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DAIN-ZA (600-20)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementing Guidance for Army Regulation 600-20 (Army Command Policy) Command Sergeant Major Access to Information and Participation in the Sexual Assault Review Board

1. References.

- a. AR 600-20, Army Command Policy, effective 24 July 2020.
- b. DoDI 6495.02, Volume 1, Sexual Assault Prevention and Response: Program Procedures, 6 September 2022.

2. Purpose: The Command Sergeant Major (CSM), as the senior noncommissioned officer in a unit, advises the commander on all issues related to assigned members within the command. Commanders deploy their command sergeants major throughout the organization to “extend command influence, assess morale of the force, and assist during critical events.” The mutual example of leadership shared by the commander and the CSM influences the entire organization to operate cohesively and efficiently and yet, this critical concept is not mentioned in references *a* and *b* above. Their support of the Sexual Harassment/Assault Response and Prevention (SHARP) Program and to victims of sexual harassment and assault is vital to the success of the program and the recovery of our Soldiers, Family members, and DA Civilians. This implementing guidance clarifies how commanders may apply the policy specified in the references to provide information to and allow participation by command sergeants major in the monthly Sexual Assault Review Board.

3. Implementing Guidance:

- a. Sexual Assault Review Board (SARB) meetings have three separate and mutually supporting purposes:

- (1) Safety. To ensure the victim’s safety and the safety of retaliation reporters. Safety concerns encompass harm from others and harm to self (e.g., suicidal ideation).

- (2) Victim Services and Retaliation Reporter Referrals. To facilitate victim access to restorative services, retaliation reporter referrals, and tracking of unrestricted reports and retaliation related to unrestricted reports.

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(3) SAPR System Coordination and Accountability. To direct effective response system coordination and ensure appropriate accountability.

b. DoDI 6495.02, Volume 1, page 95, states "Required members (of the SARB) shall include: victim's immediate commander; all Sexual Assault Response Coordinators (SARCs) assigned to the installation (mandatory attendance regardless of whether they have an assigned victim being discussed); victims' Victim Advocate (VA), Military Criminal Investigation Organization (MCIO), and DoD law enforcement representatives who have detailed knowledge of the case; victims' healthcare provider or mental health and counseling services provider; chaplain, legal representative, or Staff Judge Advocate (SJA); installation personnel trained to do a safety assessment of current sexual assault victims; victim's Victim Witness Assistance Program (VWAP) representative (or civilian victim witness liaison, if available), or Special Victim's Counsel (SVC)/Victim Legal Counsel (VLC). MCIO, DoD law enforcement, and the legal representative or SJA shall provide case dispositions. The SARB chair will ensure that the appropriate principal is available. The responsibility for SARB members to attend meetings will not be delegated. Additional persons may be invited to SARB meetings at the discretion of the chair if those persons have an official need to know, with the understanding that maintaining victim privacy is essential".

c. There is no requirement to obtain DoD or HQDA approval to share information with or extend an invitation to CSMs for SARB participation and CSM involvement in the SARB is encouraged. Commanders, with the advice of their Lead SARC and SJA, should keep the following in mind when inviting additional attendees to the SARB:

(1) All SARB members must receive required training prior to attending the SARB in accordance with DoDI 6495.02 volume 1, Enclosure 10. For the purposes of SHARP Policy, CSMs are considered first responders and would receive the same training as commanders.

(2) Any SARB attendee should not be considered as panel members of any courts-martial pertaining to cases discussed during the SARB. Local SJA should ensure that SARB attendance rosters are checked to ensure impartiality of the military justice system.

(3) Improper disclosure of confidential communications discussed during the SARB is prohibited and may result in disciplinary action pursuant to the UCMJ or other adverse personnel or administrative actions. All attendees must be informed of their responsibility to protect this information and the possible consequences of improper disclosure.

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4. This clarification will appear in the release of Army Regulation 600-52, Army SHARP Program.

5. The point of contact for this implementing guidance is Jill M. Londagin, Army SHARP Director, jill.m.londagin.civ@army.mil.

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