



## NATIONAL GUARD BUREAU

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ARNG-HRZ

JUN 21 2012

MEMORANDUM FOR The Adjutants General of All States, Puerto Rico, the US Virgin Islands, Guam, and the Commanding General of the District of Columbia

SUBJECT: Updates to the ARNG Sexual Harassment/Assault Response and Prevention (SHARP) Program

1. References. See Appendix A – References (enclosure 1).
2. Purpose. To provide updated ARNG SHARP guidance, to recognize accomplishments to date, and to encourage awareness about “The Invisible War” documentary.
3. Discussion. The ARNG remains committed to eradicating sexual harassment and sexual assault within its ranks. Sexual harassment and sexual assault are contrary to ARNG values, and they degrade mission readiness by devastating the Army’s ability to work effectively as a team.
  - a. The DARNG’s Guidance to The Adjutants General (TAGs).
    - (1) Risk management applies to more than just accident avoidance. I encourage each of you to ensure that ARNG commanders understand how using risk assessments can improve their SHARP postures.
    - (2) It is a leader’s responsibility to safeguard all military service members from the threat of sexual harassment and sexual assaults. Be aware that there are sexual predators that are drawn to military service. The buddy system is fine, but we also must ensure that we are not creating vulnerabilities when separating men and women.
    - (3) Use good judgment, and include sexual harassment and assault prevention efforts in your risk assessments.
    - (4) Use all available risk-assessment tools, such as the Unit Risk Inventory (URI), the Reintegration Unit Risk Inventory (R-URI), and the Global Assessment Tool (GAT).
    - (5) Identify those Soldiers at the appropriate unit level that need training in the 80-hour SHARP curriculum.
    - (6) Explain that sexual assaults and attempted sexual assaults are serious matters, and reinforce that they are criminal acts.
    - (7) Actively educate recruits about the Army’s SHARP program via the Recruit Sustainment Program (RSP). Ensure that recruits are aware of first responders (i.e., healthcare personnel, chaplains, and their Joint Force Headquarters Sexual Assault

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Response Coordinators [JFHQ SARCs]), as well as being aware of their reporting options for sexual harassment or assault (e.g., restricted, unrestricted, and limited).

(8) Support any official, published CNGB instructions regarding a victim's right to request expedited transfer.

b. The ARNG's Efforts to Date.

(1) We disseminated our ARNG SHARP Implementation Guidance to all Human Resource Offices (HROs) and TAGs on 8 May 2012.

(2) We have trained 786 of our Soldiers in the 80-hour SHARP curriculum, and all of those Soldiers are prepared to receive sexual assault reports.

(3) We have reached 77 percent of our goal to have 100 percent of the force complete the Tier II Unit SHARP training.

(4) We have initiated the Combined Stop the Loss Campaign as an additional effort to identify and reduce the risks that our Soldiers and civilians face. This campaign takes a holistic look at the preventable losses across our formations, and it leverages multiple programs to reduce those losses. Even the second- and third-order effects of sexual assaults, or attempted sexual assaults, may drive Soldiers out of the ARNG.

4. Issue.

a. "The Invisible War," a documentary about rape and sexual assault in the U.S. military, is scheduled for nationwide release on 22 June 2012. This documentary features interviews with military sexual assault survivors, high-ranking military officials, and members of Congress, and some of the interviewees claim that a perfect storm of conditions exist in the military for rape. There are no National Guard Soldiers or Airmen featured in this documentary.

b. The tone of the documentary's trailer is negative and alleges that the military has a poor history in dealing with sexual assaults. Commanders and JFHQ-SARCs, in coordination with their Public Affairs Officers (PAOs), may engage media and the public about their SHARP initiatives in accordance with the attached, approved guidelines and talking points (enclosure 2).

(1) ARNG Soldiers should not address the recent legal action brought against DOD by the Service Women's Action Network (SWAN), nor should they address any other pending litigation. Additionally, PAOs should not discuss or release installation-level sexual assault statistics.

(2) All personnel should understand that sexual harassment and sexual assault are contrary to ARNG values; they degrade mission readiness by devastating the ARNG's ability to work effectively as a team.

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(3) The ARNG's goal is to eradicate sexual assault and sexual harassment by creating a climate that respects the dignity of every Soldier, civilian, and Family member, as well as those outside the military community.

(4) The ARNG SHARP program aims to raise awareness and promote the prevention of sexual violence in the ARNG.

(5) We in the ARNG remain committed to adjusting and refining our SHARP efforts, as necessary, to protect victims and to provide them the best possible support and care.

