



CJTF Phoenix VII Equal Opportunity and Sexual Assault Prevention and Response Programs Newsletter



EO/SAPR Team: LTC VanCort and MSG Misericordia

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Welcome from the EO/SAPR Team for CJTF Phoenix VII, we hope that you find this newsletter beneficial in the performance of your duties as an Equal Opportunity Leader (EOL) and/or Victim Advocate (VA). We have placed many useful tools on the CJTF PHX VII intranet site at:

<https://tfphx.oneteam.centcom.mil/Pages/default.aspx>. You can find guidance, procedures, forms,

posters, training packages, etc for both Equal Opportunity and Sexual Assault Prevention and Response. We welcome your feedback, comments, suggestions, etc.

Thank you for accepting this critical duty appointment as either an Equal Opportunity Leader (EOL) or Unit Victim Advocate (UVA). This duty may seem insignificant day-to-day but will be invaluable to any Warrior who may require your assistance. All the efforts put into prevention of discrimination, harassment or assault will reap benefits and keep our unit's mission ready. Let us know when you have an evaluation due. We will provide you or your rater with feedback on your critical additional duty for consideration in your evaluation. When it comes time for you to depart the CJTF, remind your ARSIC Command of your impending departure and the need to identify and/or train a replacement; take the time to transition your replacement if time/personnel allows; and advise this office 30 days prior to your departure from theater so we can acknowledge all our EOLs and UVAs for their service. Thank you for all you do for the CJTF Phoenix Warriors

PLEASE DISSEMINATE THIS NEWSLETTER THROUGHOUT YOUR ORGANIZATIONS

(FORWARD EMAIL, POST ON BULLETIN BOARDS)

Equal Opportunity and Prevention of Sexual Harassment

ALL EOL's please ensure command policy letters and posters are displayed throughout your FOB's. Ensure they contain EOL names and contact information. With the consistent flux in personnel in/out it is essential to keep this information current and posted.

Reminder: Continue to conduct and document all refresher training. We are receiving feedback that the training packets have been useful and many units have completed the training.

Special Topic – Sexual Harassment. Commanders and subordinate leaders must understand other related elements for assessing sexual harassing behavior. Two of these are the relevancy of intent versus impact and "unwelcomed" as viewed by a *"reasonable person"* standard.

Intent vs Impact

Leaders must understand that what Soldiers may consider to be joking or horseplay must be evaluated on its appropriateness or offensiveness as perceived by the recipient. When attention of a sexual nature is unwanted, not initiated, unsolicited, it is considered "unwelcomed." Assessing whether the behavior is appropriate or offensive must be done from the perspective of the victim, not the alleged harasser.

In determining whether such behavior constitutes sexual harassment, a primary concern is the impact of the act upon the victim, not the intent of the alleged harasser. An excuse such as, "I was only joking" is irrelevant. In the event of a complaint, the impact of an incident or series of incidents is reviewed and evaluated from the complainant's perspective.

Whether or not the victim is emotionally affected and/or willingly submitted to the behavior of the harasser is irrelevant in determining an incident of sexual harassment. The only relevant question to be answered is "Was the behavior appropriate or inappropriate?" as it relates to policy. Commanders may consider intent when adjudicating an appropriate command response or specific corrective actions.

Reasonable Person Standard

Another variable in assessing the impact of sexual harassment is measured by the "reasonable person" standard. This standard is used to predict the expected reaction to or impact of perceived offensive behaviors on the recipient. It ensures adequate sensitivity to a person's feelings and perspective while avoiding extremes. The standard asks, "How would a reasonable person under similar circumstances react or be affected by such behavior."

"CPT Chin really likes his subordinates and he makes it a point to treat everyone the same. He especially likes to joke and tease in what he feels is a good-natured way. He makes comments like "How's your love life?" and "Don't do anything I wouldn't do", but he has never made lewd or offensive comments. None of his subordinates has ever objected, and sometimes they even coerce him into telling some of his

stories. " Is CPT Chin committing acts of Sexual Harassment? (check next month for response)

EOL Toolbox -

Impact of sexual harassment on the victim

1. Psychological effects

- a. Decrease self-esteem and self-confidence
- b. Difficulties with trust
- c. Depression
- d. Anxiety
- e. Fear of rape
- f. Increased fear of crime in general
- g. Seemingly "contradictory" emotional responses to the harassment
- h. The victim may regard sexual harassment as a shameful experience, which may lead to social isolation/alienation from coworkers who may have experienced similar harassment.

