



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON BAUMHOLDER
UNIT 23746
APO AE 09034-0003

14 JUL 2010

IMEU-BMH-ZA

MEMORANDUM FOR RECORD

SUBJECT: Policy Letter 1-5, Sexual Assault

1. Purpose: To establish the USAG Baumholder Commander's policy on sexual assault
2. Applicability: This policy applies to all military, Family Members and civilian personnel assigned to, attached to, or living in the USAG Baumholder community.
3. Policy:
 - a. Sexual assault is a crime that will not be tolerated in the United States Army. It has a devastating and lasting impact on the victim and the unit as it tears at the moral fiber of our core values. We cannot tolerate actions that are counterproductive to our values and actions that degrade our unit's and community's readiness.
 - b. I expect every Soldier in this community to treat every other human being with the respect that they deserve and to live the Army values on and off duty. This community is committed to providing and maintaining a safe work and living environment so that we eliminate any and all incidents of sexual assault.
 - c. DOD has defined sexual assault as intentional sexual contact, characterized by the use of force, physical threat, or abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy, indecent assault, or attempts to commit any of these acts.
 - d. Allegations of sexual assault will be investigated promptly and impartially and will be resolved expeditiously. We will provide a safe and healthy environment for every Soldier in this garrison. Victims will be supported and offenders will be held accountable by taking all appropriate administrative and judicial actions based on the facts and circumstances of each case.
 - e. Victims will be helped, protected and have the following rights:
 - The right to be treated with fairness and respect for their dignity and privacy.
 - The right to immediate medical care and treatment.
 - The right to be reasonably protected from the accused offender.
 - The right to be notified of court proceedings.
 - The right to be present at all public court proceedings related to the offense.
 - The right to talk to an attorney for the Government in the case.
 - The right to restitution, if appropriate.

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The right to information about the conviction, sentencing, imprisonment, and release of offender from custody.

f. Victims of sexually based offenses have two reporting options:

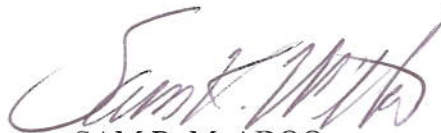
(1) Restricted: Allows the victim to receive confidential services without an investigation. To start a restricted report, victims can contact the victim advocate, the chaplain, Social Work Service, or a medical provider.

(2) Unrestricted: Allows the victim to receive confidential services while also starting an investigation.

g. Commanders and Directorates will ensure that their personnel know the procedures on what to do if a sexual assault is reported within the organization. Commanders and Directorates will also ensure that all allegations of sexual assault are investigated promptly and impartially as possible. All leaders must take a proactive role in raising the sexual assault awareness level at every opportunity. In addition, leaders will ensure that both victim and alleged offenders are afforded their rights so that all involved are treated with fairness throughout the investigation process.

h. Victims will be afforded every opportunity to use all the support services available within the command and the community. These services include, but are not limited to, those available from law enforcement officials, medical providers (social workers, psychologist, and psychiatrists), judge advocates, chaplains and community victim advocates and victim advocate coordinators embedded at Army Community Service. The victim advocate can be reached 24 hours a day at 0162-2708390.

4. For more information on sexual assault trainings or to receive assistance, please contact Army Community Service, Family Advocacy Program at 485-8188.



SAM R. McADOO
LTC, SC
Commanding