(6) Many Soldiers and Family members will find that the documentary stirs strong emotional responses. Therefore, the ARNG chaplains are available to help any Soldiers that need to process their reactions to the documentary. Conversations with chaplains are confidential, allowing Soldiers a safe environment to work through their issues.

(7) Unit PAOs and NCOs should refer media queries that are outside the scope of their specific units to their State PAOs. State PAOs should forward media queries that are beyond their areas of responsibility to NGB Public Affairs (NGB-PA). The POC for SHARP inquiries is Mr. Rick Breitenfeldt, Public Information Branch Chief, NGB Public Affairs, at DSN 327-2575, 703-607-2575, or rick.breitenfeldt@us.army.mil. The NGB-PA will in turn coordinate with the Army's Office of the Chief of Public Affairs.

5. The point of contact is COL Tammy Miracle, G-1, Army National Guard, at DSN 327-9181, 703-607-9181, or tammy.miracle@us.army.mil.

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WILLIAM E. INGRAM, JR.  
Lieutenant General, USA  
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**APPENDIX A – REFERENCES (Enclosure 1)**

1. Army Regulation (AR) 350-1, Army Training and Leader Development, 18 Dec 09. (Rapid Action Revision, 4 Aug 11).
2. AR 600-20, Army Command Policy, 18 Mar 08 (Rapid Action Revision, 4 Aug 11).
3. Memorandum, Secretary of the Army, 3 Oct 11, subject: Army Directive 2011-19 (Expedited Transfer or Reassignment Procedures for Victims of Sexual Assault).
4. Memorandum, Army National Guard, 8 May 12, subject: Implementation Guidance for the ARNG Sexual Harassment/Assault Response and Prevention (SHARP) Program.
5. Department of Defense Directive (DODD) 6495.01, Sexual Assault Prevention and Response (SAPR) Program, 23 Jan 12.
6. ALARACT 007/2012, Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation Guidance, DTG: R121650Z Jan 12.
7. ALARACT 123/2011, Mandatory Unit Sexual Harassment/Assault Response and Prevention (SHARP) Training, DTG: 041214Z Apr 11.
8. ALARACT 182/2010, Sexual Harassment/Assault Response and Prevention (SHARP) Program Implementation and Training, DTG: R171138Z Jun 10.
9. ALARACT 075/2009, Sexual Harassment/Assault Response and Prevention (SHARP) Initiatives, DTG: R191404Z Mar 09.



# Army National Guard SHARP Program

*Talking Points*

14 June 2012

## ARNG SHARP Talking Points

### 1. References

- a. DoD Sexual Assault Prevention and Response (SAPR)  
<http://www.sapr.mil>
- b. Sexual Harassment/Assault Response and Prevention (SHARP) Program  
<http://www.preventsexualassault.army.mil/>

### 2. Purpose

Convey the ARNG's commitment to eradicating sexual assault and sexual harassment through its prevention, intervention and response efforts.

### 3. Issue

A feature length documentary by an Oscar and Emmy nominated film team about rape and sexual assault in the U.S. military is scheduled for release nationwide in June. The documentary is a collection of stories and experiences of military sexual trauma survivors and features interviews with high-ranking military officials and members of Congress to "reveal the perfect storm conditions that exist for rape in the military, its history of cover-up, and what can be done to bring about much needed change." The filmmakers' intent is to bring attention to the sexual assault experiences of servicemembers and to ignite public demand for legislation to protect the next generation from rape and sexual assault and the lifelong devastation that follows. The tone of the documentary trailer will be negative and will likely depict allegations of a poor history of how the military deals with sexual assault.

All the services, including the Coast Guard, were asked to provide input to the production to add context to the story. Ms. Carolyn Collins, chief of the Army's G1 SHARP Program Office, in coordination with OSD-PA and OCPA, provided the context into the Army's program. Her on-camera comments were not included in the final cut, but she provided background on the mission of SHARP and methods of assessing program effectiveness among other topics. Other interviewees included MG Mary Kay Hertog, Director of the Department of Defense (DOD) SAPR Office; Ms. Kaye Whitley, former Director of the DOD SAPR Office; Ms. Jill Loftus, Director of the Department of the Navy SAPRO; Rear Adm. Anthony Kurta, Director of Military Personnel Plans and Policy; and Ms. Charlene Bradley, Department of the Air Force Assistant Deputy for Force Management Integration. An interview was also conducted with Mr. Russell Strand about his work with the Military Police School Family Advocacy Law Enforcement Training Program and his experience as a Criminal Investigation Department agent.

