



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY INSTALLATION MANAGEMENT COMMAND**  
**HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT BUCHANAN**  
**390 DOUBLE EAGLE AVENUE, SUITE 300**  
**FORT BUCHANAN, PUERTO RICO 00934-4614**

AMIM-BCG-ZA (100)

MEMORANDUM FOR All personnel assigned or attached to United States Army Garrison (USAG) Fort Buchanan

SUBJECT: Garrison Policy 23-05, Sexual Harassment/Assault Response and Prevention (SHARP) Program

1. References:

a. DoDI 1020.03 (Harassment Prevention and Response in the Armed Forces) – Change 2, 20 December 2022.

b. DoDI 6495.02-Vol 1 (Sexual Assault Prevention and Response: Procedures) Change 7, 6 September 2022.

c. AR 350-1 (Army Training and Leader Development, Table F-1, Mandatory Training Requirements for all Personnel) 10 December 2017.

d. AR 600-20 (Army Command Policy, Chapter 7, Para 7-5 o-s) 24 July 2020

e. AR 690-600 (Equal Employment Opportunity Discrimination Complaints) 9 February 2004.

f. Army Directive 2018-23 (Improving Essentials Programs) 8 November 2018.

g. Army Directive 2021-30 (Sexual Harassment/Assault Response and Prevention Services for Department of the Army Civilians) 2 September 2021

2. Applicability: This policy applies to all United States Army Garrison (USAG) units and personnel living and working on Fort Buchanan. This policy applies both on and off post, as well as on and off duty.

3. The Army has zero tolerance for sexual harassment and sexual assault, which are both incompatible with Army values. This policy reinforces the Army's commitment to eliminate sexual harassment and sexual assault through a comprehensive program of awareness, prevention, training, education, victim advocacy, response, reporting, and accountability.

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4. Leaders at every level must be committed to creating and maintaining a positive command climate that promotes productivity and fosters dignity and respect for others. Sexual harassment and sexual assault are unacceptable actions that erode trust, destroy teamwork, and negatively affect Army readiness. This is a call to action and strongly encourages bystander intervention to prevent sexual harassment and sexual assault. Three common ways to intervene are for you to act directly, to distract persons involved to alter the situation, or to encourage someone better equipped to intervene in an inappropriate or dangerous situation.

5. All Soldiers and Army Civilians must understand, embrace, and fulfill their responsibilities to prevent sexual harassment, sexual assault, and associated retaliatory behaviors within our Army. Preventing sexual harassment and sexual assault is everyone's responsibility. I expect leaders to respond within 24 hours for all allegations of sexual harassment, sexual assault, and retaliation. For DA Civilians experiencing sexual harassment, procedures for reporting are available through your local Equal Employment Opportunity Office. Sexual harassment and sexual assault are punishable under the Uniform Code of Military Justice (UCMJ) for the military and under federal and local law for DA Civilians.

6. Reference 1d defines "sexual harassment" as conduct that involves:

- a. Unwelcomed sexual advances or requests for sexual favors; or
- b. Deliberate or repeated offensive comments of a general nature when submission to such conduct is either explicitly or implicitly a term or condition of a person's job, pay or career; or
- c. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or
- d. Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance; or
- e. Conduct that creates an intimidating, hostile, or offensive working environment, and is so severe or pervasive that a reasonable person would perceive the environment as hostile or offensive.

7. The definition for sexual assault is "intentional physical sexual contact, characterized by use of force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent." A civilian employee who has been sexually assaulted should report the assault to law enforcement, the Equal Employment Opportunity office (if there is a connection to the workplace) or ask the SHARP office for a referral to available civilian

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resources to supplement SHARP services open to non-military personnel. All victims who contact SHARP professionals for assistance will receive all necessary assistance using the “No Wrong Door” approach to victim advocacy, support, and access to resources permitted by law and policy.

8. Soldiers and active-duty eligible Family Members 18 years old or older who contact SHARP professionals for assistance will receive all necessary assistance, support, and access to resources permitted by law and policy. Soldiers and eligible Family Members, who have been sexually assaulted, have two distinct reporting options:

a. **Restricted Reporting**: Restricted reporting allows Soldiers and active-duty eligible Family Members 18 years old or older who are sexual assault victims to disclose the details of their assault to specifically identified individuals on a confidential basis, and to receive medical treatment and counseling without triggering an official investigation. Soldiers and active-duty eligible Family Members who are sexually assaulted and desire restricted reporting should report the assault to their Sexual Assault Response Coordinator (SARC), Victim Advocate (VA) or a healthcare provider. DA Civilians and contractors do not have this restricted reporting option.

b. **Unrestricted Reporting**: Unrestricted reporting allows Soldiers and active-duty eligible Family Members 18 years old or older who are sexually assaulted and desire medical treatment, counseling, and an official investigation of allegations to use current reporting channels (the chain of command or law enforcement) or to report the incident to the SARC or the on-call VA.

9. This command will not tolerate retaliation or reprisal (any act of retaliation) against an individual who makes a protected SHARP-related communication. The definition of retaliation is as follows:

a. When any person subject to the Uniform Code of Military Justice (UCMJ) or Federal law wrongfully takes or threatens to take an adverse personnel action; or

b. Wrongfully withholds or threatens to withhold a favorable personnel action with the intent to discourage; or

c. Retaliate against a person reporting or planning to report a criminal offense; or

d. Making or planning to make a protected communication.

10. Every Fort Buchanan employee and military member has the right to report criminal offenses with a protected communication. The Inspector General will investigate all reports of retaliation.

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11. As the victim of a crime you have the following rights: Right to be reasonably protected from the accused, right to reasonable, accurate, and timely notice, Right not to be excluded from any public proceedings, Right to be reasonably heard, Reasonable right to confer with government's attorney, Right to full and timely restitution as provided in law, right to proceedings free from unreasonable delay, and the right to be treated with fairness and with respect for the victim's dignity and privacy (DD Form 2701, MAR 2016).

12. The installation SHARP Program provides a sexual assault 24-hour hotline at (787) 406-4222, that is manned by credentialed SHARP/SARC or VA.

13. Sexual assault or threats of sexual assault, even if intended as a joke or intimidation, will not be tolerated at Fort Buchanan. Any individual engaging in acts and/or threats will be dealt with expeditiously and appropriately. Appropriate punishment may include UCMJ action for military personnel and civil action and/or dismissal for Civilian employees. Every Soldier, Family member, and DA Civilian is responsible for treating one another with dignity and respect.

14. Together we will continue to preserve our Army values and protect the trust that bonds us together and is such an important element of our combat effectiveness and ability to work together as a team.

15. The proponent for this policy is the Garrison Sexual Assault Response Coordinator (SARC), located at Army Community Service, 225 Davis Street, Fort Buchanan, Puerto Rico (787) 707-3518. Email: [usarmy.buchanan.usag.mbx.sharp@army.mil](mailto:usarmy.buchanan.usag.mbx.sharp@army.mil).

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