# SHARP Transformation Creating a Shared Understanding of an Evolving Workforce

Col. Travis Jacobs, U.S. Army Lt. Col. Gregg Buehler, U.S. Army, Retired Michelle Pressler Sarah Shibles

he tragic death of Spc. Vanessa Guillén at Fort Hood, Texas, occurred in April 2020. In the time since her death and after two independent reviews, the Army began implementing sweeping changes to the way sexual harassment (SH) and sexual assault (SA) are investigated and prosecuted, and those changes are overhauling the Sexual Harassment/Assault Response and Prevention (SHARP) program workforce.<sup>1</sup>

Public outrage, protests, and investigations into Guillén's death prompted lawmakers and the secretary of defense to examine command climate, unit culture, and the effectiveness of prevention and response programs. Overwhelmingly, the Independent Review Commission (IRC) on Sexual Assault in the Military concluded the rationale for change is rooted in trauma science. Experts in the field of sexual violence concluded that most commanders do not understand the psychological response to a traumatic experience that can aggravate a victim's recovery, but it's the commander who sets the tone for how a unit reacts when an allegation of SA and SH occurs.<sup>2</sup>

The purpose of this article is to promote a shared understanding of SHARP transformation beginning with a review of key reforms directed by executive order, lawmakers, and the Department of Defense (DOD). Moreover, it focuses on the efforts underway to address three key findings and recommendations by the DOD independent review:

- Remove sexual assault response coordinators (SARC) and victim advocates (VA) from the command reporting structure.
- Eliminate collateral-duty SARCs and VAs, with exceptions for isolated installations.
- Undertake a comprehensive approach to professionalizing, strengthening, and resourcing the SHARP workforce.

From a unit perspective, the essence of change is with the existing unit-based model. The legacy model is transforming into a professional installation workforce model. Simultaneously, SHARP training and education will change to meet the needs of an evolving workforce. Finally, while the operating concept for installation and deployed SHARP activities is changing, the commander's role in preventing SA and SH remains unchanged. Army command policy is clear—commanders are the center of gravity for execution of the SHARP program. Commanders and leaders are responsible for the climate in their organization.<sup>3</sup>



A flower bed and memorial offerings lay at the base of a mural of Spc. Vanessa Guillén on a railroad embankment wall in Chicago's Pilsen neighborhood. Guillén was a twenty-year-old U.S. Army soldier who authorities believe was killed on 22 April 2020 inside an armory on Fort Hood, Texas, by another junior enlisted soldier. Subsequent investigations of her death led to sweeping changes in the way sexual harassment and sexual assault are investigated and prosecuted by the Army. (Photo by Terence Faircloth via Flickr)

# **Key Findings and Recommendations**

The Fort Hood independent review exposed flaws in command climate, unit culture, and the overall effectiveness of the SHARP program. The Fort Hood independent review concluded the SHARP program was structurally flawed, and its implementation at the Army's second largest installation had been ineffective; it called for the professionalization of the SHARP workforce.<sup>4</sup>

In January 2021, President Joseph Biden was sworn into office and directed Secretary of Defense Lloyd Austin to establish a commission pursuing solutions to SA and SH across the military.<sup>5</sup> Austin quickly started a review of the services in February 2021.

Lawmakers also responded quickly to the independent reviews. Congresswoman Jackie Speier, a member of the House Armed Services Committee and chair of the Military Personnel Subcommittee, remarked, "One year after the senseless murder of Specialist Vanessa Guillén, and after two damning reviews, the need for fundamental reform of the military's approach to sexual assault and harassment has never been more urgent."<sup>6</sup> The DOD independent review was aptly named *Hard Truths and a Duty to Change*. Experts on sexual violence and trauma science concluded the SA and SH workforce within the DOD was inadequate.<sup>7</sup>

Austin's response to the findings and recommendations was swift and clear; he expected the services to accept the findings and implement a road map for the recommendations. He stated, "No one single action the Department can take will fix this problem. Ending the scourge of sexual assault and sexual harassment in the military demands strong leadership across the enterprise."<sup>8</sup> Within sixty days of publishing the DOD



SHARP marketing materials (Photo by Norma Ray, Student Services, U.S. Army SHARP Academy)

independent review's findings, a road map was developed to address all recommendations.<sup>9</sup>

In January 2022, Biden signed an executive order making sexual harassment a punishable offense under the Uniformed Code of Military Justice.<sup>10</sup> Secretary of the Army Christine Wormuth then emphasized her focus on people in 2022 by making command climate and harmful behaviors a top objective. Wormuth highlighted the importance of prevention in her 2022 message to the force, stating, "We need to shift from responding to harmful events after they have happened to finding ways to prevent them. To do that we must develop and institutionalize preven-

tion-oriented approaches that year after year will

#### **Army,** is the director of the U.S. Army SHARP Academy. He is a career

Col. Travis Jacobs, U.S.

military police officer and commanded military police units at the company, battalion, and group levels.

