



LOUISIANA NATIONAL GUARD

PROTECT WHAT MATTERSSM

SEXUAL HARASSMENT ASSAULT RESPONSE PROGRAM (SHARP)



Outline

- Introduction
- Sexual Harassment Assault Response Program (SHARP) Training
- Digital Training Management System (DTMS) Training Data
- Flagging Actions
- Serious Incident Report (SIR) for SHARP Incidents
- Communication w/others (Need to Know)
- BDE/BN SARCs & VA Requirements & Roles
- Risk Reduction during Training Events/Annual Training
- SHARP Mitigation Plan-
- Unrestricted vs. Restricted Reports
 - Expanded RR reporting option
- Q&A



Introduction

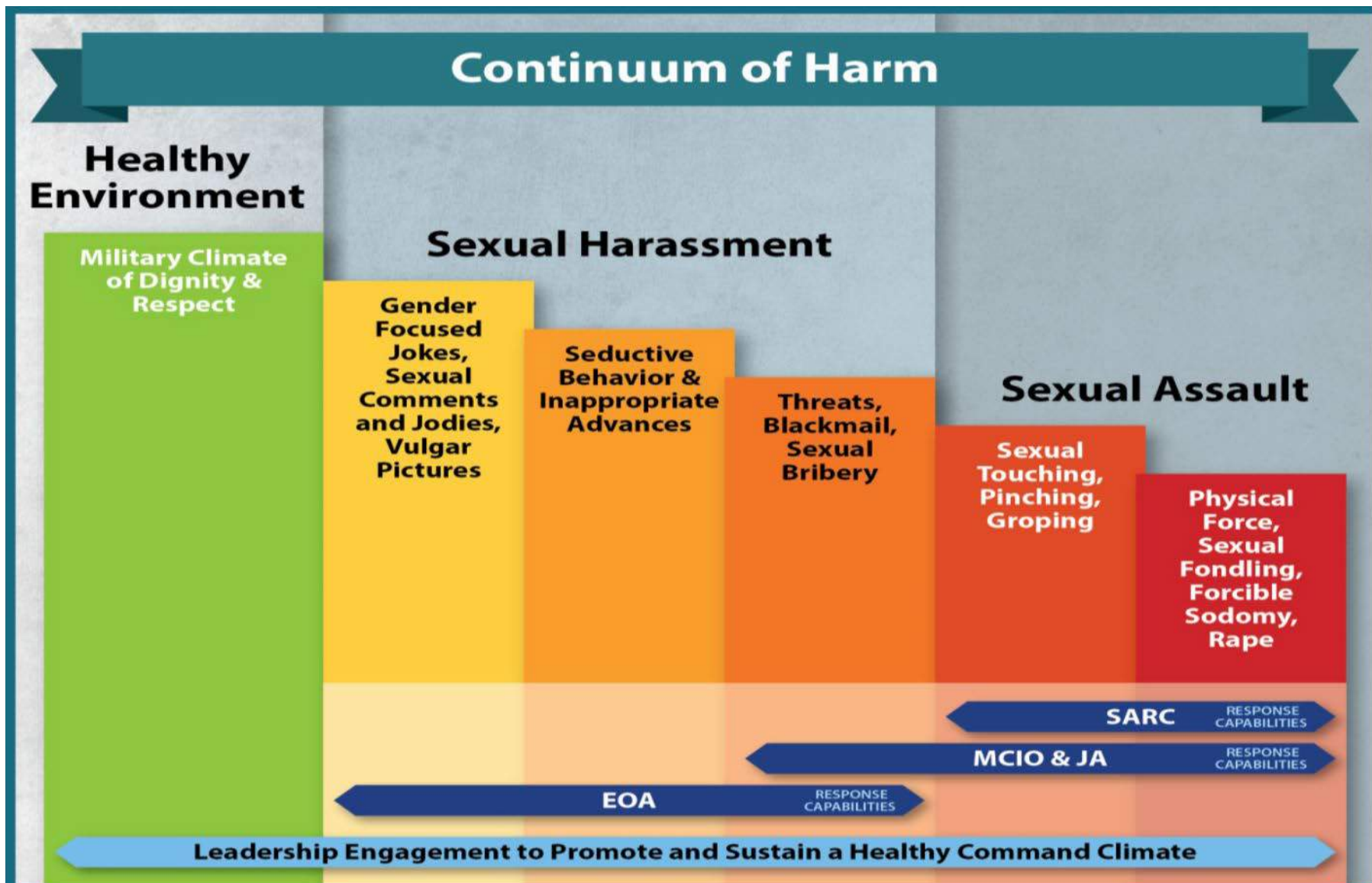
- **JFHQ Sexual Assault Response Coordinator (SARC)**
Mrs. Jenny Hanson
- **JFHQ Victim Advocate Coordinator (VAC)**
Mrs. Jenny Hanson
- **LA Air National Guard SARC**
Vacant

