

TRAINING SUPPORT PACKAGE (TSP)

VERSION 3

TSP Number / Title	805C-010-0107/Army's Sexual Harassment/Assault Response and Prevention Training (Annual Unit Refresher / Pre- & Post-Deployment)
Effective Date	1 April 2012
Supersedes TSP(s) / Lesson(s)	This Training Support Package (TSP) supersedes all previous versions of this TSP.
TSP Users	All Army Units
Proponent	The proponent for this document is HQDA, DCS, G-1
Improvement Comments	Users are invited to send comments and suggested improvements on DA Form 2028, <i>Recommended Changes to Publications and Blank Forms</i> . Completed forms, or equivalent response, will be mailed or attached to electronic e-mail and transmitted to: HQDA, G-1 SHARP Office 1225 S. Clark Street Crystal Gateway 2 2d Floor, Suite 217 Arlington, VA 22202
Security Clearance / Access	Unclassified
Foreign Disclosure Restrictions	FD5. This product/publication has been reviewed by the product developers in coordination with the Soldier Support Institute Adjutant General School foreign disclosure authority. This product is releasable to students from all requesting foreign countries without restrictions.

PREFACE

Purpose	This Training Support Package provides the instructor with a standardized lesson plan for presenting instruction for: Task Number Individual
----------------	--

**This TSP
Contains**

TABLE OF CONTENTS

	<u>PAGE</u>
Preface.....	1
Lesson Section I Administrative Data... ..	3
Section II Introduction	7
Terminal Learning Objective - Demonstrate behavior consistent with the Army's Sexual Harassment and Assault Response and Prevention (SHARP) Program	7
Section III Presentation	9
Section IV Summary	33
Section V Student Evaluation	33
Appendix A - Viewgraph Masters A -.....	A-1
Appendix B - Test(s) and Test Solution(s) (N/A) B -	B-1
Appendix C - Practical Exercises and Solutions (N/A) C -.....	C-1
Appendix D - Student Handouts D -	D-1

Army's Sexual Harassment/Assault Response and Prevention Training (Unit Refresher / Pre- & Post-Deployment)

**CJASA107 / Version 3
1 April 2012**

SECTION I. ADMINISTRATIVE DATA

All Courses Including This Lesson

Task(s) Taught(*) or Supported	Task Number	Task Title
	805C-010-0107	Maintain the Army's Sexual Harassment/Assault Response and Prevention Program

Reinforced Task(s)	Task Number	Task Title

Academic Hours The academic hours required to teach this lesson are as follows:

	Resident Hours/Methods
	3 hrs Conference/Discussion
Test	0 hrs
Test Review	0 hrs
Total Hours:	3 hrs

Test Lesson Number	Hours	Lesson No.
Testing (to include test review)	_____	N/A

Prerequisite Lesson(s)	Lesson Number	Lesson Title
	None	

Clearance Access

Security Level: Unclassified
Requirements:
Unclassified
Unclassified
Unclassified

Foreign Disclosure Restrictions

FD5. This product/publication has been reviewed by the product developers in coordination with the Training Strategy Support Directorate (TSSD) at Fort Jackson foreign disclosure authority. This product is releasable to students from all requesting foreign countries without restrictions.

References

<u>Number</u>	<u>Title</u>	<u>Date</u>	<u>Additional Information</u>
AR 195-2	Criminal Investigation Activities	30 Oct 1985	http://www.apd.army.mil
AR 27-10	Military Justice	9 Feb 2004	http://www.apd.army.mil
AR 350-1	Army Training and Leader Development	18 Dec 2000	http://www.apd.army.mil
AR 600-20	Army Command Policy (2008 Version)	27 Apr 2010	http://www.apd.army.mil
AR 690-600	Civilian Personnel General Personnel Provisions	9 Feb 2004	http://www.apd.army.mil
ARMY SA WEB SITE	Army's Sexual Assault Prevention and Response Web site		http://www.sexualassault.army.mil
Under Secretary of Defense Memorandum	Sexual Offense Reporting Requirements	16 Nov 2009	http://www.sexualassault.army.mil
ASAMRA TF RPT	Acting Secretary of the Army's Task Force Report on Sexual Assault Policies	27 May 2004	http://www.asamra.army.mil/eo/eo_docs/Army%20Report%20(May%2027%202004).pdf
DODD 1030.1	Victim and Witness Assistance	13 Apr 2004	http://www.dtic.mil/whs/directives/corres/pdf/103001p.pdf
DODD 6495.02	Sexual Assault Prevention and Response	23 Jan 12	http://www.dtic.mil/whs/directives/corres/pdf/103001p.pdf
MANUAL-MCM	Manual for Courts-Martial, United States (2008 Edition)	2008	www.army.mil/usapa/epubs/pdf/mcm.pdf
POLICY ON SA	Army Policy on Sexual Assault Memorandum	7 Apr 2004	http://www.asamra.army.mil/eo/eo_docs/Army%20Report%20(May%2027%202004).pdf
DOD Instruction 6495.02	Sexual Assault Prevention and Response Program Procedures	16 Sep 11	http://www.dtic.mil/whs/directives/corres/ins1.html
DOD Instruction 1350.3	Department of Defense Military Equal Opportunity (MEO) Program	18 Aug 1995	http://www.dtic.mil/whs/directives/corres/ins1.html
NDA 2012 (Pub. L. 112-81)	National Defense Authorization Act	31 Dec 2011	http://www.sexualassault.army.mil

Student Study Assignments NONE

Instructor Requirements One qualified instructor who has a thorough understanding of Sexual Harassment/Assault Response and Prevention.

**Additional
Support
Personnel
Requirements**

<u>Name</u>	<u>Stu Ratio</u>	<u>Qty</u>	<u>Man Hours</u>
None			

**Equipment
Required**

<u>Id Name</u>	<u>Stu Ratio</u>	<u>Inst Ratio</u>	<u>Spt</u>	<u>Qty</u>	<u>Exp</u>
673000SCREENW Screen, Projection Wall/Ceiling Mount or Portable		1:1	No	0	No
702500CPU Computer, Personal/Desktop (only CPU w/std Mouse, Keyboard, Sound Card, CD-ROM, & WIN OS)		1:1	No	0	No
702500LCDPANE LCD Projector Panel		1:1	No	0	No

* Before Id indicates a TADSS

**Materials
Required**

Instructor Materials:

- a. This Training Support Package (TSP)
- b. The following references are needed:
 - (1) AR 600-20, Army Command Policy (current version)
 - (2) AR 27-10, Military Justice
 - (3) AR 195-2, Criminal Investigation Activities
 - (4) www.preventsexualassault.army.mil
- c. Slides-1 thru 73 (Slides 69-73 Back-up Definitions)
- d. Video: "Army Chief of Staff, General Odierno"
- e. Video: "SHARP Soldier Training Video" (DVD)
- f. Video: "Amateur Night" (DVD)

Student Materials: N/A

**Classroom,
Training Area,
and Range
Requirements**

GEN INST BLDG, size depends on number of students

Ammunition Requirements	<u>Id</u>	<u>Name</u>	<u>Exp</u>	<u>Stu Ratio</u>	<u>Instr Ratio</u>	<u>Spt Qty</u>
	None					

Instructional Guidance **NOTE:** Before presenting this lesson, instructors must thoroughly prepare by studying this lesson and identified reference material.

ATTENTION INSTRUCTORS:

NOTE: Instructors/facilitators must be aware that the content of this class may evoke strong emotional reactions from students who may have been victims of sexual assault.

NOTE: Inform the student that the nature of the content may be disturbing.

Instructor must have an Alternate Instructor (AI) available to allow students with emotional issues an opportunity to have discussions privately without interruption to training.

NOTE: Request Sexual Assault Response Coordinator/SHARP Specialist participation in training delivery if they are available.

Proponent Lesson Plan Approvals	<u>Name</u>	<u>Rank</u>	<u>Position</u>	<u>Date</u>
	Carolyn Collins	GS-15	SHARP Division Chief	

SECTION II. INTRODUCTION

Method of Instruction: Conference/Discussion
 Instructor to Student Ratio is: 1:16
 Time of Instruction: 5 mins
 Media: Small Group Instruction

Motivator: Damage resulting from sexual harassment and sexual assault extends far beyond the victim. It weakens the very health and morale of our Soldiers and civilians by breaking the bond of trust within our Army team.

NOTE: Show Slide-1 (SHARP Unit Refresher Training)

Welcome to the Army's Sexual Harassment/Assault Response and Prevention Refresher Training. This lesson is part of the Army's Sexual Harassment/Assault Response and Prevention Program. We will be referring to AR 600-20, Army Command Policy throughout this lesson.

NOTE: This lesson stresses the seriousness of sexual harassment and sexual assault and the importance of ensuring the Army's contemporary operating environment is safe and promotes an environment free of sexual harassment and sexual assault. It will enhance your knowledge on sexual harassment and sexual assault behaviors and provide prevention techniques that you can apply to your daily activities.

