SECRETARY OF THE ARMY
WASHINGTON

11-01-2013 OUT

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: John M. McHugh, Secretary of the Army

SUBJECT: Sexual Assault Prevention and Response (SAPR) - Enhancing Commander Accountability

- Your May 6, 2013, memorandum titled "Sexual Assault Prevention and Response" directed the services to enhance commander accountability by developing methods to assess commanders' performance in establishing command climates of dignity and respect and incorporating SAPR prevention and victim care principles in their commands.

- On September 27, 2013, I issued Army Directive 2013-20, "Assessing Officers and Noncommissioned Officers on Fostering Climates of Dignity and Respect and on Adhering to the Sexual Harassment/Assault Response and Prevention Program" (TAB A). This Directive changed the officer and noncommissioned officer (NCO) evaluation reporting system to ensure that the Army better evaluates, and holds accountable, its officers and NCOs with regard to their performance in establishing appropriate climates of dignity and respect and their adherence to SAPR principles.

- In particular, this Directive requires: (1) all raters to assess how well the rated officer or NCO performed meeting these goals and objectives; and (2) all raters and senior raters to document in the rated officer or NCO's evaluation any substantiated finding that the officer or NCO committed an act of sexual harassment or sexual assault, failed to report an incident of sexual harassment or assault, failed to respond to a reported incident or retaliated against a person for reporting an incident.

- Additionally, I expect to issue new policy in the coming weeks regarding command climate assessments. Importantly, this policy will mandate enhanced review of assessment results by a commanding officer's next higher commander. This policy will further help the Army assess our commanders' performance in establishing appropriate command climates.

COORDINATION: NONE

Attachment:
As stated

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SECRETARY OF THE ARMY
WASHINGTON

27 SEP 2013

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2013-20 (Assessing Officers and Noncommissioned Officers on Fostering Climates of Dignity and Respect and on Adhering to the Sexual Harassment/Assault Response and Prevention Program)

1. References:

a. Memorandum, Secretary of Defense, May 6 2013, subject: Sexual Assault Prevention and Response.

b. Army Regulation (AR) 600-20 (Army Command Policy), 18 March 2008, Rapid Action Revision Issued 20 September 2012.

c. AR 623-3 (Evaluation Reporting System), 5 June 2012.

d. Department of the Army (DA) Pamphlet 623-3 (Evaluation Reporting System), 5 June 2012.

2. Both officers and noncommissioned officers (NCOs) must commit themselves to eliminating sexual harassment and assault and to fostering climates of dignity and respect in their units. The Army is taking important steps to provide new training for our leaders, strengthen our training enterprise for all Soldiers, improve our investigative and military justice capabilities and further professionalize our first responders. Even with strong leader emphasis and innovative new programs, we continue to strive for greater progress in preventing sexual assault in our ranks. In response to the guidance in reference 1a, this directive enhances the Evaluation Reporting System to assess how officers and NCOs are meeting their commitments and to hold them appropriately accountable.

3. Effective immediately for any officer or NCO whose rating period begins after the date of this document, I direct the following changes to the Evaluation Reporting System:

a. All officers and NCOs will include goals and objectives in furtherance of the commitments outlined in paragraph 2 when completing DA Form 67-9-1 (Officer Evaluation Report Support Form) or DA Form 2166-8-1 (NCOER Counseling and Support Form).

b. When completing Part V, block b of DA Form 67-9 (Officer Evaluation Report), or Part IV, block d of DA Form 2166-8 (NCO Evaluation Report), raters will assess how

well the rated officer or NCO fostered a climate of dignity and respect and adhered to the Sexual Harassment/Assault Response and Prevention (SHARP) Program. This assessment should identify, as appropriate, any significant actions or contributions the rated officer or NCO made toward:

- promoting the personal and professional development of his or her subordinates;
- ensuring the fair, respectful treatment of assigned personnel; and
- establishing a workplace and overall command climate that fosters dignity and respect for all members of the group.

This assessment should also identify, as appropriate, any failures by the officer or NCO to foster a climate of dignity, respect and adherence to the SHARP Program. Additionally, if the rated officer or NCO had a substantiated incident of sexual harassment or sexual assault in his or her unit, the assessment must note the incident and explain how the officer or NCO addressed it.

4. Raters and senior raters will document any substantiated finding, in an Army or Department of Defense investigation or inquiry, that an officer or NCO:

- committed an act of sexual harassment or sexual assault;
- failed to report a sexual harassment or assault;
- failed to respond to a complaint or report of sexual harassment or sexual assault; or
- retaliated against a person making a complaint or report of sexual harassment or sexual assault.

In such cases, the rater and senior rater will take the following actions:

a. The rater will mark "No" in Part IV, block a5 (Respect) of DA Form 67-9 or Part IV, block a3 (Respect/EO/EEO) of DA Form 2166-8. The rater will also include a statement describing why he/she marked "No" in either Part V, block b of DA Form 67-9 or Part IV, block a of DA Form 2166-8 (for example, "Does not support the SHARP Program because of failure to report an incident.").

b. The senior rater will further comment on the matter in Part VII, block c of DA Form 67-9 or Part V, block e of DA Form 2166-8, as appropriate.

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5. The Deputy Chief of Staff, G-1 is the proponent for this policy and, in coordination with the Assistant Secretary of the Army (Manpower and Reserve Affairs), will issue appropriate guidance to implement this directive. This directive cancels and takes precedence over any contrary guidance in references 1b through 1d, or in any other relevant Army policy document.

6. The Deputy Chief of Staff, G-1 will incorporate this directive into the next revision of references 1b through 1d and will ensure that the policies set forth herein are incorporated into future versions of regulations, forms, policies, procedures and guidance for officer and NCO evaluations. This directive will remain in effect until each regulation and form is revised.

7. The point of contact for this action is U.S. Army Human Resources Command (AHRC-PDV-E), commercial 502-613-9019, DSN 983-9019, or usarmy.knox.hrc.mbx.tagd-eval-policy@mail.mil.

John M. McHugh

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