



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON BADEN-WUERTEMBERG
UNIT 29237
APO AE 09014-9237

IMEU-BW-ZA

7 July 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: United States Army Garrison (USAG) Baden-Wuerttemberg Command Policy Memorandum #14, Sexual Assault Prevention and Response

1. Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team. It is incompatible with the Army values and is punishable under the UCMJ and other federal and local civilian laws.
2. The Sexual Assault Prevention and Response Program is a command program designed to eliminate incidents of sexual assault through a comprehensive policy. The policy centers on awareness and prevention, training and education, reporting and response, offender accountability, and victim advocacy. Commanders will ensure all military members participate in unit level sexual assault prevention and response training annually and pre-deployment or post-deployment specific training as needed in accordance with DoD Directive 6495.01 and AR 600-20, Chapter 8-7.
3. Sexual assault is a crime defined as intentional sexual contact, characterized by use of force, physical threat, 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 sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim. "Consent" will 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.
4. Active duty victims of sexual assault may be able to receive confidential medical care and support services through a restricted reporting process. The Victim Advocate Coordinator, Unit and Installation Victim Advocates, Chaplains, and healthcare providers are authorized to receive restricted reports without notifying the Military Police. Commanders will ensure that military members are not pressured to reveal the reason behind requests to visit the Medical Treatment Facility, the Chaplain, or Army Community Service Family Advocacy Program as this may interfere with a military member exercising their option to make a restricted report. USAG Baden-Wuerttemberg policy requires that military members or civilian employees, who are not authorized to receive restricted reports, need to report all incidents of sexual assault within 24 hours to the Military Police.

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5. Victims of sexual assault are encouraged to seek assistance 24 hours-a-day, 7 days-a-week, through the Sexual Assault Response Hotline, 0170-609-2862.

6. The proponent for this policy letter is the USAG Baden-Wuerttemberg Family Advocacy Program Manager, DSN 370-6883.



BRYAN D. DECOSTER
COL, MI
Commanding

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