NOTE: Inform students that this training contains language and content that may be disturbing to some participants.

NOTE: Show Slide-2 (Terminal Learning Objective)

Terminal Learning Objective

NOTE: Inform the students of the following Terminal Learning Objective requirements. At the completion of this lesson, you will:

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"> A. Define the Army's sexual harassment and sexual assault policies and prevention strategy. B. Recognize potential sexual harassment behavior. C. Recognize potential sexual assault behavior. D. Apply techniques to safely intervene to prevent sexual harassment and sexual assault. E. Identify reporting options, procedures, and the importance of reporting. F. Describe the role of commanders, managers, Soldiers and civilians in preventing sexual violence.

Safety Requirements

(1) Risk Assessment to be produced locally IAW FM 5-19, August 2006.

(2) No food or drink is allowed near or around electrical equipment (CPU, file servers, printers, projectors, etc.) due to possible electrical shock or damage to equipment. Exercise care in personal movement in and through such areas. Avoid all electrical cords and associated wiring. In the event of electrical storms, you will be instructed to power down equipment.

Risk Assessment Level

Low - Risk Assessment to be produced locally IAW FM 5-19, August 2006.

Environmental Considerations

NOTE: It is the responsibility of all Soldiers and civilians to protect the environment from damage.

(1) Based on its commitment to environmental protection, the Army will conduct its operations in ways that minimize environmental impacts. The Army will—

(a) Comply with all environmental laws and regulations. This includes federal, state, local, and Host Nation laws, some of which are outlined in TC 3-34.489, *The Soldier and the Environment*, 26 Oct 2001, Appendix B.

(b) Prevent pollution at the source by reducing, reusing, and recycling material that causes pollution.

(c) Conserve and preserve natural and cultural resources so they will be available for present and future generations.

(2) Units and installations will prepare an environmental risk assessment using the before, during, and after checklist found in TC 3-24.489, Appendix A. The checklist should supplement local and state environmental regulations applicable to your area.

Evaluation

During this lesson, students will be asked checks on learning questions. The Army does not tolerate sexual harassment and sexual assault; therefore, it is essential that you are able to demonstrate performance of learning objectives by answering questions correctly.

SECTION III. PRESENTATION

Method of Instruction: <u>Conference/Discussion</u>
Instructor to Student Ratio is: <u>1:16</u>
Time of Instruction: <u>2 hrs 55 mins</u>
Media: <u>Small Group Instruction</u>

NOTE: Show Slide 3 [Present Video message from General Odierno, Army Chief of Staff]

NOTE: Show Slide 4 (Sexual Harassment vs. Sexual Assault)

INSTRUCTOR NOTE: Slide Animated

NOTE: Ask students, "What is the difference between sexual harassment and sexual assault?" The question should generate dialogue among the students. The facilitator should get a better sense of the students' knowledge of the difference between sexual harassment and sexual assault.

NOTE: Explain that sexual harassment involves behaviors verbal, nonverbal, and physical that are unwanted, unwelcomed and sexual in nature. Sexual assault is a crime that involves sexual contact characterized by force.

NOTE: Show Slide 5 (Harassment)

NOTE: Harassment includes, but is not limited to any offensive conduct such as slurs, jokes, or other verbal, nonverbal, or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment.

Workplace harassment based on race, religion, color, sex, national origin, age (40 and over), disability, genetic information, reprisal, or other impermissible basis is not acceptable in either the military or civilian ranks. **Explain to students that although we are going to focus on sexual harassment, harassment on any of these grounds is prohibited.**

Supervisors should take the same steps as they would for reports of sexual harassment to immediately investigate, put an end to the harassment, including disciplining the offender, where warranted.

NOTE: Show Slide 6 (Sexual Harassment)

NOTE: Definition IAW AR 600-20. Require students to read the definition from the slide. The facilitator should give a one-sentence summary regarding what it means to Soldiers and civilians.

NOTE: Ask students for examples of the following:

1. Submission to or rejection of is made a term or condition of a person's job, pay, or career.
2. Submission to or rejection of its use as a basis for career or employment decisions.
3. When conduct interferes with an individual's work performance.
4. When conduct creates an intimidating, hostile, or offensive work environment.

NOTE: Show Slide 7 (Definition of Sexual Assault)

NOTE: Allow students to read the definition and then the facilitator should give a one sentence summary.

NOTE: Ask the students what is meant by consent? Explain consent IAW UCMJ Article 120. The term “consent” means words or overt acts indicating a freely given agreement to the sexual conduct issued by a competent person. A person cannot consent to sexual activity if they are:

- Substantially incapable of appraising the nature of the sexual conduct at issue due to mental impairment or unconsciousness resulting from consumption of alcohol, drugs, or a similar substance
- Physically declining participation in the sexual conduct at issue
- Physically communicating unwillingness to engage in the sexual conduct at issue

NOTE: Show Slide 8 (Understanding the Magnitude of the Problem)

INSTRUCTOR’S NOTE: Slide Animated

Ask students, “Who do you think has experienced sexual harassment in the Army?”

NOTE: Based upon a 2009 Army Research Institute (ARI) survey results **of those surveyed**, it is easy to see sexual harassment affects both male and female Soldiers. ARI is the Army’s lead research laboratory for training, leader development and personnel research. ARI conducts Army-wide attitude and opinion surveys and occupational analysis.

NOTE: FY 10-06-05 Army Civilian Attitude Survey – Harassment asked, “During the last 12 months, have you been harassed (e.g., on the basis of your gender, race, national origin, religion, age, cultural background, disability, sexual orientation) while working in the Army?” Survey results indicate 8% of 1,629 non-supervisors and 6% of 1302 supervisors felt they were sexually harassed. **That is over 600 civilians!**

NOTE: To reduce the prevalence of sexual harassment requires Soldiers and civilians to Intervene, Act, and Motivate others to not accept this behavior.

NOTE: Show Slide 9 (Understanding the Magnitude of the Problem Con’t)

INSTRUCTOR’S NOTE: Slide Animated

NOTE: State that sexual assault is a crime. In accordance with the DoD Annual Report on Sexual Assault in the Military for FY11:

- 1,695 Reported Cases of Sexual Assault
 - 1,394 Unrestricted Reports
 - 301 Restricted Reports
- 53% of sexual assaults were “Blue on Blue”

Bottom line: Sexual assault is a crime that is endangering the Army from the inside out.

Note: “Blue on Blue” is service members committing crimes against other service members.

NOTE: Show Slide 10 (Understanding the Magnitude of the Problem Con’t)

INSTRUCTOR’S NOTE: Slide Animated

NOTE: Ask students, “What’s the impact of “Blue on Blue?” This question should be a catalyst for an in depth discussion.

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

ASK: How does sexual harassment and sexual assault affect Soldiers and their units?

NOTE: Show Slide 11 (Effects of Sexual Harassment/Sexual Assault)

NOTE: Slide Animated

NOTE: Sexual harassment and sexual assault start with one victim or a small group of victims but can have a negative effect on a unit and the community.

NOTE: Ask students, “What are some examples of what the effects of sexual harassment and sexual assault look like?”

NOTE: Ask students, “How do you think sexual harassment and sexual assault affect individuals and their units?”

NOTE: Emphasize the bottom line: Sexual harassment and sexual assault endanger the lives of individuals and threaten the Army’s mission.

NOTE: Show Slide 12 (Why is this Important?)

INSTRUCTOR’S NOTE: Slide Animated

Question: If we know that sexual harassment and sexual assault are wrong, why do they still take place?

Allow students to answer the question. This brings about dialogue with the students. After dialog:

CLICK THE MOUSE

Answer: Because we as a society allow it to happen

CLICK THE MOUSE

Question: As leaders, why is it important for us to stop sexual harassment and sexual assault?

Allow students to answer the question. This brings about dialogue with the students.

CLICK THE MOUSE

Answer: As leaders we must take a stand against sexual harassment and sexual assault because it’s not in line with our Army Values, the Warriors Ethos, and the Army Civilian Corps Creed.

CLICK THE MOUSE

Answer: We all have a responsibility to take action to change our culture to eliminate an “enemy that lies within our ranks.” (previous CSA General Casey, SHARP Summit 2010)

CLICK THE MOUSE

NOTE: Show Slide 13 (Preventing Sexual Harassment and Sexual Assault)

Prevention is the process of stopping something before it happens. Use a contemporary illustration to convey this concept. "The United States Forest Service developed Smoky the Bear as a mascot to try to stop forest fires. His slogan was "Only You Can Prevent Forest Fires." The goal was to try to stop a disaster before it starts. This segment will attempt to provide you with the tools necessary to prevent sexual harassment and sexual assault.

- As a society, the Army does not tolerate crime or mistreatment of its Soldiers and civilians.

- The Army's Standards of Conduct apply equally to all Soldiers regardless of sexual orientation.

NOTE: Why Prevention? - There are different ways to address sexual harassment and sexual assault. Prevention is probably the best because you can stop a perpetrator through intervention, education, or legal action and you protect a potential victim.