#### 4. PA Approach

Public Affairs Posture: Active posture for the ARNG SHARP Program. There is no official ARNG position on the documentary film – it is a privately produced and promoted product and must rest on its own merits.

- Commanders and JFHQ-SARCs, in coordination with their PAOs, should proactively engage media and the public about their sexual assault/harassment prevention and response initiatives using these Talking Points
- PAOs should not address recent legal action brought against DOD by the Service Women's Action Network (SWAN) or any other pending legal action. Additionally, PAOs will refrain from discussing/releasing installation-level sexual assault statistics. Overall sexual assault statistics are contained in DOD's Annual Report on Sexual Assault.
- PAOs are requested to refer queries outside the scope of their specific unit to NGB-PA Public Information Branch Chief, Mr. Rick Breitenfeldt, (703) 607-2575, [Rick.Breitenfeldt@us.army.mil](mailto:Rick.Breitenfeldt@us.army.mil)

#### 5. Key Messages

- The ARNG is committed to eradicating sexual assault and sexual harassment in its ranks. We continue to devote numerous resources, to include enhancements to prevention, intervention, investigations, prosecutions, and victim support.
- Sexual harassment and sexual assault are contrary to ARNG Values. Sexual harassment and sexual assault degrade mission readiness by devastating the ARNG's ability to work effectively as a team.

#### 6. Talking Points

- The ARNG's goal is to eradicate sexual assault and sexual harassment by creating a climate that respects the dignity of every Soldier, Civilian, and Family Member as well as those outside the military community.
- The ARNG has instituted unit-level sexual assault prevention through interactive trainings that focus on strengthening individual knowledge and skills to recognize potentially dangerous situations that may lead to sexual assault and learn how to safely intervene.
- The ARNG is following the Army's lead with the three-tiered SHARP prevention videos at the individual, unit, and leadership levels. The Director of the Army National Guard, LTG Ingram, has produced his own video, which is available for public viewing on YouTube.
- The ARNG will continue to monitor required training to ensure that personnel executing at the State/Territory level have met SHARP training requirements, which will increase the climate of confidence.
- All members of the ARNG team must have at their core an ingrained, values-based "gut reaction," not only against sexual assault, but also against sexually offensive language and gestures that create an environment of abuse. This reaction must compel all to act immediately if in the presence of a potential assault in order to prevent it.

- From Commanders to witnesses, all involved in our system of justice must be free from any intimidation, discouragement or any other influence that may interfere with the free exercise of responsibilities and rights in our military justice process.
- Advocacy is available to promote readiness and ensure support. SARC and Victim Advocates (VAs) are available during drill weekend to all members – whether a sexual assault takes place in a traditional/civilian status or while on duty. Active duty Army prevention training requirements apply to the ARNG and are delivered during annual training or drill weekends.
- The JFHQ-SARC serves as the state SAPR program manager and is responsible for reporting all ARNG state sexual assault reports to the TAG (or delegated authority) and to NGB SAPR within 24 hours.

**ARNG Achievements Talking Points:**

**Topic 1:** DOD development of expedited transfer and document retention policies (signed into effect Dec 11).

Status:

- Army Directive 2011-19, Expedited Transfer Procedures for Victims of Sexual Assault, and Army ALARACT, Subject: Sexual Harassment/Assault Response and Prevention Program (SHARP) Implementation Guidance (which includes expedited transfer guidance), were issued on 3 Oct 11 and 12 Jan 12, respectively.
- Army Document Retention Guidance is being developed.

**Topic 2:** Additional legal assistance (policy signed into effect Oct 11).

Status:

- ARNG JAGs are trained on requirements.
- ARNG provides legal assistance to eligible personnel who are victims of a crime, to include sexual assault.

**Topic 3:** DOD Sexual Assault Victim Advocate Certification Program (under development).

Status:

- Army G1 SHARP Mobile Training Team 80-hour SHARP course accredited by the National Organization for Victim Assistance (NOVA) in May 2012.
- Army G1 SHARP Continuing Education – Annual 24-hour SARC/VA Refresher Training accredited on 14 May 12.
- Army ALARACT 007/2012 (12 Jan 12) requires commands to train SHARP personnel on the 80-hour SHARP course NLT 30 Sep 12.