#### Lt. Col. Gregg Buehler, U.S. Army, retired, is the chief of capabilities development for the Army SHARP Academy at Fort Leavenworth, Kansas. During his military career, he served in a variety of logistics assignments and, early in his career, served

as an artilleryman.

reduce the frequency of harmful behaviors such as sexual harassment and assault."<sup>11</sup>

The DOD independent review was clear that prevention is a specific discipline rooted in public health and science. Critical of the services' prevention efforts, the IRC concluded that although hosting teal pancake dinners, printing a hotline number on a water bottle, and dance contests are examples of awareness, these are not prevention methods for sexual assault or harassment.<sup>12</sup>

### New Workforce Model

Three specific IRC recommendations address fundamental changes to the structure, staffing, and preparation of the Army's SHARP workforce. The DOD independent review recommendations follow.

**IRC 4.1 a. Remove SARCs and VAs from the command reporting structure.** The ninety-day IRC presented three main reasons to remove SARCs and sexual assault prevention and response (SAPR) VAs from the command reporting structure: to eliminate perceived commander bias and influence on decisions related to the survivor's needs, to further protect the privacy and confidentiality of the victim, and to empower SARCs and SAPR VAs to do what is in the best interest of victims without concern for how their performance ratings may be affected.<sup>13</sup>

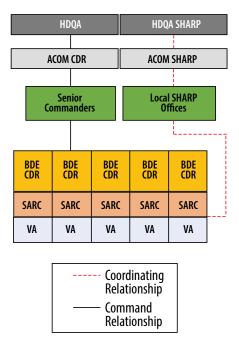
**IRC 4.1 b. Eliminate collateral-duty SARCs and SAPR VAs, with exceptions for isolated installations.** During the investigation, the IRC concluded the use of collateral-duty staff should never have been seen as a permanent solution. When the DOD initially established the SAPR program in 2005, it did so without

#### Michelle Pressler is the chief of academic operations at the U.S. Army SHARP Academy, Fort Leavenworth, Kansas. She holds a Master of Human Resource and Workforce Development from the University of Arkansas and is a doctoral student at Baker University for instructional design and performance technology.

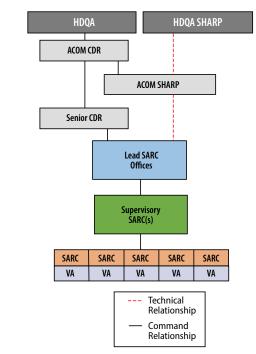
#### Sarah Shibles works

in the Operations Section at the U.S. Army SHARP Academy, Fort Leavenworth, Kansas. She holds a bachelor's degree in communication from the University of Southern Maine and a master's degree in public relations from Southern New Hampshire University.

# **Current SHARP Structure**



# Future SHARP Structure



(Figure by Gregg Buehler)

# Figure. Transition from Unit- to Installation-Based Model

the allocation of new resources or staff to implement the program. For the purposes of initial staffing, the services created SARCs and SAPR VAs as collateral-duty positions and hired contractors to provide additional support. This approach is fundamentally incompatible with the tenets of victim advocacy, which is not appropriate for developmental assignments. Victim advocacy is not a "skill-building" type of job—it is an established field of expertise that requires specialized skills, knowledge, and competencies because working with survivors can be a matter of life or death.<sup>14</sup>

IRC Cross-Cutting Recommendation 2: DOD must undertake a comprehensive approach to professionalizing, strengthening, and resourcing the SHARP workforce across the force. The current workforce structure, including a lack of career tracks for military justice personnel and the use of collateral-duty SAPR VAs and double-hatted prevention specialists, is inadequate to address the scope of the problem.<sup>15</sup>

The structural change implemented for the SHARP workforce will be a transition from a unit-based

model to an installation-based model (see figure). The Army's future SHARP structure will follow this DOD-directed installation-based model and establish a full-time response workforce. The model also establishes professional and programmatic oversight structures and refines education and experience requirements for the SHARP workforce.