NOTE: Show Slide 14 (The Army's Strategy)

INSTRUCTOR'S NOTE: Slide Animated

The I. A.M. Strong campaign consists of four integrated phases and has policy, procedure, training, and assessment components that continue through 2014 and beyond:

Phase I- Committed Army Leadership by providing training on best practices and providing commands with the opportunity to develop prevention plans to support the Army strategy. The baseline was developed based on FY 08 actual restricted and unrestricted reports received.

Phase II- Army-wide Conviction of program support includes helping Soldiers understand their moral responsibility to intervene and stop incidents of sexual harassment and sexual assault before they occur. The FY 10 number represents an estimate that reflects 33% of incidents are reported by the victim.

Phase III- Achieve Cultural Change will commence in FY 11. It brings together the significant achievements accomplished by leaders and soldiers under the first two phases and culminates with "Achievement of Cultural Change," a cultural change that results in driving sexual harassment and sexual assault from the Army. By FY 12, it is estimated that 70% of victims will report the assault.

Phase IV- Sustainment, Refinement, and Sharing, during which the prevention program continues to grow while motivating national partners to support the Army's efforts to change generally accepted negative social behaviors. The Army chooses to establish this program and the Army culture as the "blueprint" for the elimination of sexual assault everywhere.

NOTE: Show Slide 15 (Transitioning to SHARP)

NOTE: SAPR + POSH = SHARP - Sexual harassment and sexual assault prevention programs have been integrated under one office and program – SHARP.

SHARP moves the responsibility for sexual harassment and sexual assault from the EOA (Equal Opportunity Advisor) and SAPR to the SHARP Specialist. One caveat to this is in the area of civilian sexual harassment response, which will remain under EEO (Equal Employment Opportunity).

NOTE: Show Slide 16 (Transitioning to SHARP)

Beginning in 2010, commanders were required to select individuals to serve as SARC/SHARP Specialists and Victim Advocate (VA)/SHARP Specialists. Selected individuals were required to be screened against the sex offenders' registry prior to selection.

Through 2012, SHARP responsibilities are considered collateral duty for both civilian and Soldiers. IAW the National Defense Authorization Act (NDAA) of 2012, effective FY 13, each brigade must have both a SARC/SHARP Specialist and VA/SHARP Specialist assigned. These individuals must be either military or DA civilian and work full time on sexual harassment and sexual assault issues both in garrison and in theater.

Additionally, the NDAA mandates that all victims of sexual assault will receive assistance by a certified (credentialed) VA or SARC/SHARP Specialist. To meet this requirement, DOD is establishing a credentialing program with The National Advocate Credentialing Program (NACP). Specific detailed processes will be published soon to provide the appropriate course of action. The SHARP Certification Program has been approved by NACP.

NOTE: All SARC/SHARP Specialists and VA/SHARP Specialists have to complete certification training.

NOTE: Show Slide 17 (Your Role is Critical)

NOTE: Your role is critical to the Army strategy to defeat sexual harassment and sexual assault.

We need buy-in from every Soldier and civilian that any case of sexual harassment or sexual assault is one incident too many. To get to this level of buy-in requires each of you to become more vigilant and learn to Intervene, Act, and be Motivated to stop sexual harassment and sexual assault.

The Army needs you to:

- Treat all Soldiers and civilians with dignity and respect.
- Strongly condemn the social issue of sexual violence (sexual harassment and sexual assault) regardless of age, rank, gender, sexual orientation, etc.
- Take ownership for eliminating the "enemy within our ranks."
- Intervene to prevent sexual harassment and sexual assault.
- Encourage Soldiers and civilians to report incidents.
- Make the Army the DOD leader and "blueprint for the Nation."

NOTE: Show Slide 18 (How Does it All Start)

NOTE: Approximately 1/3 of all reported sexual assaults within the Army are preceded by sexual harassment.

NOTE: Show Slide 19 (Foundations of Sexual Violence)

NOTE: The pyramid graphic shows the progression of sexual violence, from sexual innuendoes to homicide. In this pyramid, the victims are increasingly treated with less respect and value and increasingly like an object.

NOTE: The definition of each tier of the pyramid is on the slide. Ask the question, "What are some examples of Sexual Innuendoes?"

Sexual Innuendo is an indirect remark suggesting something rude or sexual in nature.

Sexual harassment is a form of discrimination that is explicitly sexual or contains sexual overtones. If left unchecked, an environment that tolerates sexual harassment can lead to sexual assault. Sexual assault

is defined as intentional, forced, non-consensual sexual contact. In its most extreme form, sexual assault can lead to death of the victim.

NOTE: This continuum of sexual violence is important because it shows how seemingly innocent and harmless sexual comments and gestures can set the stage for sexual assault.

NOTE: Attacking the issues at the lowest level could possibly prevent these sorts of actions from occurring.

NOTE: Explain that 2% of all rapes result in death. [Groth, Nicholas. Men Who Rape: The Psychology of the Offender. New York: Plenum Press, 1979].

NOTE: Show Slide 20 (Intervention the Army is Changing its Approach)

NOTE: I mentioned a few minutes ago, that back in 2008, the Army shifted its approach to eliminating sexual harassment and sexual assault.

Previous to this shift in approach, the Army's prime focus was risk avoidance. That is, the focus was on what precautions potential victims could take to reduce the likelihood of being targeted.

- The old approach assumed that offenders were unable or unwilling to change their behaviors; therefore, it was the victim's responsibility to self-protect.
- Training programs primarily discussed what to do before or after an incident and placed the primary responsibility for action on the victim.

The new approach shifts the focus from potential victim to potential offender. The Army has been collaborating with the Nation's experts on sexual assault to develop a more effective prevention strategy.

The Army has undertaken a more comprehensive and aggressive approach to prevention by training service members to intervene in situations that might lead to sexual violence. The current strategy envisions prevention interventions at every level from policymakers at the top to individuals in the lowest ranks, all tied together by a powerful social marketing campaign.

The new approach also changes the attitude towards sexual harassment. In the past, the Army considered sexual harassment a separate issue. The new approach considers sexual harassment a precursor behavior that, if left unchecked, paves the way to more violent incidents. If the attitudes that lead to sexual harassment can be stopped, then the likelihood that the same offender will progress to sexual assault decreases dramatically.

Another aspect of the new approach is the negation of the assumption that all one can do is protect oneself. This new approach believes that it is everyone's duty to intervene to prevent situations from going from bad to worse.

The Army is a band of brothers and sisters whose respect for and loyalty to each other should form a shield of protection against anyone who tries to sexually harass or sexually assault someone else. If enough people speak up against sexual violence, the culture will change so that sexual violence is neither accepted nor assumed to be accepted.

The new approach asks Army leaders, Soldiers, and civilians to commit to a change in Army culture: to eradicate sexual assault and sexual harassment, to bring attitudes, words and deeds in line with Army Values and Soldiers' selfless commitment to each other, and, in turn, to become a model for sexual assault prevention in the Nation. It is important to note that the new approach builds on, rather than replaces, the old approach. Until sexual violence is eradicated, the need to protect oneself will always exist. The difference is that now the Army is attacking the issue from both sides.

NOTE: Show Slide 21 (Intervention is the Cornerstone)

NOTE: Intervening is a proactive approach to preventing sexual harassment and sexual assault. Intervention will assist the Army in eliminating sexual harassment and sexual assault within the ranks. Intervention requires the use of Army Values.

NOTE: Now that we have conducted some analysis of sexual harassment, we will watch a video that puts these issues in context.

NOTE: Show Slide 22 (BREAK) This slide must be both displayed AND READ by the instructor.

NOTE: Show Slide 23 (BREAK) READ PRIOR TO DISMISSING CLASS:
We will take a short 5 minute break before beginning the video. Any civilian employee who wants to excuse themselves from the video and its corresponding discussion should return in ___ minutes; according to the clock in the room, that would be ____ (insert return time).

NOTE: Slide 24 [Present the "Amateur Night" video (12:29 total run time)].

NOTE: Play video and pause at the 3:27 mark after SPC Warner has told his jokes and SGT Jones has taken corrective action by reprimanding him. Have a brief discussion to determine the key learning points demonstrated. Recommended questions:

- What do you think about SPC Warner's jokes? Were they inappropriate?
- What do you think about SGT Jones' reaction to those jokes?

Resume the video and pause again at the 6:40 mark after PFC Martinez has conducted the "tap that ass" role play activity with SPC Warner. Reinforce the lessons learned by asking:

- Why do you think PFC Martinez overreacted and "went off" on SPC Warner during this role play activity? What do you think prompted her reaction?

Resume the video and pause it again at the 8:40 mark after SGT Jones has explained the seriousness of sexual harassment and how it can lead to sexual assault, Ask the question:

How did SGT Jones "draw a picture" for SPC Warner of the seriousness of sexual harassment and how it can potentially lead to sexual assault?

NOTE: Play remainder of the video.