BDE SARCS

- 225th- SGM Alan Knight
- 204th- MSG Eugene Carbaugh
- 139th- Vacant (SARC currently working with unit to fill)
- 256th- SFC Jordan Patrick
- 61TC- SFC Karla Allen
- Training Center- SFC Tricia Cruse



Continuum of Harm





SHARP Training

- **Victim Advocates (SARC's and VA's)**
 - Once per FY as needed
 - 32 hours or refresher training every two years

- **Soldiers and Leaders at the Unit**
 - FRAGO issued each FY to cover specific SHARP training requirements
 - Soldiers (PV1-E6, WO1-WO2, and O1-O2)
 - Leaders (E7-E9, CW3-CW5, and O3-O9)



SHARP Training

- **Best Practices**
 - Victim Advocate led with Sr. Leader input prior to and during training event
 - Interactive/Adult Learner Friendly (role play, discussion, kinetic design)
 - Most recent training materials
(<https://gkoportal.ng.mil/joint/J1/SAPR/Louisiana/default.aspx>)
 - Complete during 1st Quarter of Fiscal Year



DTMS

- SHARP Soldier and Leader training numbers pulled monthly for RCM data
- Tracked by expiration date & fiscal year (Best Practices = Complete training during 1st Qtr.)
- Enter Soldier Training under “DA ALARACT 123/2011 (IND) SHARP Training (Soldier/Civilian)”
 - *Task Number 150S-SHA-0100, Task Name “Conduct Annual SHARP Face to Face Training”*
- Enter Leader Training under “DA ALARACT 123/2011 (LEA) SHARP Leader Training
- **Leader’s (E-7 and above, CW3 and above, O-3 and above) should receive both trainings each FY (Soldier and Leader training).**



Flagging Actions

- Soldiers under investigation will be immediately flagged by their unit until the investigative process is concluded

No Favorable Actions – including schools

- Ensure all investigative and legal processes have been concluded prior to removing a flag
- The JFHQ SARC, VAC, or Staff Judge Advocate (SJA) representatives are the POCs for verification of SHARP related legal processes
- SHARP flags will fall under one of the following categories:
 - Flag Code “M” Law Enforcement Investigation (local, state, MCIO)
 - Flag Code “L” Commanders Investigation (15-6 “SH only” or OCI)



SIR for SHARP Incidents

- Per TAG's **2014 Command Investigation Policy**, all SHARP incidents reported to leadership and supervisors generate an SIR, submitted through regular channels
- Due to the **sensitive nature of these incidents**, SIR's for SHARP incidents will be sanitized, with **no PII** or any other information that could identify either the victim or the alleged perpetrator.
- Do not complete **Section 7** of the SIR in its entirety. Lines 7a(1) and 7b(2) should state "No PII Available via SIR –Contact POC"
- **Section 8** should state "An incident of Sexual Assault/Sexual Harassment has been reported at the unit"



Communication- “Need to Know”