2. Health-related effects - In addition to the psychological abnormalities caused by sexual harassment, several researchers have documented a variety of physical health complaints. Common physical health complaints include:

- a. Headaches, neck, and back pain
- b. Gastrointestinal disturbances
- c. Tiredness/fatigue
- d. Sleep disturbance
- e. Weight loss and loss of appetite
- f. Dental related problems

Watch for these signs in your personnel, they may not be disciplinary problems; they may be suffering for the impact of being sexually harassed or even worse, assaulted.



Hispanic American Heritage Month 15Sep-15Oct 08

DEOMI illustrator Peter Hemmer describes this year's Hispanic American Heritage Month observance poster:

"In designing elements to illustrate this year's theme of "Getting Involved: Our Families, Our Community, Our

Nation," I chose the following: color scheme- red, white & blue, not only denoting the obvious nod to America, but also the fact that almost every Hispanic country uses red, white and blue as their flag's color scheme. Design- the semiabstract figures (viewed from above) radiate outward from a family nucleus of mother, father and two children to include and represent grandparents, extended family, community and nation. The heart at the center of the "family" symbolizes not only the love of family, but the involvement in each other's lives as well. On a larger plane, the overall design looks similar to stained glass. In most of the Hispanic art that I researched, religious symbolism was prevalent. However, I chose a more subtle way to showcase the importance of religion in Hispanic art & culture."

<https://tfphx.oneteam.centcom.mil/Pages/default.aspx>
SOP's for EO and SAPR are on this website. If you are looking for forms, checklists, etc., they are here. It is a working site and new items are added all the time.

Sexual Assault Prevention and Response Program

Prevention/awareness: With JTF-SAPR 006. Under Secretary of Defense for Personnel and Readiness Memorandum, "Department of Defense (DoD) Definition of Sexual Assault," December 13, 2004, the Department of Defense released a standard definition of sexual assault to be used for training and education purposes across all Services. The DoD definition of sexual assault is: **Sexual assault is a crime. Sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent.** Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender, spousal relationship, or age of victim. Consent shall not be deemed or construed to mean the failure by the victim to offer physical resistance.

Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious. Other sex-related offenses are defined as all other sexual acts, or acts in violation of the Uniform Code of Military Justice, that do not meet the above definition of

sexual assault, or the definition of sexual harassment as promulgated in DoD Directive 1350.2 (Department of Defense Military Equal Opportunity program), paragraph e2.1.15.B. These new definitions distinguish between three distinct categories of prohibited conduct:

- Sexual assault
- Other sex-related offenses

** Request All UVA's ensure that posters are displayed throughout their FOB which contains UVA names and phone numbers. Ensure your Chaplain and TMC, especially have this information. With the consistent flux of personnel in/out it is essential to keep this information current and posted. Additionally, they should contain the following information:

Sexual Assault Hot Line: 431-7454/7453
(Confidential hot line – manned by SARC's at Bagram)
Military OneSource: Overseas:00-800-3429-6477 OS Collect:1-484-530-5908 (Confidential Hotline)
Phoenix TMC, Bldg A-4 237-2412
Phoenix DSARC: 318 237-2241 or 070044476
Bagram ER 431-3207 (5436)

Response:

The Medical SOP was disseminated to all medical facilities within the CJTF AOR. It is also available on the intranet site. Request that UVA's visit your medical facilities and inquire on the SOP and see if there are any questions in regards to the procedures to be used in case a patient reports advising of sexual assault. If there are questions or concerns, please advise us immediately. We need to ensure the proper response to victims that report directly to a medical facility or healthcare professional.

Clarification on Restricted Reporting:

Restricted reports will remain restricted even if command becomes aware of the incident by other than the victim and the protected sphere (Healthcare Provider, Chaplain, UVA, SARC). Two things to remember... This doesn't give investigators the authority to come knocking on the UVA's door to corroborate the information. However, in the event that they do, the rules regarding covered communications are still applicable and the victim would have to consent in writing in order for you to release any information to the investigator. Providing information without the victims consent is punishable under UCMJ. In the event the victim consents and allows disclosure, this

doesn't again doesn't mean the floodgates are open. Disclosure will still be limited to what is needed to address the specific inquiry.