NOTE: Reiterate that both sexual harassment and sexual assault are gender neutral and often occurs between individuals of the same sex.

NOTE: Show Slide 25 (BREAK) To transition back from video discussion to conference/discussion, **Inform the students, "We will take a short break; please be back at ____" (should match the return time given prior to the video).**

NOTE: Show Slide 26 (Why Don't We Intervene?)

NOTE: Before showing the reasons people don't intervene, ask the audience, "If we know sexual harassment and assault are wrong, why don't most people intervene?" See how many reasons they identify.

- These are some of the most common reasons given for why people do not intervene to stop sexual harassment or sexual assault.
- Fear refers to the fear of retaliation or fear of embarrassment.

- Inability to accurately identify sexual assault, possibly due to assumptions, attitudes, stereotypes, uncertainty over whether the other person enjoys it, or a belief that “it is just a part of the way people operate around here.”
- Peer pressure to be a member of the “in crowd.”
- Hierarchy or chain of command refers to when someone in a higher rank commits the assault.
- Conflict avoidance describes a person who fails to intervene because his/her natural tendency is to avoid conflict or unpleasant confrontations.
- Perception of social norms, of peer’s attitudes, and standards of behavior means that a person assumes what they see most people doing is what is believed to be acceptable and that everyone else agrees that the behavior is acceptable. Therefore, the person decides that the safe option is to remain quiet.

NOTE: Show Slide 27 (Why Should You Intervene?)

NOTE: Before showing the reasons why you should intervene, ask the audience, “what are some of the reasons why you should intervene to stop sexual harassment and assault?” See how many of the reasons they identify.

Why should you intervene to stop sexual harassment or sexual assault? The answers are simple and common sense. Bottom line: It is the right thing to do.

Make them think about this statement: “IF NOT YOU THEN WHO?” A lot of people think to themselves, “Someone will intervene so I don’t need to.”

NOTE: Show Slide 28 (Leaders Must INTERVENE)

NOTE: No “passive bystanders”

- Bystanders – you are either a:

<u>FOLLOWER</u>		<u>LEADER</u>
Support	or	Deter
Encourage	or	Discourage
Enable	or	Condemn
Stay Silent	or	Speak Up
Ignore	or	Intervene

- Soldiers and civilians must Intervene, Act, and be Motivated on their own to stand up against sexual harassment and sexual assault!

The SHARP and I. A.M. Strong campaign is built on the bystander intervention model, which stresses peer-to-peer intervention.

We are charging every individual to intervene. There are no innocent bystanders; it is up to each Soldier and civilian to protect one another. We are a “Band of Brothers and Sisters.” Every person is either for or against sexual harassment and sexual assault and shows it by their actions.

The prevention approach places the responsibility on every Soldier and civilian to prevent sexual harassment and sexual assault. Everyone has a duty to speak up when someone makes an offensive remark. Everyone must intervene to stop offensive behavior from growing into something more serious.

Everyone must let offenders know they're alone in thinking their comments are inoffensive or harmless. If society does not actively condemn the behaviors, then it silently condones them. The one who must change their behavior is the offender, not the victim.

NOTE: Show Slide 29 (Intervention Process)

NOTE: When it comes to the intervention process, there are five steps.

Step 1: Notice the event or behavior(s) along a continuum of behaviors that can lead to sexual harassment or sexual assault.

Step 2: Interpret the event or behavior(s) as a problem. Don't make excuses for the behaviors. In some cases this will be obvious, in others it may be a gray area.

Step 3: Feel responsible to step in and get involved in the situation. Don't leave it up to "someone else" to get involved.

Step 4: Decide how to intervene. There are many options, including personally intervening to stop the behavior or reporting it to the authorities. Sometimes it may take more than one intervention to prevent an incident to progress to the next level in the progression of sexual violence.

Step 5: Develop a culture that makes every individual feel responsible to step in to stop sexual harassment and assault.

NOTE: Show Slide 30 (Sexual Harassment Policy)

NOTE: Army Policy on Sexual Harassment – Let's take a look at the Army's policy on sexual harassment. You should become familiar with this policy and be able to identify and explain it. It is posted in your unit.

NOTE: Have one of the individuals from the class read the policy aloud from the slide. Ask students, "What do you think this means?" Allow one or two responses and then provide a one-sentence restatement.

The policy of the Army is that sexual harassment is unacceptable conduct and will not be tolerated. The Army's policy on sexual harassment applies to your behavior and actions 24 hours a day throughout your military career and applies to working, living, and recreational environments on and off post.

It is critical that any examples offered by the facilitator are not farfetched extreme examples but ones in line with the policy. Soldiers and civilians alike should be able to understand what kinds of behaviors are inappropriate versus unprofessional.

The dynamics of sexual harassment do not change from military to civilian. The behaviors are unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct.

The Army's SHARP policies strongly condemn the social issue of sexual violence (sexual harassment and sexual assault) regardless of age, rank, gender, sexual orientation, etc.

NOTE: Show Slide 31 (Sexual Harassment)

NOTE: Types of Sexual Harassment - explain that in accordance with AR 600-20, which applies to both Soldiers and Department of the Army civilian employees, there are two types of sexual harassment, "Quid Pro Quo" and Hostile Environment.

"**Quid pro quo**" is a Latin term that essentially means "this for that." It refers to conditions placed upon a person's career or terms of employment in return for sexual favors. This may involve threats to send Soldiers to see the commander for minor infractions; denial of passes, telephone, or PX

privileges; or assignment of excessive duty or details. “Quid pro quo” can also involve promising favorable actions such as career advancement, promotions, and other benefits should the victim agree to the sexual advances of the harasser.

Hostile environment occurs when Soldiers/civilians are subjected to offensive, unwanted, and unsolicited comments and behaviors of a sexual nature. This form of sexual harassment has been identified as the most frequent type in the military. A “hostile” environment brings the topic of sex into the workplace in any number of forms. This category of sexual harassment occurs when the workplace becomes abusive and hostile, thus affecting the individual’s performance. In a hostile environment, an individual may dread coming to work, suffer from low morale, or be uncomfortable and intimidated by the harasser.

NOTE: It is important to note that cultural influencers through sitcoms, movies, and TV shows totally and completely violate military and civilian policy. So many people see behaviors that constitute the two types of sexual harassment and laugh at them. This creates an environment of people totally desensitized to appropriate vs. inappropriate behavior.

NOTE: Show Slide 32 (Sexual Harassment Behaviors)

NOTE: Sexual Harassment Behaviors - fall into three basic categories: verbal comments, nonverbal gestures, and physical contact.

(1) Verbal comments – Comments or sounds made aloud by individuals can create a hostile environment when overheard by others. This is especially true when the verbal comment is intended to be heard by others. These comments are of a sexually implicit or explicit behavior. They are designed to intimidate, coerce, manipulate or demean.

Examples of unacceptable verbal comments include sexual jokes, profanity, off-color sexual comments, and threats. Barking, growling, winking, and whistling at passers-by also are considered unacceptable verbal behaviors. Another form of unintentional sexual harassment behavior is the use of “terms of endearment” such as honey, baby, sweetheart, or dear when referring to Soldiers or civilian co-workers. Playing music at a volume that can be overheard by others and that has lyrics with sexual overtones can also create a hostile environment. (Example: Music containing lyrics that are sexually explicit and derogatory in nature.) These types of sexually suggestive verbal comments may be directed at same-gender or opposite gender individuals.

(Example: A male Soldier tells another male Soldier he looks like the kind of guy that “likes boys better than girls.”)

(2) Nonverbal gestures – Sexually suggestive actions or body movements made by individuals can create a hostile environment when observed by others. This is especially true when the nonverbal gesture is intended to be seen by others.

Examples of unacceptable nonverbal gestures could be leering, ogling (giving the person “the eye” or “once over”), blowing kisses, licking lips, or winking.

Nonverbal sexual harassment also includes printed material. Examples include displaying sexually oriented pictures, cartoons, or using sexually oriented screen savers on one’s computer. Further examples include sending sexually oriented notes, letters, faxes, or e-mail.

These types of sexual nonverbal gestures may be directed at same-gender or opposite gender individuals. (Example: A group of male Soldiers are drying off after taking a shower when one Soldier snaps another Soldier with a towel and blows kisses at him).

(3) Physical contact – actual unwelcome physical contact such as groping and fondling constitutes both sexual harassment and sexual assault.

Examples of unacceptable physical contact are blocking one's path, cornering, and putting oneself in a position that causes the victim to rub against the perpetrator in order to pass by. Providing unsolicited back and neck rubs, and the unsolicited adjusting of a person's clothing could be examples of physical contact that creates a hostile environment. Two Soldiers openly touching one another in the presence of a third Soldier is another example.

NOTE: It is also important to note that there are also cultural and ethnic differences that come into play in the real world when trying to identify sexual harassment behaviors. Some people are raised in a very "touchy-feely" environment where it is acceptable to hug, pat people on the back, and give the occasional back or neck rub. Others may have been raised differently and are not comfortable with that type of physical intimacy. It is not the intent of the person that determines whether or not the behavior is considered sexual harassment - it is the effect that the behavior has on the recipient.