- **SARC’s and Victim Advocates**
 - Support the unit, assist commanders and assigned victims
 - Victim’s consent needed to disclose information
 - Alleged perpetrators should be directed to Trial Defense Services (TDS)
- **Commanders**
 - Key Personnel “need to know” chain (process absences, orders, appointments, etc.).
 - Defer to Staff Judge Advocate (SJA) for legal questions/concerns
- **Communication**
 - Only what you **need to know**, with appropriate permission/consent, in the official capacity of your job, to perform a task/duty
 - Verbal is best, encrypted email if necessary (no PII)



BDE/BN SARC & VA Requirements

- **Appointed** (BN & BDE Appointment Letter)
- **Vetted** (Background Check, Sex Offender Registry, MCIO check, Security Clearance, Rank, 2 yrs. retain)
- **Trained** (2 week SHARP Certification Course – AC or NGB)
- **Credentialed** (D-SAACP credentials via NOVA-2yr expiration)
- **Refreshed** (30 hours of Advocacy training and 2 hours of Ethics training every two years from D-SAACP credentialing date)
- Note: Appointed to Credentialed could take **up to 6 months**



BDE/BN SARC & VA Roles

- **Advise** CDR on climate and SHARP issues as needed
- **Know** best practices and trends
- **Disseminate** educational materials to Soldiers
- **Respond** to SHARP incidents within unit
- **Coordinate** w/SHARP office for incident reports
- **Complete** paperwork for each case
- **Advocate** on behalf of victim
- **Support** / Facilitate Training Events, including SAAPM (April)



Risk Reduction During Training Events

- Restrict Access to Alcohol / Assign E-club NCO
- Designate structured and separate male and female sleeping quarters
- Designate structured and separate male and female latrines/shower facilities
- Assign responsible, courageous individual to give on-the-spot correction during times of minimal sr. leader presence (after hours of IDT periods) and report incidents to higher as needed (BSO and SASO)
- Be unpredictable (surprise inspections, vary patterns of arrival and departure, etc.)
- Encourage courteous professionalism at all times



FY22 LANG SHARP Mitigation Action Plan

- **Purpose:** LANG's objective is to reduce incidents of sexual assault and sexual harassment within the Louisiana National Guard. The following actions will be taken to meet this objective:
- **Key Tasks:**
 - Promote Responsible Alcohol Use
 - Safeguard Commanders' Areas of Responsibility
 - Ensure SHARP/EO Annual Training Requirements are Met or Exceeded
 - Engage Leaders at Every Level



