

COMMANDING OFFICER'S POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE



Sexual assault is not only prejudicial to good order and discipline, it is a crime. Sexual assault is defined as intentional sexual contact, characterized by the use of force, physical threat of force, abuse of authority, or when the victim does not or cannot consent. Sexual assault can occur without regard to gender, spousal relationship, or age of victim. **Consent shall not be deemed or constructed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, coercion, or when the victim is asleep, incapacitated, or unconscious.**

Sexual assault will not be tolerated in this Battalion. Where cause exists, appropriate legal or administrative action will be taken against violators. Victims will be treated with sensitivity, decency and respect, and will receive appropriate medical, emotional, psychological, and social services. Care will be given to ensure the identity of a victim is released only to those who have a need-to-know. Victim safety and rights are paramount at all times. Those who report sexual assault incidents will be protected and not be re-victimized.

Sexual assault incident reporting maybe initiated via the following reports:

A restricted report allows the victim to receive medical, informational, advocacy, and counseling support services without notification of law enforcement or the command. A restricted report can be made to a Uniformed Victim Advocate, Sexual Assault Response Coordinator (SARC), Healthcare Provider (HCP), DOD safe helpline 24/7 (877-995-5247), or the Base Sexual Assault 24/7 help line (808-216-0126). In a restricted report, the victim's identity remains confidential, and is not forwarded to law enforcement or command authorities.

An unrestricted report also allows a victim to receive medical, informational, advocacy, and emotional/psychological counseling support services and an official investigation ensues. An unrestricted report can be made to law enforcement authorities or the command, as well as to ta UVA, SARC, HCP, Chaplain, DOD safe helpline, and the Sexual Assault help line. Although the victim's identity will not remain confidential, care will be given to ensure that it is released only to those with an actual need-to-know.

I expect all members of the Battalion to speak out against sexual violence and intervene when necessary. It is only by our united efforts that we will succeed in creating a zero-tolerance environment and end sexual violence.


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