



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 49TH GROUP
3300 B AVENUE BLDG 9305A
FORT LEE, VIRGINIA 23801-5119

AFFL-GC

22 July 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Group Command Policy Letter #6 – 49th Group Policy on Sexual Assault

1. REFERENCES:

- a. Secretary of the Army Policy on Sexual Assault.
- b. AR 600-20, Army Command Policy, 18 March 2008.
- c. DOD Directive 7050.6, Military Whistleblower Protection.
- d. AR 27-10, Military Justice.

2. Sexual assault is a crime under UCMJ, federal and state law. Sexual assault is any intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Those unable to consent include children and mentally incompetent or intoxicated individuals. Sexual assault is a crime that cannot and will not be tolerated; not in the 49th Group and not in the United States Army. Sexual assault has a devastating and often long lasting impact on the victim. Moreover, sexual assault tears at the moral fiber of our units – degrading our readiness. Sexual assault is an affront to our system of Army Values and it grievously harms morale. Sexual assault has no place in the 49th Group or in our homes. I am fully committed to providing an environment free of sexual assault for all Soldiers, civilian and family members of the 49th Group. I charge all commanders, directors, leaders and supervisors with vigorously implementing all aspects of this policy.

3. The 49th Group will include individual training on Prevention of Sexual Harassment (POSH) and prevention of sexual assault as well as during re-integration training. Family Readiness Group (FRG) leaders will also receive this training.

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4. Unit and Organizational leaders will consult with their unit Sexual Assault Response Coordinator (SARC) to ensure training time during at least two quarters of each training calendar year on the prevention of sexual assault, behaviors constituting sexual assault, consequences of committing sexual assault and actions a victim should take after an assault. Commanders will brief the status of POSH and sexual assault training completed in the quarter at Quarterly Training Briefs (QTB) Leaders will ensure that every person under their responsibility understands what constitutes sexual assault and what actions to take in the event of a sexual assault.

5. Commanders at all levels will publish and post written command policy statements on prevention of sexual assault, reporting procedures, and the following points of contact: military police and local police, CID, the Sexual Assault Response Coordinator, the Victim Witness Liaison, Mental Health, and Rape Hotlines.

6. Soldiers, family members and civilians are encouraged to report sexual assault immediately. If a sexual assault occurs, go to a safe place and contact either local or military police. Other options include calling the unit's victim advocate, the Sexual Assault Response Coordinator, a friend, the rape hotline, the chain of command or a medical treatment facility. Victims have rights outlined in AR 27-10 and will be treated with dignity and respect. Commanders, in conjunction with their servicing judge advocate, servicing SARC, DIC and Social Service programs, will implement a plan to protect the complainant, any named witness and the alleged perpetrator from acts of reprisal.

7. Leaders at all levels must take swift and decisive action in preventing, identifying, reporting, and – after consulting with legal authorities – disposing of all incidents of sexual assault. They will also ensure that any victim receives timely and compassionate medical and legal assistance. All leaders will put forth their utmost effort to ensure that this reprehensible crime does not plague our community.

8. The point of contact for this policy is the MSG Taylor at 734-7840.

"49ERS ALL THE WAY!"


M.C. STEPHEN CHERRY IV
COL, LG
Commanding

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