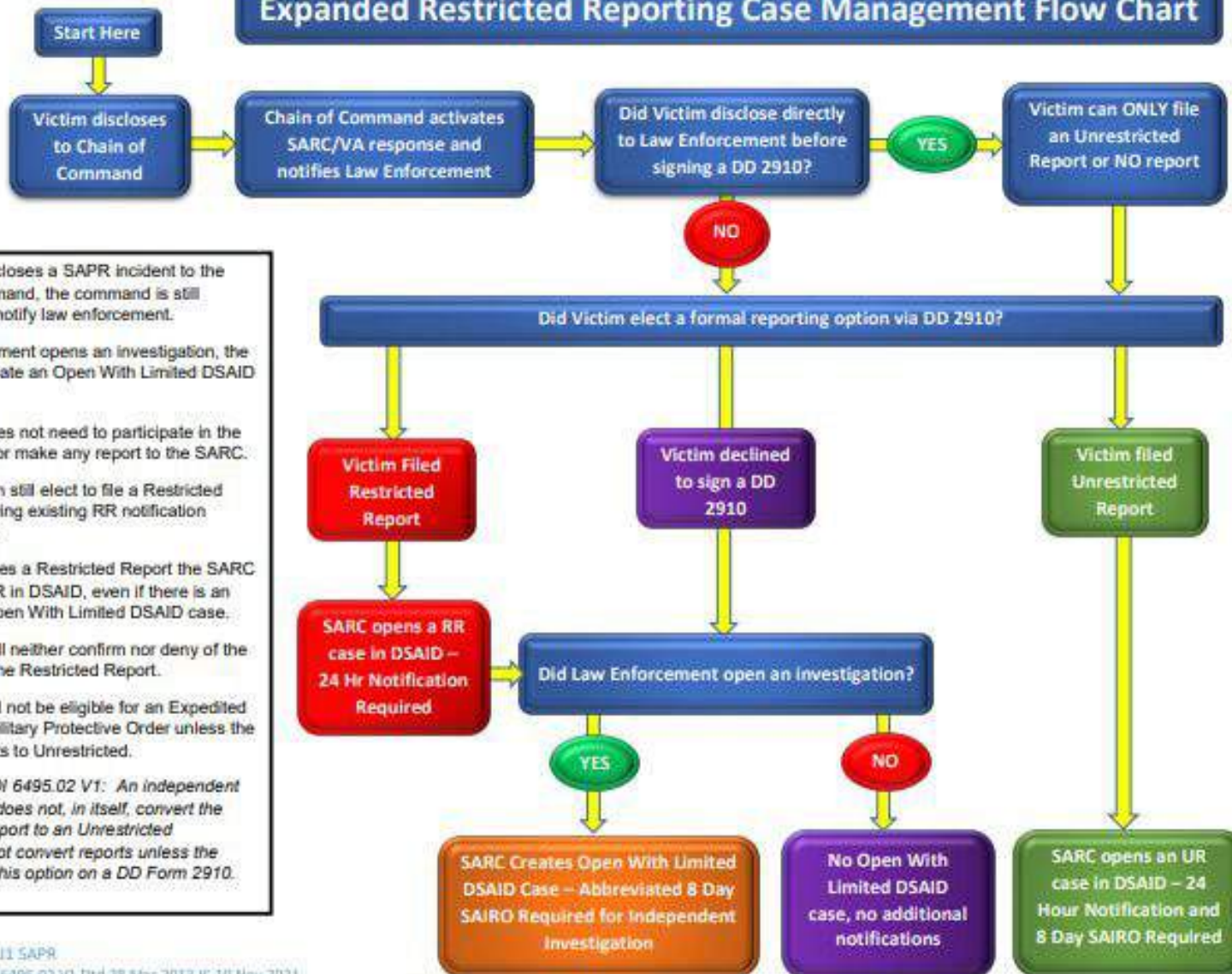
Restricted vs. Unrestricted Reports

RESTRICTED REPORTS (Confidential Channels)	UNRESTRICTED REPORTS (Non-Confidential Channels)
Health Care Providers	Commander
Chaplain	1SG
Victim Advocate	Supervisor
SARC	SJA/JAG
SVC (Special Victims Council)	Military Law Enforcement
Confidant (Not CoC or Supervisor)	Civilian Law Enforcement



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Expanded Restricted Reporting Case Management Flow Chart



If a victim discloses a SAPR incident to the chain of command, the command is still mandated to notify law enforcement.

If law enforcement opens an investigation, the SARC will create an Open With Limited DSAID case.

The victim does not need to participate in the investigation or make any report to the SARC.

The victim can still elect to file a Restricted Report, following existing RR notification requirements.

If the victim files a Restricted Report the SARC will open a RR in DSAID, even if there is an associated Open With Limited DSAID case.

The SARC will neither confirm nor deny of the existence of the Restricted Report.

The victim will not be eligible for an Expedited Transfer or Military Protective Order unless the report converts to Unrestricted.

From the DoDI 6495.02 V1: An independent investigation does not, in itself, convert the Restricted Report to an Unrestricted Report. Do not convert reports unless the victim elects this option on a DD Form 2910.

