Assaults reduced by 15%

Ownership of Sexual Assault Prevention

Projected Launch  
FY12

## Phase III: Achieve Cultural Change

- Post-Year 4 Propensity to report: 70%
- Post-Year 4 Assaults reduced by 25%

DoD's Retention Leader

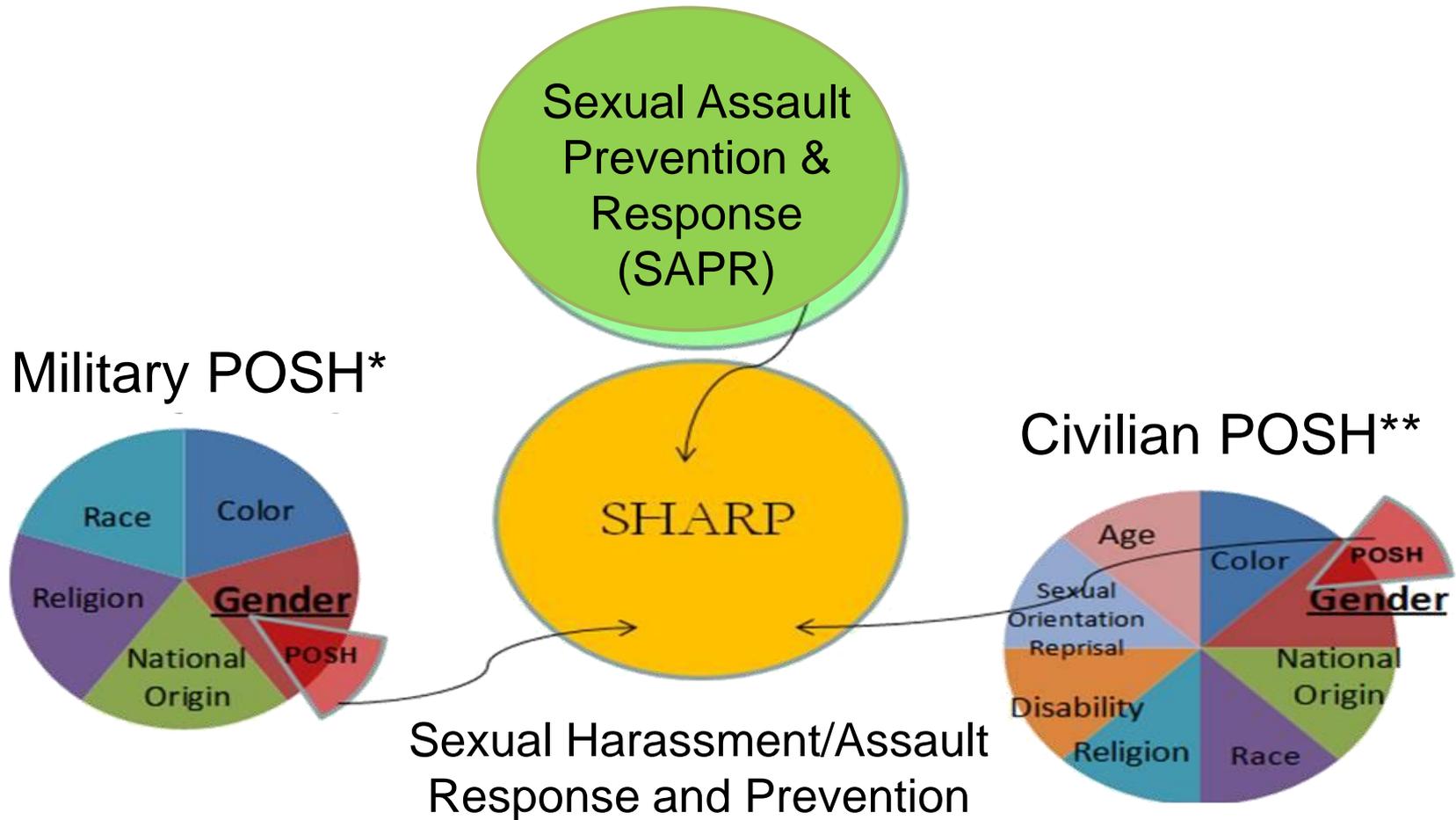
Projected Launch  
FY13

## Phase IV: Sustainment, Refinement, and Sharing

- Post-Year 5 Propensity to report: 90%
- Post-Year 5 Assaults reduced by 50%

Blueprint for the Nation

## SAPR + POSH = SHARP



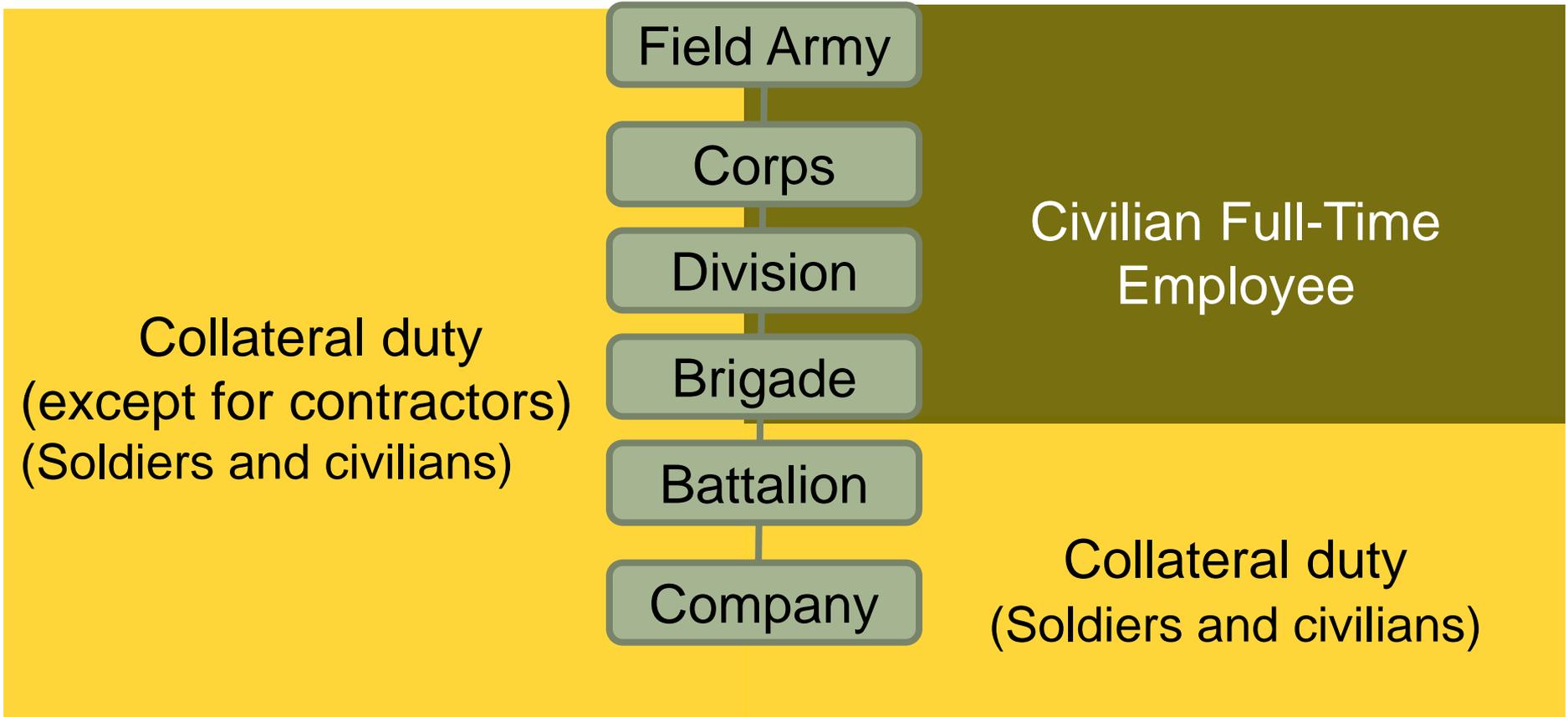
\* Prevention and response

\*\* Prevention only

## Transforming Units

2010 - 2012

2013 and Beyond



- ❑ To defeat sexual harassment and sexual assault it's up to Soldiers and civilians to take a stand. The Army needs you to:
  - Strongly condemn sexual harassment/assault
  - Take ownership for eliminating the “enemy within our ranks”
  - Intervene to prevent sexual harassment/assault
  - Encourage Soldiers and civilians to report incidents
  - Make the Army the DoD leader and “blueprint for the nation”