NOTE: Show Slide 33 (Civilian Sexual Harassment)

NOTE: Sexual harassment is a direct violation of Title VII of the Civil Rights Act. Civilians can file complaints of sexual harassment and have them processed in accordance with AR 690-600 and 29 CFR Part 1614.

When a Civilian files a complaint for sexual harassment it is filed against the Secretary of the Army. The individual must contact the Equal Employment Opportunity (EEO) Office within 45 days of the harassment to initiate a complaint of discrimination. If the harassment is ongoing, the most recent instance must have occurred within 45 days of contact with the EEO Office.

Monies that are awarded from the complaint are taken from unit funds.

NOTE: Provide students the contact information for your local EEO Office (i.e., the EEO Office for HQDA employees is the Directorate of Equal Employment Opportunity, Resources and Programs Agency, Office of the Administrative Assistant to the Secretary of the Army [703-545-1255]).

NOTE: Show Slide 34 (Civilian Sexual Harassment Con't)

Civilians can use alternate simultaneous procedures to address sexual harassment concerns.

NOTE: Show Slide 35 (Civilian and Military Distinctions)

The Army policy is built upon existing civil rights and EEO laws but has some important distinctions:

- For military personnel, the workplace is defined as including off-duty hours.
- For civilians, it only applies while on duty.
- For military personnel, the workplace is all the time and everywhere.
- For civilian personnel, it is more narrowly defined to the workplace and areas associated with working.
- Civilian personnel who believe they are being sexually harassed, have a responsibility to put management on notice of the harassment. Therefore, management is responsible for confronting offenders once it knows or should know of the harassment.
- Although a best practice is to advise the harasser that the comments or conduct is unwelcome, technically, civil laws do not require civilian victims to inform the harasser to stop.

- While an advisor to a sexual harassment victim can recommend that the victim talk with the offender, the advisor should not require them to inform the offender of the discomfort. Doing so places the responsibility on the victim, which is illegal, and could place the Army in a precarious position should the victim later file a complaint. It is management's responsibility to intervene against harassers of civilians.
- Civil law does not require the victim of harassment to confront the offender, whereas military policy encourages it.
- The "reasonable person" standard is used as a "rule of thumb" to determine if an uninvolved, rational, typical third party would reach the same conclusion about the observed behaviors as the victim. It asks, "How would a reasonable person under similar circumstances be likely to react or be affected by such behavior?" The logic is that if the "average person" were to find it offensive, then it is reasonable to assume that the victim's reaction is also reasonable.

In 1990, a landmark civilian sexual harassment case (*Ellison v. Brady*) took the standard to a new level for sexual harassment cases by creating the "reasonable woman" standard. This variation looks at the issue from a female point of view. It recognizes that men and women perceive unwanted interaction with a sexual tone differently because, historically, the trend has been that women have been the victims of sexual violence more often than men. The decision is important because it stipulated that harassment cases should be evaluated based on the perspective of the victim. The fact that the offender claimed that no harm was intended does not discount the experience of the victim, or any damage that may have occurred because of the offender's behavior.

- In recent years, the standard has begun to shift to the "reasonable person" standard, which includes any type of harassment regardless of the gender of the victim or the offender.
- While both civil law and military regulations are based on the "reasonable person" standard, that standard may be applied differently. Civil case law has allowed for "reasonable person" to mean a "reasonable person" or a "reasonable victim." The military's policy only talks about a "reasonable person." This means that the victim's perspective is considered as the more crucial factor in civil law. In military policy, the cultural standard of the population becomes the basis of the test.
- Sexual harassment complaints are processed differently depending on the parties involved. Victims of sexual harassment are managed through the EEO Office, whereas military victims of sexual harassment are managed through the SHARP Office.

NOTE: Show Slide 36 (Sexual Harassment Indicators)

NOTE: Before Soldiers can deal with behavior or actions that may constitute sexual harassment, you need to be able to determine whether the behavior falls within the area of those actions prohibited by the Army's Sexual Harassment Policy. In determining whether a specific incident or behavior constitutes sexual harassment, the following questions can help to create a frame of reference or mental picture for tying policy with related elements and behaviors.

(1) Is the behavior sexual in nature?

It is important to distinguish intent vs. affect. Behavior is considered sexual harassment if the person affected by the behavior views it as offensive and sexual in nature. It is not judged by the intent of the individual committing the behavior.

(2) Is the behavior unwelcome?

(3) Have sexual favors been demanded, requested, or suggested; coupled with a

promise of reward or a threat of punishment?

(4) Does the behavior create a hostile or offensive environment?

(5) Would a reasonable person react the same way as you to this incident or behavior?

NOTE: Show Slide 37 (Sexual Harassment Legal Ramifications)

NOTE: Legal Ramifications (Military) – Soldiers who fail in the duty to continuously display integrity in refraining from sexual harassment face a wide variety of possible administrative sanctions or legal punishments.

These same ramifications hold true for Soldiers, when it has been determined that a Soldier has sexually harassed a civilian employee.

In the event that administrative actions fail to correct the behavior, or the behavior is serious and constitutes a violation of the Uniform Code of Military Justice (UCMJ), the commander may consider further action under the appropriate article(s) of the UCMJ.

NOTE: Remind the group that while sexual contact that constitutes sexual harassment generally is not considered criminal in nature, some actions and behaviors clearly “cross the line” and become wrongful sexual contact, punishable under one or more Articles of the UCMJ. Sex crimes are no joke, and the Army takes these matters very seriously.

NOTE: Show Slide 38 (Sexual Harassment Legal Ramifications [Civilians])

NOTE: Legal Ramifications (Civilians) – Cost damages could be as much as \$300K.

NOTE: Show Slide 39 (Sexual Harassment Response Mode)

NOTE: Response Techniques – Once sexual harassment behavior has been identified, the behavior must stop. Civilian employees have a responsibility to inform their supervisor and/or supervisor chain of command. There are several options available to Soldiers to address sexual harassment.

NOTE: Click on each technique to provide an explanation.

- (1) Direct Approach – Confront the harasser and tell him/her that the behavior is not appreciated, not welcome, and that it must stop. Stay focused on the behavior and its impact and use common courtesy.

NOTE: Ask students, “When might this approach be used?” Explain that this approach is best for minor infractions. The harasser may not realize their behavior is offensive and if it is brought to their attention, chances are they will stop.

- (2) Indirect Approach – Send a letter to the harasser stating the facts, personal feelings about the inappropriate behavior, and expected resolution.

NOTE: Ask students, “When might this approach be used?” Explain that this approach may be used for minor infractions. The indirect approach is helpful if the victim doesn’t feel comfortable talking to the harasser face to face but does not want to involve others. It is also a good idea to have a documented account of the incident if the offensive behavior continues.

NOTE: Inform the group that civilians file their informal and formal complaints with their servicing EEO Office.

- (3) Third Party Assistance – Request assistance from another person. Ask someone else to talk to the harasser, to accompany the victim, or to intervene on behalf of the victim to resolve the conflict.

NOTE: Ask students, “When might this approach be used?” Explain to the group that this approach may be used if the victim does not feel comfortable confronting their harasser one on one, if they feel the harasser may escalate to violence, or if they would just like the support of someone else.

- (4) Chain of Command – Report the behavior to your immediate supervisor or others in chain of command and ask for assistance in resolving the situation.

NOTE: Ask the students when this approach might be used. Explain to the Soldiers that this approach may be best if the harassment persists after trying the other approaches. It may also be used if the harassment is a serious infraction. Also emphasize that this response is for more severe cases of sexual harassment and that all attempts should be made to resolve the issue at the lowest chain of command.

- (5) File a Complaint –

- Informal complaint is not filed in writing. Typically the issues are resolved through discussion, problem identification, and clarification of the issues.
- A formal complaint is one that a complainant files in writing and swears to the accuracy of the information. Formal complaints require specific actions, are subjected to timelines, and require documentation of the action

NOTE: Ask students, “When might this approach be used?” Explain that this approach is most appropriate when the harassment is severe or if it persists after using one or more of the previous approaches. Explain that this is a serious step and it can have severe consequences.

NOTE: Inform the students that all complaints of harassment (other than sexual harassment) and discrimination based on sexual orientation will be referred to the commander or Inspector General Office (IG). Example of a sexual orientation complaint:

Example 1: 1LT Jones meets all the requirements to go to Airborne School and has submitted required documents to the S1. 1LT Jones’ packet has been denied twice. After submitting the documents for the third time, 1LT Jones over hears LTC Smith say “that gay Lieutenant will never get wings if I can help it” 1LT Jones wants to file a complaint, who would 1LT Jones see to file a complaint?

NOTE: Inform the students that this is an example of discrimination based on sexual orientation and that 1LT Jones would go to the commander or the IG to file a complaint.