Jan 2022 NGB 11 SAPR
Reference DoDI 6495.02 V1 (td) 28 Mar 2013 (E) 10 Nov 2021

This flowchart is a tool designed for use by SARCs and SAPR VAs to support case management



Military Rule of Evidence 514 **“Victim Advocate- Victim Privilege”**

- A victim has a privilege to refuse to disclose and to prevent any other person from disclosing a confidential communication made between the victim and a victim advocate, in a case arising under the UCMJ/LCMJ, if such communication was made for the purpose of facilitating advice or supportive assistance to the victim.



Services Available

- Forensic Exam
- Medical Treatment
- Advocacy
- Counseling
- Special Victims Counsel (attorney for victim)
- Law Enforcement Investigation (unrestricted report only)
- Expedited Transfer (unrestricted report only)
- Civilian Protective Order (through civilian law enforcement)
- Military Protective Order (unrestricted report only)



Unrestricted Reports to Leadership

- Commanders who receive a report of sexual assault need to complete the following tasks:
 - Provide the victim with a safe and secluded location (away from the alleged perpetrator) and ask if medical attention is needed
 - Contact a Unit/BN/BDE Victim Advocate or SARC to immediately speak with the victim (call State SHARP personnel if you are unsure who can speak with a victim).
Note: Victim can refuse advocacy.
 - Submit SIR with no PII through normal routing channels
 - Confer with BDE SJA and complete Military Protective Order
 - If victim refuses to report to local law enforcement, report incident to LLE agency with jurisdiction
 - Process Expedited Transfer requests within 72 hours of receipt
 - Complete SAIRO report within 8 days of incident and submit to O6 in COC and State SARC
- Investigation must be conducted through proper channels (LLE, MCIO, OCI) – CDR's
DO NOT INVESTIGATE



Independent Investigations

- A Commander can initiate an Independent Investigation into an alleged sexual assault without a victim filing a report through SAPR/SHARP office; however, the victim (if identified) is under no obligation to participate in this investigation
- “Initiate” means CDR’s can call the law enforcement agency with jurisdiction over the incident and ask the agency to investigate or work with SJA to request a TAG endorsed OCI investigation, not conduct an investigation themselves
- Investigations must be conducted through proper channels (LLE, MCIO, OCI)



Inclusion of Sex-Related Offenses in Personnel Records

- Per **Army Directive 2014-29** “Inclusion and Command Review of Information on Sex-Related Offenses in the Army Military Human Resource Record”, Commanders will ensure that a Soldier’s permanent record in the AMHRR is annotated for Soldiers who receive a court-martial conviction, nonjudicial punishment or punitive administrative action for a sex-related offense.
 - Memorandum or Reprimand
 - Admonishment or Censure
 - WILL NOT BE FILED LOCALLY or in the RESTRICTED FOLDER.
 - WILL BE FILED in the PERFORMANCE-DISCIPLINARY FOLDER in the interactive Personnel Electronic Records Management System.

**Permanent
Record**

**Permanent
Record**

**Permanent
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Retaliation Reports

Retaliation includes the following offenses in connection with a reported SHARP incident per the Whistleblower Protection Act:

- **Reprisal**
 - Taking or threatening to take an unfavorable personnel action, or, withholding or threatening to withhold a favorable personnel action
- **Ostracism**
 - Exclusion from social acceptance, activities, or interactions; denying privilege of friendship; blaming; subjecting to insults or bullying.



Retaliation Reports (cont.)

- **Cruelty, Oppression, or Maltreatment**
 - Assault; physical or psychological force or threat; abusive or unjustified treatment that results in physical or mental harm
- **Other Criminal Offenses**
 - Any other crime under the UCMJ (e.g., assault, destruction of property, obstructing justice, failure to obey order or regulation)



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SHARP/SAPR POC's

Mrs. Jenny Hanson
504-278-8154 (Office)
225-716-2531 (Cell)

jenny.l.hanson7.civ@army.mil

225-329-8254 (24 hr. Crisis Hotline)

DoD SAFE Helpline

Email: <http://www.safehelpline.org>

Online Chat: <http://www.safehelpline.org>

Texting: (*55-247)

Texting outside the US (202-470-5546)



Questions?