At the major command level, seven SHARP program management offices will provide oversight of each command's subordinate installation programs. The seven are U.S. Army Forces Command, U.S. Army Training and Doctrine Command, U.S. Army Pacific, U.S. Army Europe and Africa, U.S. Army Materiel Command, U.S. Army Reserve Command, and U.S. Army National Guard. Program managers will be assigned to only these select Army commands (ACOM) and Army Service component commands (ASCC), not at the installation senior command level. Program management offices will be tailored to the size of the command but will comprise a SHARP program manager, assistant program manager, a program compliance analyst, and a program support specialist. The primary function of this office is to provide technical oversight through program compliance and inspections and to ensure proper data management.

### **New SHARP Workforce**

While the duties of the SARC and VA remain principally the same, the creation of the new positions required the Army to adjust some of the duties and responsibilities as well as develop some new ones. The duties and responsibilities of the new SHARP workforce are as follows:

**SHARP program manager (ACOM/ASCC).** Responsible for ensuring all requirements are met to appoint SARCs and VAs, assessing and analyzing program effectiveness, ensuring policies are executed, ensuring training is conducted correctly, tracking expedited transfers, submitting and managing budgets, and providing victim advocate services if required.

Assistant SHARP program manager (ACOM/ ASCC). Assists the SHARP program manager in assessing and analyzing the program, ensuring policies are executed, ensuring training is conducted correctly, performing other administrative duties, and providing victim advocacy services if required.

**SHARP program compliance analyst (ACOM/ ASCC).** Assists the SHARP program manager with compliance and executive oversight of SHARP programs across the enterprise.

Lead SARC (installation senior commander). Serves as the primary focal point in directing and coordinating response activities at an installation. Reports to the installation senior commander and is supervised, as well as evaluated, by a SHARP program manager. Serves in a supervisory role for all SARCs and VAs.

**SHARP program prevention specialist (installation senior commander).** Responsible for assisting the lead SARC in the planning, execution, and evaluation of prevention activities (policies, programs, and practices); and training, education, and outreach for prevention of sexual harassment and sexual assault.

SHARP program support specialist (ACOM/ ASCC and installation senior commander). Responsible for planning and coordinating a variety of service functions in support of the program manager or lead SARC.

**Supervisory SARC (installation senior commander).** Complements the role of the lead SARC at installations with a larger volume of SHARP personnel by supervising and evaluating the activities carried out by SARCs and VAs. Reports to and is evaluated by the lead SARC.

### SHARP Workforce Transformation

Transforming the SHARP workforce requires multiple phases and interdependent actions. During Phase 1 (FY22), EXORD 269-22 established an oversight structure at select ACOMs and ASCCs that have downtrace installations with senior command responsibilities.<sup>16</sup> SHARP program managers, assistant program managers, SHARP compliance analysts, and program support specialists were hired at these locations. Lead SARCs were hired to provide oversight and manage the SHARP program at the installation level.

Currently, EXORD 358-23 directs senior mission commanders to establish recruitment plans and initiates hiring actions to recruit SHARP professionals for Phase 2 (FY23) authorizations to achieve requirements of the DOD IRC.<sup>17</sup> Supervisory SARCs will be hired to oversee SARCs and VAs. SHARP program prevention *s*pecialists and support *s*pecialists will also be hired at the installation level.

During Phase 3 (FY24), all SARCs and VAs will be realigned from their current command Table of Distribution and Allowances (TDA) to a designated installation/senior commander TDA. The lead SARC will implement an installation SHARP coverage plan for all tenant units, distributing available SARCs and VAs to support commands and provide care to victims.

In Phase 4 (FY25–FY27), after the new model has been in place for one year, the U.S. Army Manpower Analysis Agency will conduct a full manpower study to determine additional full-time equivalent requirements and inform the requests for exceptions to policy to retain collateral-duty SARCs and VAs in limited, remote installations for submission to the Office of the Secretary of Defense.