Example 2: PFC Adams complains to the S3-Operations NCO that Soldiers in Headquarters Company are continuously referring to PFC Adams as the “gay one” and have taken the photo of PFC Adams’ significant other off the desk and thrown it in the trash numerous times. PFC Adams wants to file a complaint, who would PFC Adams see to file a complaint?

NOTE: Inform the students that this is an example of harassment based on sexual orientation PFC Adams would go to the commander or the IG to file a complaint.

Example 3: SGT Daniels is the most athletic Soldier in the company and has been known to compete in various athletic events. During a triathlon event downtown, SFC Jackson sees SGT Daniels and stops to talk about the events. As the two are talking, SGT Daniels’ significant other approaches and SFC Jackson makes the comment to SGT Daniels, “You wouldn’t be gay anymore if you were with me, because I’d make you straight.” SGT Daniels wants to file a complaint, who would SGT Daniels see to file a complaint?

NOTE: Inform the students that this is an example of sexual harassment and that SGT Daniels would go to the SARC/SHARP or VA/SHARP Specialist to file a complaint.

NOTE: Ask the students if they have any questions before continuing with the lesson.

NOTE: Let's take a moment to review and apply what we have covered. We'll present you with some scenarios and discuss the situation.

NOTE: Show Slide 40 (Discussion-1)

INSTRUCTOR'S NOTE: Slide Animated

NOTE: This slide builds, on successive mouse clicks, by presenting the scenario first, and then the question for the Soldiers to consider. Upon conclusion of the discussion, the instructor can display the suggested answer.

Leslie Davis, a civilian, works in the "cube farm" environment of the in-processing center. One day, SSG Bill Evans stopped by SGT Mark Fields' cubicle and they began a sexually 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 or that they did not intend for SPC Weaver to hear the conversation.

NOTE: This scenario is intended to reinforce Soldiers' understanding about hostile environment. The main point is that the environment can be hostile to persons who are not even the objects of sexually charged speech or actions, or even when there is no intent to be offensive. While Leslie may dress provocatively, it does not give SSG Evans and SGT Fields the right to make inappropriate comments about Leslie, especially since others could hear them.

NOTE: Show Slide 41 (Discussion-2)

INSTRUCTOR NOTE: Slide Animated

NOTE: Mr. Williams is a civilian who services IT equipment at a Forward Operating Base in Iraq. CPT Switzer is the commander for B Company, in the Signal Battalion. One evening after working out together, CPT Switzer says "let's go to my hooch and talk." When they get there, CPT Switzer takes off her uniform and walks around in her bra and panties. Mr. Williams says he needs to go back to his office to do some work. CPT Switzer says, "What happens here stays here," and continues to walk towards Mr. Williams. Mr. Williams insists that he has to get back to the office. The next day, he avoids CPT Switzer.

Does this constitute sexual harassment? Mr. Williams indicated by his comments and his behavior the next day that CPT Switzer's behavior was unwelcome and unwanted.

NOTE: This scenario is intended to reinforce Soldiers' knowledge and understanding of behaviors that explicitly constitute a hostile environment.

NOTE: Show Slide 42 (Discussion-3)

INSTRUCTOR NOTE: Slide Animated

NOTE: This slide builds on successive mouse clicks, by presenting the scenario first, and then the question for the Soldiers to consider. Once the discussion concludes, the instructor can display the suggested answer.

PFC Doe reported a sexual harassment incident he experienced to his platoon leader. The 2LT said, "Well, I've never heard any such complaint about SGT Jones before. I don't think he meant any harm, so I'm going to let it slide this time."

Evaluate the leader's response.

A leader is obligated to handle complaints far more actively than simply deciding not to bother with them.

NOTE: This discussion is intended to reinforce the principle that an Army leader is responsible for handling sexual harassment complaints in a responsible and serious fashion. While the chain of command may ultimately decide that the complaint is unsubstantiated, they should look into SGT Jones' behavior.

NOTE: Show Slide 43 (Discussion-4)

INSTRUCTOR NOTE: Slide Animated

NOTE: Carla Stephens is the 17-year-old daughter of SFC Olsen from Ft Bragg, NC. While at the Post Exchange one summer day, Carla and her friend, Brittney, decide to have lunch. When Brittney bends down to pick up some change she dropped, PFC Allen, comments on the tattoo on her lower back. Just then, SPC King walks by and points to Carla and says "I'd like to put some ink on that!" Carla looks offended and says, "What do you mean by that?" SPC King responds, "Aw girl, you know what I mean; don't be playing like you're all innocent." When she asks him what unit he's from, he ignores her and walks away.

Does this constitute sexual harassment? Yes! SPC King's suggestive comments are clearly unwelcome, unwanted, and sexual in nature. The Army's policy on sexual harassment covers Family members. Soldiers are on duty 24/7; therefore, they must always be cognizant of their behavior and conduct themselves appropriately.

NOTE: This discussion is intended to reinforce that when it comes to sexual harassment the Army is responsible to handle complaints from Family members.

NOTE: Show Slide 44 (Review Sexual Harassment)

Before moving on to the topic of sexual assault, let's briefly review sexual harassment.

NOTE: Ask the students:

- What are the two types of sexual harassment?
- What are the three types of sexual harassment behaviors?
- What are the five response strategies for sexual harassment?

During this review there are some missing key questions:

- (1) What Army values are broken when an incident of sexual harassment takes place?
- (2) How many incidents of sexual harassment are too many?

NOTE: Show Slide 45 (Sexual Harassment vs. Sexual Assault)

INSTRUCTOR NOTE: Slide Animated

NOTE: Ask students, “When does sexual harassment cross the line into sexual assault?” Physical sexual harassment may include touching, patting, pinching, bumping, grabbing, cornering or blocking, or kissing. Sexual assault and rape are extreme forms of sexual harassment.

NOTE: Remember, in the definition of sexual harassment, one of the categories is physical and the definition of sexual assault involves sexual contact. Sexual contact is defined in the Manual for Court Martial as in the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, or intentionally causing another person to touch, either directly or through the clothing, the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate, or degrade any person or to arouse or gratify the sexual desire of any person.

NOTE: Show Slide 46 (Sexual Assault Policy)

NOTE: The Army Policy on Sexual Assault – It is important that you are aware of the Army’s policy on sexual assault. You should become familiar with this policy and be able to identify and explain it. It should be posted in your unit. Also it should be asked, “Is it posted in your unit?”

NOTE: Read the policy and then have the Soldiers summarize/state what the policy means to them.

AR 600-20, Army Command Policy, documents the Army’s policy on sexual assault. The policy states, “Sexual assault is a criminal offense that has no place in the Army. The policy holds those who commit sexual assault offenses accountable. It degrades mission readiness by devastating the Army’s ability to work effectively as a team. It is incompatible with Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws. The Army will treat all victims of sexual assault with dignity, fairness, and respect.”

NOTE: Emphasize that this policy applies 24/7 on and off post; and includes any activity or event you are participating in.

The Army’s SHARP policies apply without regard to a person’s rank, age, or gender and are sexual orientation neutral. A person’s sexual orientation is a personal and private matter.

Are there any questions?

NOTE: Show Slide 47 (Sexual Assault Offenses)

NOTE: Sexual Assault Offenses – Sexual assault is a crime. It degrades mission readiness.

Tell the students that there are several types of sexual assaults covered under the Army’s Sexual Harassment/Assault Response and Prevention Program. The types include rape, forcible sodomy, indecent acts, aggravated sexual assault, abusive sexual contact, wrongful sexual contact, and attempt to commit these acts. Marital rape and carnal knowledge, along with other sexual assaults committed against children are crimes. The victims of these crimes do not receive services under the SHARP Program. These victims receive services under the Family Advocacy Program.

UCMJ Article 120 addresses rape, sexual assault, and other sexual misconduct that includes:

(1) **Rape** – Any person who commits a sexual act upon another person by – “using unlawful force against that other person; using force causing or likely to cause death or grievous bodily harm to any person; threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping; first rendering that other person unconscious; or administering to that other person by force or threat of force, or without the knowledge or consent of that person, a drug, intoxicant, or other similar substance and thereby substantially impairing the ability of that other person to appraise or control conduct; is guilty of rape” (NDAA 2012, Sec. 541)

(2) Sexual Assault – “Any person who commits a sexual act upon another person by – threatening or placing that other person in fear; causing bodily harm to that person; making a fraudulent representation that the sexual act serves a professional purpose; or inducing a belief by any artifice, pretense, or concealment that other person is another person; commits a sexual act upon another person when the other person is incapable of consenting to the sexual act”

(a) **Aggravated Sexual Contact** - use of force to cause another person to allow sexual contact

(b) **Abusive Sexual Contact** - threats to cause another person to allow sexual contact

NOTE: The term “force” means - : the use of a weapon; the use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or inflicting physical harm sufficient to coerce or compel submission by the victim. The term “unlawful force” means an act of force done without legal justification or excuse. (NDAA 2012, Sec. 541)

UCMJ Article 125 addresses **Forcible Sodomy** - (oral or anal sex) - oral or anal sex by force and without consent

NOTE: Article 125 is currently under review.