SAPR and DOD: As many of you may be aware, congress has been highly critical of the Military's Sexual Assault Prevention and Response Program. Here at CJTF Phoenix SAPR office we want to prove them wrong, that we continue to provide our service members with information, prevention and awareness, and are prepared to respond should an incident occur. Additionally, the policy will expand to incorporate DOD Civilians and Contractors here in the very near future. They will be entitled to reporting options, medical treatment, services etc.

Your feedback is essential to us.

Good News and Ideas from the Field

The following is an excellent example of the great job that you are all doing out there. Keep this as reference of how to react to a similar situation should one occur on your FOB.

"I have a report of an event at Camp Blackhorse that you ought to know about.

Around 2300 on 20 September, someone knocked/banged on the door to one of the female KBR worker's room. They didn't answer the door and I believe said they would not open the door for the knocker. About 10 minutes later, someone knocked and attempted to open the window to that same room. The window was locked. The individual departed without gaining entrance and was not identified as a civilian or uniformed person.

The Camp leadership was notified and conducted discussions and awareness training at the unit level for each organization. The camp Sergeants of the Guard have been notified to keep an eye out for activity similar to this. The UVAs were notified, discussed the matter, and recommended this as a good time to conduct Sexual Assault Prevention Refresher training. We are setting up the training for the coming week. The UVAs are also planning a walk through around the camp late at night to generally see how things are at the time of night when the event happened.

In the News:

ARMY SECRETARY DEMANDS culture change, launches campaign on sexual assault and sexual harassment, commits to stamping out crime and becoming national leader for assault prevention programs Sep 08, 2008

The Army is conducting a Sexual Assault Prevention and Risk Reduction training summit Sept. 9-12 in Alexandria, Va., to introduce senior leaders and their sexual assault prevention program managers to a new campaign to prevent sexual assaults and sexual harassment and make the Army's program the national model for prevention.

"Sexual assault is a crime that is repugnant to the core values that define our Army," said Secretary of the Army Pete Geren. "Soldiers who live the Army values must not only never commit the crimes of assault or sexual harassment but must actively work to rid our Army of these crimes. It is a Soldier's duty to protect his fellow Soldier from harm--on the battlefield, in the barracks, on-post or off."

"At this summit, we are launching Phase One-leadership commitment to the new campaign," Geren said. "Phase Two includes education and training of Soldiers to ensure they understand their moral responsibility to intervene, stop sexual assault and sexual harassment, and protect their comrades," Geren added.

"In Phase Three our goal is the establishment of an Army culture that drives the twin crimes of sexual assault and harassment from our Army.

The final phase will grow and sustain the program through engagement and program refinement. Our goal is to eliminate sexual harassment and sexual assault from the Army and make the Army sexual assault prevention program a model for the rest of the nation," he said.

Geren is calling on Army leaders to develop and promote a command climate of zero tolerance for gender-based crimes--in attitude, word and deed--and establish a culture that sets an example for America that sexual harassment and any attitudes or activities that foster or allow sexual harassment and assault to happen will not be tolerated.

"The Army will launch new initiatives, create the right climate, and prosecute Soldiers and Army Civilians who don't live up to the standards to which our Army holds our people," Geren said. "We intend to prevent sexual assault, not just respond to the tragedy of sexual assault. We will be the nation's model in how to prevent sexual assault."

As part of the summit, the Army will be launching its I.A.M. Strong program. Rooted in Army values, I.A.M. Strong demonstrates appropriate intervention

behaviors to those confronted by a situation that may lead to a sexual assault. The acronym stands for Intervene, Act and Motivate (I.A.M. Strong) and will give Soldiers the tools they need to stop sexual assaults.

The Army implemented the Sexual Assault Prevention and Response Program in 2004 as part of the Army's effort to eradicate sexual assault through training, prevention, education and awareness programs. When prevention measures fail, victims are assured that a system is in place to provide responsive, caring support while holding offenders accountable.

"I will know this program is a success when we eradicate sexual assault.

Every Soldier and every Army Civilian must be repulsed by sexual assault and compelled to act," said Geren.

Please feel free to provide input to this newsletter. We will publish this on a monthly basis on the 1st of each month. Please forward any input to LTC VanCort or MSG Misericordia NLT the 25th of each month. Thank you all for your role and in performance of this invaluable service you provide to Commanders and Warriors!