Approximately one-third of all reported sexual assaults within the Army are preceded by sexual harassment.

Homicide

Intentional, forced, non consensual sexual contact

Sexual Assault

A form of discrimination that contains sexual overtones

Sexual Harassment

An indirect remark suggesting something rude or sexual in nature

Sexual Innuendo

We need to attack this issue at the lowest level

	Old Approach	New Approach
Goal:	Eliminate crime	Cultural change: I. AM. STRONG
Focus:	Risk avoidance	Prevention
Target:	Potential victim	Potential offender
Primary Responsibility:	Victim	Bystander
Sexual Harassment and Sexual Assault:	Two separate issues	Two related issues
Approach:	Avoid becoming the target	Intervene to stop potential sexual harassment and sexual assault
Key Message:	Protect yourself	Every Soldier and civilian has a duty to intervene to prevent sexual harassment/assault

- ❑ It is the Army's approach for eliminating sexual harassment and sexual assault
- ❑ It stops sexual harassment and sexual assault before it happens
- ❑ It uses each person's behavior to influence others
- ❑ It changes the rules of acceptable behavior





**I.A.M.  
STRONG™**  
INTERVENE ACT MOTIVATE



**I.A.M.  
STRONG™**  
INTERVENE ACT MOTIVATE

SEXUAL HARASSMENT/ASSAULT RESPONSE  
& PREVENTION (SHARP) PROGRAM



## AMATEUR NIGHT

A short film on sexual  
harassment prevention  
in the Army

For more information visit:  
[www.preventsexualassault.army.mil](http://www.preventsexualassault.army.mil)

**PLAY MOVIE**

- Fear
- Inability to accurately identify potential sexual harassment/assault behavior
- Peer pressure
- Impact of hierarchy or chain of command
- Conflict avoidance
- Perception of social norms, peers' attitudes, and standards of behavior

- It is your responsibility as a Soldier or civilian
- Intervening supports the Army Values, the Warrior Ethos and the Army Civilian Corps Creed
- To prevent a criminal act
- To protect your battle buddies
- To maintain unit readiness and cohesion
- To enable mission accomplishment
- It is the right thing to do!

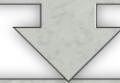




Notice the event along a continuum of behaviors



Interpret it as a problem



Feel responsible for solving it



Choose how to intervene



Build the culture to eliminate it

## Army Policy on Sexual Harassment

- ❑ Sexual harassment is unacceptable and will not be tolerated
- ❑ Sexual harassment destroys teamwork and negatively affects combat readiness
- ❑ Army leadership at all levels will be committed to creating an environment conducive to maximum productivity and respect for human dignity
- ❑ The success of the mission can be achieved only in an environment free of sexual harassment for all personnel

## Types of Sexual Harassment

- ❑ **Quid Pro Quo/Sexual Coercion**: (“This for That”) Conditions placed on an individual’s career in return for sexual favors
  
- ❑ **Hostile Environment**: Subjected to offensive, unwanted and unsolicited comments, or behaviors of a sexual nature. If these behaviors unreasonably interfere with an individual’s performance then the environment is classified as hostile
  - Crude/Offensive behavior
  - Unwanted sexual attention

Desensitization doesn't  
make it right!

## Sexual Harassment Behaviors

### Verbal

- Jokes, sexually explicit profanity, describing physical appearance, terms of endearment

### Nonverbal

- Staring, licking lips suggestively
- Displaying sexually explicit pictures or screen savers
- Sexually oriented e-mail, notes, printed material, etc.