NOTE: Attempts. Even if one does not actually commit these acts, the Soldier can be court-martialed for simply attempting to commit these acts. Attempts are reported, investigated, and prosecuted as a form of sexual assault.

Carnal knowledge is sex with a minor and the military considers anyone under the age of 16 a minor. A minor cannot give consent, so consensual sex with a minor is **ILLEGAL!** Soldiers will be prosecuted for having sex with a minor, even if it was consensual. Carnal knowledge is a form of sexual assault, however because of federal and state laws that govern child abuse reporting and investigation, carnal knowledge is reported, prosecuted, and managed separately from this program. The restricted reporting avenues of confidentiality that will be discussed later in this lesson do not apply in a case of carnal knowledge. The Family Advocacy Program administers child abuse prevention and response programs.

NOTE: One can be guilty of these sexual misconduct crimes with their spouses. Spouses must also give consent for sexual intercourse! Aggravated sexual assault and rape can include married couples and Soldiers will be prosecuted for marital rape. Because of federal and state laws that govern domestic violence reporting and investigation, when rape or sexual assault involving a married couple occurs, it is reported, prosecuted, and managed separately from this program. The restricted reporting avenues of confidentiality that will be discussed later in this lesson do not apply in a case involving marital sexual assault. The Family Advocacy Program administers domestic violence prevention and response programs. Remember, sexual assault can occur without regard to gender, spousal relationship, or age of the victim.

NOTE: Show Slide 48 (Sexual Assault Legal Ramifications)

NOTE: Legal Ramifications - As discussed earlier, sexual assault includes several offenses. Sexual assault crimes are punishable under different articles of the UCMJ. Punishments may range from the death penalty and confinement to legal or administrative actions.

-Depending upon the offense and the circumstances of the offense, the maximum punishments include death, confinement for life with or without eligibility for parole, confinement for a period of years (for example 5 years), reduction in rank to E-1, total loss of all pay and allowances, dishonorable discharge (enlisted Soldiers only), bad conduct discharge (enlisted Soldiers only), and dismissal (officers only).

-Criminal incidents in the Army will be reported to military police. Serious crimes and incidents as defined by AR 195-2 will be reported and investigated by CID personnel. Article 120 of the UCMJ, Rape, Sexual Assault and Other Sexual Misconduct and Article 125, Sodomy, fall under the CID investigative responsibility.

-Remember, sexual assault is a violation of Army Values, contradicts the Warrior Ethos and is contrary to the Soldier's Creed. Sexual assault has NO place in our Army!

NOTE: Mention that false reporting of any crime, including sexual offenses, is a violation under the UCMJ. False reporting may include a false official statement and or a false sworn statement.

NOTE: Show Slide 49 (Sexual Assault Warning Signs)

NOTE: Warning Signs – Red flags or warning signs are small signs in a person's behavior or communication that tell you that things are not OK. These warning signs can be things that are said or done that make you feel like the person you are with is not safe or cannot be trusted. A warning sign is sometimes described as a small voice inside of you, or an "uh-oh" feeling that is warning you that something isn't right and to be careful.

Intrusion is where a potential offender tests boundaries. The potential offender will gradually intrude on a person's personal boundaries—emotional, physical, and sexual. Examples of this behavior includes making inappropriate or uncomfortable comments, suggestive remarks, intrusive touching, initiating conversation that is more intimate than the level of relationship warrants. This behavior is used to ascertain whether or not a person will enforce his or her boundaries.

Desensitization occurs when the potential victim becomes less aware of and/or concerned with the offender's behavior. If the intrusive behavior continues, especially in a social setting where it is impossible to perpetrate an overt sexual assault without witnesses, the person who is having his or her boundaries tested is likely to become desensitized to the intrusions. The person may begin to believe that while the potential offender's actions and comments are making him or her feel uncomfortable, the offender is "harmless enough." The offender will often dismiss the actions as a joke or insinuate that the other person is being too "uptight" or "distrustful." Over time, the offender's actions become normalized and are dismissed or explained away. This process also helps create a false sense of intimacy and trust that would not exist under healthy conditions. It is also important to note that the consumption of alcohol or use of drugs can act as a "desensitizer."

Isolation of another person must occur for the potential offender to have the opportunity to commit the sexual assault. If the offender can isolate the potential victim, it becomes harder for that person to escape or defend him/herself. In addition, if the offender can isolate the other person, there are no witnesses who can validate a future claim of sexual assault should the other person choose to come forward and report. It becomes harder to prove and more likely that the survivor will be discredited by a society still harboring "rape myths."

NOTE: Show Slide 50 (Intervention Techniques)

NOTE: Remember, the five steps in the intervention process. Effective intervention may have to come in several attempts.

- Confront the inappropriate behavior with or without the help of others.
- 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.

-NOTE: Bottom line: Don't stop until the potential victim is no longer at risk. ***EXPLAIN that Soldiers and civilians should contact a supervisor, the security guards, and/or call 911 if they encounter a situation where intervening could result in immediate physical harm to them.***

NOTE: Show Slide 51 (Sexual Assault Restricted Reporting)

NOTE: Restricted Reporting allows a Soldier or his/her Family members 18 years of age or older, who is a sexual assault victim to confidentially disclose details of his/her sexual assault to specifically identified personnel without triggering an investigative process. To make a restricted report, the victim **MUST** notify one of the following personnel:

(1) Sexual Assault Response Coordinator (SARC): The SARC/SHARP Specialist serves as the center of gravity for Sexual Harassment/Assault Response and Prevention and is the key to local coordination and implementation of responses to sexual assault. During deployment, each brigade size unit has a deployable SARC/SHARP Specialist. The SARC/SHARP Specialist has victim advocates assigned to work directly with victims.

(2) Victim Advocate (VA): VA/SHARP Specialists provide services to victims, including support, assistance, and coordination between agencies. Most importantly, the VA explains the reporting options to victims, so that the victim can make an informed and educated decision before proceeding.

(3) Healthcare personnel: Medical or local civilian medical facilities provide prompt medical care (e.g., evaluation, care of victim, evidence collection, forensics support, and initial and follow-up mental health counseling).

NOTE: Communication with Chaplains is confidential, but it does not constitute a restricted report

NOTE: Show Slide 52 (Sexual Assault Restricted Reporting Con't)

NOTE: Restricted Report Eligibility - 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).

NOTE: The Department of Defense Directive (DoDD) 6495.01 mandated that Soldiers and military Family members 18 years of age or older who are eligible for treatment in the military healthcare system, and who were victims of sexual assault perpetrated by someone other than a spouse or intimate partner will have two reporting options: restricted and unrestricted reporting. The Family Advocacy Program provides the full range of services to victims of domestic violence who are sexually assaulted by someone with whom they have an intimate partner relationship.

Legal assistance will also be provided to Soldiers and their family members.

NOTE: Show Slide 53 (Unrestricted Reporting)

NOTE: Unrestricted Reporting allows a victim who desires medical treatment, counseling, and an official investigation of the allegation to use current reporting channels (for example, the chain of command or law enforcement) or to report the incident to the SARC/SHARP or VA/SHARP Specialist.

NOTE: Filing an unrestricted report will initiate an official investigation. Details of the incident are limited to personnel with a legitimate need to know.

NOTE: IAW DoDD 6495.01, DOD civilian employees and their Family members 18 years of age or older, when stationed OCONUS and U.S. citizen contractor personnel when authorized to accompany Armed Forces in a contingency operation OCONUS are authorized emergency care and limited sexual assault prevention and response services.

NOTE: Show Slide 54 (Restricted vs. Unrestricted Reporting)

NOTE: Discuss differences between restricted and unrestricted reporting options.

NOTE: Show Slide 55 (Sexual Assault Available Resources)

NOTE: Unrestricted Reporting – Available Resources – SHARP Personnel, Healthcare Providers, Chaplains

- (1) Chain of command
- (2) Military Police – can get the investigative process started and refer you to additional resources
- (3) Criminal Investigation Division (CID) – investigates criminal incidents
- (4) Staff Judge Advocate (SJA) – appoints Victim/Witness Liaison to help victims and witnesses with the courts-marital process
- (5) Local or State Police – may be contacted if the incident happened off post
- (6) Call 911 – used in an emergency. It is usually the quickest, easiest way to get the appropriate help.
- (7) You also have Army OneSource (AOS) available with unrestricted reporting that can also provide assistance. Army OneSource (AOS) is designed to help Soldiers and their Families deal with life's issues.
 - (a) Provides confidential assistance to sexual assault victims
 - (b) Available 24 hours a day, 7 days a week
 - (c) Available to active and mobilized reserve component (RC) Soldiers, deployed civilians, and their Families worldwide
- (8) Call DOD SAFE Helpline: 1-877-995-5247

NOTE: Show Slide 56 (Commander/Manager Responsibilities)

NOTE: Briefly go through the commander/manager's responsibilities with the group.