## 7. Questions and Answers

### **Q1. What does the ARNG think of the upcoming release of the movie, "The Invisible War"?**

A1. Discussing the lifelong and destructive effects of sexual assault is important to fighting the problem and instituting a climate of prevention and response in the Joint Force and in society. We want people who see this movie to know that sexual assault crimes are an attack on the core values that define our Profession of Arms. Our profession is our people. Preserving the trust we have in each other and in our leaders requires an enduring commitment to take on any issue that threatens the health, readiness, and resiliency of the Joint Force.

### **Q2. What means of reporting do Soldiers have?**

A2. To deal with incidents of Sexual Assault, the ARNG has three ways for victims to report: Restricted Reporting, Unrestricted Reporting, and Limited Reporting.

Unrestricted Reporting allows a Soldier who is sexually assaulted to seek medical treatment/Sexual Assault Forensic Exam (SAFE), counseling, and an official investigation of his/her allegation through current reporting channels (e.g., the chain of command or law enforcement). Victims may also file an unrestricted report with the Sexual Assault Response Coordinator (SARC) or an on-call Victim Advocate.

Restricted Reporting allows a Soldier who is a victim of sexual assault, on a confidential basis, to disclose the details of his/her assault to specifically identified individuals (i.e., the SARC, Victim Advocate or Healthcare Provider) and receive medical treatment/SAFE and counseling without triggering the official investigative process.

Limited reporting is for those Soldiers who are outside of duty status, who may choose to speak with someone at the JFHQ who will do referrals for them from the JFHQ.

### **Q3. The movie asserts that relatively few people are held accountable for sexual assaults. Is this true?**

A3. Accountability in a sexual assault case doesn't always involve prosecution at a court-martial and actual jail time. Sexual assault, as defined by the Uniform Code of Military Justice, exists on a continuum from inappropriate contact to violent rape—each with its own prescribed evidentiary requirements and corresponding set of punishments. In cases of unrestricted reporting, with enough evidence to refer a case for prosecution, the case is referred to local law enforcement for adjudication.

### **Q4. What specific actions are you taking to hold offenders accountable?**

A4. A key component of our prevention campaign is a comprehensive effort to improve the ARNG's Investigation and Prosecution of Sexual Assault Cases. The ARNG's practice is to formally investigate every allegation of sexual assault which results in an unrestricted report. This practice demonstrates the ARNG's commitment to thoroughly investigate all unrestricted reports of sexual assault. The ARNG is also collaborating with the Army working group to hold offenders accountable, to include administrative and legal action, as well as the Army wide Sex Offender registry.

### **Q5. How can you say the program is a success since reported cases or assaults are on the rise in the ARNG?**

A5. The more awareness people have of the program and the more confidence they have in the ARNG's commitment in fighting this crime, the more people are likely to report sexual assaults. One of the goals of the awareness campaign is to inform Soldiers of the resources available to them with an intended goal of increasing reporting of assaults.

**Q6. What is the ARNG doing to ensure that the victim is separated from the alleged perpetrator?**

A6. Commanders have the authority to physically separate the victim from the perpetrator by transferring the perpetrator, or the victim, if the victim requests a transfer. Commanders may also issue a Military Protection Order (MPO), referred to as a "no contact order." MPOs are an effective tool for commanders to maintain the safety of the victim and any witnesses. If the victim is in M-Day status, he or she may also obtain a restraining order from the civilian courts.

**Q7. Can a person who has been sexually assaulted a year ago still report it?**

A7. Sexual assault can be reported at any time. Once law enforcement or medical personnel are notified of a sexual assault, the procedures are the same regardless of the amount of time that has transpired since the assault.

**Q8. What is the SHARP program?**

A8. In 2008 the Army integrated the Prevention of Sexual Harassment (POSH) and Sexual Assault Prevention and Response missions in order to ensure consistency in messaging, education and training. The ARNG followed in 2011. This construct adds synergy to our prevention efforts as the behavior associated with sexual harassment can be a precursor to sexual assault. This integration also resulted in a re-naming of our program to Sexual Harassment/Assault Response and Prevention, or "SHARP" Program. We have already reorganized at the Department level and are working through the necessary actions and resourcing for units in the field.

**8. Points of Contact**

- ARNG Program Manager – MAJ Tela McFadden, 703-607-2979, [Tela.McFadden@us.army.mil](mailto:Tela.McFadden@us.army.mil)
- NGB-PA – Public Information Branch Chief, Mr. Rick Breitenfeldt, (703) 607-2575, [Rick.Breitenfeldt@us.army.mil](mailto:Rick.Breitenfeldt@us.army.mil)