### Physical

- Cornering or blocking an individual
- Rubbing against someone or causing someone to brush against in order to pass by

- ❑ Sexual harassment is a violation of Title VII of the Civil Rights Act. Complaints are processed IAW AR 690-600 and 29 CFR Part 1614
- ❑ A civilian may name a management official in his/her complaint, but the complaint is filed against the Secretary of the Army
- ❑ Any civilian employee under the direct supervision of a commanding officer or officer in charge of a military unit, vessel, facility, or area of the Army may use an alternate procedure for addressing allegations of sexual harassment
  - Title 10 US Code Section 1561 is a civilian option for addressing sexual harassment concerns involving military commanders
  - It is separate from the Army's EEO complaint procedure
  - Generally both (EEO and US Code Section 1561) procedures can be conducted simultaneously

## Civilian

- ❑ On-Duty
- ❑ Right to sue through the administrative process provided in 29 CFR Part 1614
- ❑ Management responsible for confronting offenders once it knows or should know of the harassment
- ❑ Complaints must be managed by Equal Employment Opportunity (EEO) personnel

## Military

- ❑ 24/7 on and off-duty
- ❑ No right to sue
- ❑ Victims encouraged to confront offenders
- ❑ Complaints managed by SHARP personnel

## Sexual Harassment Indicators

- Is the behavior sexual in nature?
- Is the behavior unwelcome?
- Have sexual favors been demanded, requested, or suggested?
- Does the behavior create a hostile or offensive environment?
- Would a reasonable person react the same way to this incident or behavior?

## Legal Ramifications (Military)

- ❑ Sexual Harassment is punishable under UCMJ
  - Article 15 (Non-judicial Punishment)
  - Courts-Martial
- ❑ Administrative Actions:
  - Counseling
  - Additional training
  - Denial of privileges
  - Rehabilitative transfer
  - Letter of reprimand
  - Bar to reenlistment
  - Separation/Discharge

## Legal Ramifications (Civilian)

- ❑ Department of the Army is held vicariously liable when sexual harassment is found. Liability could include:
  - Compensatory damages/attorney fees are paid from Unit Operational Funds
  - Management may decide to reassign the alleged civilian perpetrator and take disciplinary action against a civilian employee found to have engaged in harassment.
  - Same actions apply to Soldier perpetrator as previous slide

## Response Mode

- ❑ Soldiers and civilians have a responsibility to protect individuals from sexual harassment. Civilians have a responsibility to inform their supervisor and/or supervisory chain. Soldiers can take action using the following techniques:
  - Direct approach
  - Indirect approach
  - Third party assistance
  - Chain of command
  - File a complaint:
    - Informal complaint
    - Formal complaint

The in-processing center is a “cube farm” environment where Leslie Davis, a civilian, works. One day SSG Bill Evans stopped by SGT Mark Fields’ cubicle and they began an explicit exchange about Leslie. Leslie Davis did not hear any of it, but another employee (SPC Weaver), sitting unseen in the adjacent cubicle, heard the comments.

Does this constitute sexual harassment?

Offensive, unwanted and unsolicited comments or behaviors of a sexual nature can constitute a hostile environment. It does not matter that SPC Weaver was not the object of the comments, nor that they did not intend for SPC Weaver to hear.

When does sexual harassment cross the line into sexual assault?



**Sexual  
Harassment**



**Sexual  
Assault**

**When it becomes physical! Unwanted, inappropriate sexual contact, or fondling constitute sexual assault and is a crime.**

- ❑ **Sexual assault** - intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot **consent**; sexual assault can occur without regard to gender, spousal relationship, or age of victim
  - **Consent** will not be deemed or construed to mean the failure by the victim to offer physical resistance
  - **Consent** is not given when a person uses force, threat of force or coercion, or when the victim is asleep, incapacitated, or unconscious

## Army Policy on Sexual Assault

- ❑ Sexual assault is a criminal offense
- ❑ It degrades mission readiness
- ❑ Soldiers and civilians who are aware of a sexual assault incident should report it immediately (within 24 hours)
- ❑ Sexual assault is incompatible with the Army Values and is punishable under the UCMJ and other federal and local civilian laws
- ❑ All victims of sexual assault will be treated with dignity, fairness, and respect