NOTE: It is Army policy that there is a presumption in favor of transferring or reassigning a sexual assault victim, at his/her request, following that victim's credible report of sexual assault. Commanders and civilian leaders shall consider requests for transfer or reassignment in an expedited manner. A victim's commander must recommend approval or disapproval within 72 hours of the submission of the request.

Requests may be disapproved ONLY by the first general officer (GO) in the victim's chain of command, who may delegate disapproval authority to another GO within the command, or to a

member of the senior executive service (SES). Disapproval by GO/SES must be made within 72 hours of the victim's commander's recommendation of disapproval.

NOTE: Show Slide 57 (Individual Responsibilities)

NOTE: Briefly go through the individual responsibilities to victims with the group.

NOTE: Show Slide 58 (Sexual Assault)

NOTE: What are the possible effects of not reporting? - There are many consequences of not reporting! Some are very obvious; some are not. Sexual assault is a barrier to good order, discipline, unit morale and readiness, and is inconsistent with Army Values, the Warrior Ethos and Soldier's Creed. Some real consequences of not reporting include:

- Victim's assailant remains unpunished and capable of assaulting other victims
- Assailant may continue to have contact with the victim
- Victim cannot receive a military protective order (MPO)
- Evidence from the crime scene where the assault occurred will be lost and this loss could impede the official investigation if the victim chooses to switch to an unrestricted report
- Victim will not be able to discuss the assault with any service member outside of the protected sphere, including friends in the military, without imposing an obligation upon them to report the crime; the only exceptions would be Chaplains, designated healthcare providers, and SHARP personnel

NOTE: Show Slide 59 (Review Sexual Assault)

Check on Learning, Ask the group:

- What is sexual assault?
- What are the possible effects of not reporting sexual assault?
- What is the difference between a restricted and unrestricted report?

NOTE: Show Slide 60 (Sexual Assault – the Stakes are High)

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

NOTE: The facilitator should introduce the video and note that there will be a discussion at the conclusion of the video.

NOTE: Show Slide 61 This slide must be both displayed AND READ by the instructor.

NOTE: Show Slide 62 (BREAK) READ PRIOR TO DISMISSING CLASS:

We will take a short 5 minute break before beginning the video. Any civilian employee who wants to excuse themselves from the video and its corresponding discussion should return in ____ minutes; according to the clock in the room, that would be ____ (insert return time).

NOTE: Slide 63 [Present Video: "Soldier Training Video"]

Note: Cue the students with specific questions so they can make appropriate observations throughout the video. Otherwise, they may not know what to watch for. Recommendations below:

- (1) What are questionable behaviors you observe in the video?
- (2) Watch how people are responding to one another.
- (3) Identify whether their responses are appropriate or inappropriate.

NOTE: Show Slide 64 (Video Discussion)

INSTRUCTOR NOTE: Slide Animated

NOTE: The questions on this slide serve as example discussion questions. Instructors may introduce other discussion as necessary to address particular areas of emphasis or adapt to the unit's strengths and weaknesses. It is important that the audience takes an active role in the training in order to achieve quality results.

NOTE: Pose the following questions and obtain answers from individuals in the group:

-Is SPC Campbell completely at fault for raping SPC Jones or is the fault shared?

NOTE: The rape victim is never at fault. While SPC Jones could have made better decisions, SPC Campbell ultimately committed the crime.

-What were some red flags in this video?

NOTE: Answers include: alcohol abuse, use of alcohol to subjugate others, not having a plan when going out, lack of buddies looking out for one another, environment that accepts derogatory view of the opposite sex, lack of buddy intervention.

-How does the platoon environment contribute towards sexual assault?

NOTE: An environment that encourages or accepts sexual harassment is also one that allows for sexual assault to occur.

-What is the effect of sexual assault on your buddy? Your unit?

NOTE: Loss of trust, lack of focus, altered emotional state, inability to think positively. Effect on the unit is that the Soldier has become a casualty. That person can no longer perform his/her duty and mission. It means others have to increase their workload because of the casualty.

-Did Lopez's chain of command do the right thing? What could they do better?

NOTE: The chain of command does the right thing. However, if the chain of command would have cracked down on sexual harassment and emphasized buddy teams and looking out for your buddy earlier, then perhaps the situation could have been avoided.

NOTE: Show Slide 65 (Video Discussion)

INSTRUCTOR NOTE: Slide Animated

NOTE: As in the previous slide, the questions on this slide serve as example discussion questions. Instructors may introduce other discussion as necessary to address particular areas of emphasis or adapt to the unit's strengths and weaknesses.

Pose the following questions and obtain answers from Soldiers:

-What if the SPC Miller was a civilian and not a fellow Soldier? Does anything change?

NOTE: The actions we take should be no different. The civilian could be a government employee, a contractor, or even a student. By making an exception because the person is a civilian, the situation could result in serious consequences that could affect you (as a witness), SPC Anderson (as the perpetrator), and reflect poorly on the unit and Army by allowing the situation to occur. The potential for negative publicity on your unit and the Army could be significantly greater when a civilian is involved. For civilians, one must be familiar with state laws and what is required when responding to sexual assault. Local authorities will handle sexual assaults of civilians.

-What is the role of alcohol in sexual assaults?

NOTE: Alcohol reduces inhibitions and impairs judgment. Alcohol oftentimes plays a major role in sexual assaults because it impairs judgment sufficiently that a person who might never consider sexual assault while sober does so when intoxicated. The perpetrator can take advantage of intoxicated victims more easily. Additionally, it can cause communication breakdowns that lead to sexual assault (e.g., consent not given).

While there are many who use alcohol as a weapon to take advantage of vulnerable people, we must also remember that alcohol use or abuse among friends can lead to acts of aggression that were not planned as well. This fact can help Soldiers and civilians see that there is a need for caution when alcohol is being consumed.

-How can sexual assaults be prevented?

NOTE: A variety of answers are acceptable.

NOTE: Show Slide 66 - Transition from video discussion back to general conference/discussion.
We will take a short break; please be back at ____ (should match the return time given prior to the video).

NOTE: Show Slide 67 (Your Role in Prevention)

1. Strongly condemn sexual harassment/assault.
2. Take ownership for eliminating sexual harassment and sexual assault in the Army.
3. Recognize the risk factors when you see them.
4. Intervene to prevent sexual harassment/assault.
5. Encourage Soldiers and civilians to report incidents.
6. Help the Army become the DOD leader and "Blueprint for the Nation."

Recognize the warning signs: sexually charged comments and gestures, suggestive remarks, pressuring someone to drink, inappropriate touching or intimacy, drawing the line with verbal or nonverbal cues, targeting someone who is vulnerable, and attempts to isolate someone.

Intervene - I. A.M. Strong campaign is built on the bystander intervention model, which stresses peer-to-peer intervention.

We are encouraging every individual to intervene. It is up to each Soldier and civilian to protect one another. We are a "Band of Brothers and Sisters." Everyone must let offenders know they're alone in thinking their comments are inoffensive or harmless.

Act to prevent sexual assault by pointing out what is happening in the situation, what the potential consequences are, that the behavior is unacceptable, and explain that you are trying to protect both the potential attacker and victim.

Motivate a friend of the potential victim to help you intervene.

Before revealing the warning signs, ask Soldiers “what are some of the warning signs or red flags that would lead you to be concerned about a potential sexual assault?” See how many of the warning signs they identify.

These are some practical strategies to prevent sexual harassment and sexual assault. It is important that you can recognize the warning signs or red flags associated with sexual harassment and sexual assault and then Intervene, Act, and Motivate to prevent the situation from happening.

A key point to emphasize is that they do not always have to directly confront the potential offender in an aggressive manner. There are safer, indirect ways to intervene such as distracting the individual and soliciting the help of others to assist in the intervention. Direct confrontation with the person is not always the best approach.

The worst thing that can happen is for good people to do nothing.

SECTION IV. SUMMARY

Check on Learning

NOTE: Show Slide 68 (Review: Learning Objectives)

NOTE: In this lesson you learned how to:

Define the Army’s sexual harassment and sexual assault policies and prevention strategy.

Recognize potential sexual harassment behavior.

Recognize potential sexual assault behavior.

Apply techniques to safely intervene to prevent sexual harassment and sexual assault from taking place.

Identify reporting options, procedures, and the importance of reporting.

Explain the role of commanders, managers, Soldiers, and civilians in preventing sexual violence.

SECTION V. STUDENT EVALUATION

Testing Requirements

NOTE:

Feedback Requirements

Appendix A - Viewgraph Masters

VIEWGRAPHS FOR LESSON 1: XXXXXX

Viewgraph--click for all slides



Appendix B - Test(s) and Test Solution(s) (N/A)

Appendix C - Practical Exercises and Solutions (N/A)

Appendix D - Student Handouts

HANDOUTS FOR LESSON 1: XXXXXX

Terminal Learning Objective

No Handouts for this training