DEPARTMENT OF THE ARMY

HEADQUARTERS AND HEADQUARTERS COMPANY
104TH AREA SUPPORT GROUP
UNIT 20193, BOX 0001
APO AE 09165

REPLY TO
ATTENTION OF

IMEU-HAN-EO

20 January 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy (CP) 0-2a, Policy on Sexual Assault

1. REFERENCES:

a. AR 600-20, AR 27-10, AR 190-45, and AR 195-2.

b. Department of the Army Memorandum dated 7 April 2004, SUBJECT: Army Policy on Sexual Assault.

c. USAREUR GEN Bell Sends Note #14-04 dated 19 March 2004.

d. USAREUR Command Policy Letter 26, Processing Equal Opportunity Complaints 4 May 2003.

2. PURPOSE: This policy defines the 104th Area Support Group (ASG) policy on sexual assault.

3. APPLICABILITY. This policy applies to all civilian or military personnel and their family members, and contract personnel assigned or attached to the 104th Area Support Group Area of Responsibility (AOR).

4. INTENT: To develop and maintain an environment free of sexual assault.

5. GENERAL:

a. Sexual Assault: Sexual Assault refers to offenses of a sexual nature committed without the lawful consent of the victim. These offenses, which are punishable as crimes under the Uniform Code of Military Justice (UCMJ), include rape (Article 120), forcible sodomy (Article 125), indecent assault (Article 134), assault with intent to commit rape or sodomy (Article 134) and attempts to commit any of the (USAREUR Sexual Misconduct Awareness Campaign Plan).

(1) Rape: An act of sexual intercourse with another individual by force without the individual's consent.

(2) Forcible Sodomy: Unnatural copulation with another individual for force without the individual's consent. This may involve people of the same or opposite sex. Penetration, however slight, is sufficient to meet the definition of this offense.

(3) Indecent Assault: A harmful or offensive touching of another done with the intent to gratify the sexual desires of the accused.

4. RESPONSIBILITIES:

a. Commanders, Supervisors, and Leaders:

(1) Are responsible for maintaining an environment free of sexual assault.

(2) Will conduct sexual assault awareness, prevention, and assistance training annually.

(3) Will ensure newly arriving soldiers receive POSH and sexual assault prevention training.

(4) Will respond immediately to any incidents of sexual assault and inform the Provost Marshal Office.

b. I expect all personnel to do their part to eliminate sexual assault from the working living, and recreation areas in this command.

5. Point of contact for this policy memorandum is the Equal Opportunity Office at 323-2012. All complainants of sexual assault however, should be referred to the Directorate of Emergency Service (322-1380).

6. This policy memorandum supersedes all previous memoranda, subject as above.

HERMAN WILLIAMS III
COL, MP
Commanding

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