**Applies 24/7 On and Off-Post**

## Sexual Assault Offenses

- ❑ UCMJ Article 120 and 125 sexual assault chargeable offenses include these separate charges:
  - Rape
  - Forcible Sodomy
  - Indecent Act
  - Aggravated sexual assault
  - Aggravated sexual contact
  - Abusive sexual contact
  - Wrongful sexual contact
- ❑ Article 80 covers "Attempts" to conduct these acts
- ❑ Civilian sexual assault offenses determined by civilian law

## Legal Ramifications

- ❑ Sexual Assault is punishable under UCMJ, and other Federal and local civilian laws
- ❑ Depending upon the offense and the circumstances of the offense, maximum punishments include:
  - Death
  - Confinement for life without eligibility for parole
  - Confinement for life with eligibility for parole
  - Confinement for a period of years (for example 5 years)
  - Total loss of all pay and allowances, reduction to E-1, and dishonorable discharge
  - Bad conduct discharge
- ❑ Civilian sexual assault is punishable under applicable Federal and civilian laws

## Warning Signs

- ❑ Be alert for any of these behaviors and prepare to intervene:
  - Sexually charged comments and gestures
  - Disrespectful behavior
  - Treating people like things or objects
  - Encouraging someone to drink too much
  - Inappropriate touching or intimacy
  - Targeting someone who is vulnerable
  - Attempting to isolate someone
  - Using alcohol or drugs to increase vulnerability

- ❑ Confront the inappropriate behavior
- ❑ Involve others to help you remove the potential victim from the situation
- ❑ Create a distraction to separate the potential victim from the potential offender
- ❑ Inform Commander or manager of the potential incident and intervention actions taken
- ❑ Civilian employees should contact a supervisor, security guard, or call 911 if they encounter a situation where intervention could result in immediate physical harm to them

## Restricted Report Eligibility

### ❑ Eligible:

- Military personnel of the Armed Forces and the Coast Guard which includes members on active duty and members of the Reserve component
  - Reserve and National Guard performing federal duty (active duty training or inactive duty training and members of the National Guard in Federal (Title 10) status)

### ❑ Limited Eligibility under USAREUR Pilot (11 Aug 09):

- Adult civilian beneficiaries of the military healthcare system

### ❑ Not eligible:

- Members of the Reserve Component not performing Federal duty
- Retired members of any component
- Dependents (Except for those covered under USAREUR Pilot)
- DoD civilian employees

## Restricted Reporting

- Victim receives medical treatment and counseling
- No investigation conducted
- Does not hold offenders accountable
- Must report to SHARP personnel, Healthcare Provider or Chaplain\*

\*Communication with Chaplains is confidential, but it does not constitute a restricted report

## Unrestricted Reporting

- Victim receives medical treatment and counseling
- Official investigation conducted
- Holds offenders accountable
- Victims can report to variety of resources; chain of command, law enforcement, SHARP personnel, etc.

## Commander/Manager Responsibilities

- ❑ Lead by example
- ❑ Establish a command climate of prevention
- ❑ Post written SHARP policy statements and victim services information
- ❑ Ensure Soldiers receive annual and pre/post deployment SHARP training
- ❑ Ensure unit SHARP personnel are appointed, trained and certified
- ❑ Conduct periodic assessments of the command's SHARP program

## Individual Responsibilities to Victims

- Listen to the victim and take the allegations seriously
- Make no judgments about the victim or the alleged perpetrator
- Encourage the victim to report the crime
- Support the victim and show respect

## What are the Possible Effects of Not Reporting

- The offender may repeat behavior
- Reduction in victim and community safety
- Impedes ability of authorities to conduct an investigation
- Inability to provide medical care and counseling
- Improper care provided to the victim
- Inability to discipline offenders
- Degradation of unit morale and readiness

Sexual assault affects individuals, units and the larger community. The stakes are high, so prevention is critical.



# Questions