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# Office of Special Trial Counsel Ensures Independent Review of Covered Offenses

Lt. Col. John Haberland, U.S. Army

The Office of Special Trial Counsel revolutionized the process for prosecuting crimes against the most vulnerable victims in our military community and took a substantial step forward in reestablishing the trust of victims of crimes in the military. Acting on recommendations put forward by an independent review commission ordered by Secretary of Defense Lloyd J. Austin, the National Defense Authorization Act of 2022 established the Offices of Special Trial Counsel for all of branches of the military.<sup>1</sup> Its mission is to "provide expert, specialized, independent, and ethical representation of the United States" in cases involving offenses over which the office exercises authority.<sup>2</sup> The Office of Special Trial Counsel assumed responsibility for covered offenses committed on or after 28 December 2023 as well as offenses that are known and related to those covered offenses.<sup>3</sup> Covered offenses include many of the special victim crimes such as murder, rape, sexual assault, and domestic violence. Of note, sexual harassment becomes a covered offense beginning in fiscal year 2025.<sup>4</sup> This addition of sexual harassment follows the Army's transformational change in the way that sexual harassment is reported and investigated.

These monumental changes to the military justice system "represent the most significant transformation of the military justice system since the Uniform Code of Military Justice was established in 1950."<sup>5</sup> Additionally, the reforms are designed to "better protect victims and ensure that prosecutorial decisions are fully independent from the chain of command."<sup>6</sup> The Office of Special Trial Counsel operates under the supervision of the lead special trial counsel and reports directly to the secretary of the Army.<sup>7</sup>

This new system places specially trained and experienced lawyers at the heart of decisions regarding the most serious crimes. While members of the victim's and subject's chain of command will be given the opportunity to provide recommendations regarding the disposition of a case, the special trial counsel will have the final decision-making authority. A special trial counsel is responsible for ensuring that all covered offenses are properly investigated and analyzed, and that the victim remains informed through regular communication either directly or through the victim's counsel regarding the status and ultimate disposition of the case. The special trial counsel has exclusive authority to refer charges to a court martial, withdraw

charges, or enter into a plea agreement regarding any covered offenses.<sup>8</sup> If a special trial counsel elects not to prefer or refer charges to a court martial, it may defer other related offenses back to the chain

**Lt. Col. John Haberland, U.S. Army,** is the chief circuit special trial counsel for the Fourth Circuit. He is a graduate of Gonzaga University School of Law. of command for action as appropriate.<sup>9</sup> Special trial counsels are involved in every facet of a covered offense

from report of the incident to the final closeout with the victim to ensure that justice is served.

#### Notes

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# Table. Critical Tasks List for Victim Advocates andSexual Assault Response Coordinators

<ul> <li>Present Victim's Rights</li> <li>Communicate Principles of Prevention</li> <li>Apply Sexual Harassment Intervention Techniques</li> <li>React to Sexual Harassment Complaints</li> <li>Apply Victimization Mitigation Techniques</li> <li>Communicate the Investigation and Legal Processes of Sexual Assault</li> <li>Assist with SHARP Training</li> <li>Perform Crisis Intervention</li> <li>Apply Effective Communication Techniques</li> <li>Prepare Cases for a Sexual Assault Review Board</li> <li>Demonstrate the Retaliation Complaint Process</li> <li>Communicate the Healthcare Management Process for Victims of Sexual Violence</li> <li>Manage SHARP Cases</li> <li>Maintain SHARP Organizational Inspection</li> <li>Program</li> <li>Operate SHARP Case Management Systems</li> </ul>	Tasks for Victim Advocates and Sexual Assault Response Coordinators	Additional Tasks for Sexual Assault Response Coordinators
	<ul> <li>Communicate Principles of Prevention</li> <li>Apply Sexual Harassment Intervention Techniques</li> <li>React to Sexual Harassment Complaints</li> <li>Apply Victimization Mitigation Techniques</li> <li>Communicate the Investigation and Legal Processes of Sexual Assault</li> <li>React to a Sexual Assault</li> <li>Assist with SHARP Training</li> <li>Perform Crisis Intervention</li> <li>Apply Trauma-Informed Care</li> <li>Apply Effective Communication Techniques</li> <li>Prepare Cases for a Sexual Assault Review Board</li> <li>Demonstrate the Retaliation Complaint Process</li> <li>Communicate the Healthcare Management</li> </ul>	<ul> <li>Maintain SHARP Personnel Records</li> <li>Complete Initial Line of Duty Investigation Packets</li> <li>Comply with SHARP Organizational Inspection Program</li> </ul>

(Task titles provided by Sarah Shibles)

(Continued from page 5)

#### Work-Role Education

As a result of the SHARP restructure design and the elimination of collateral-duty personnel, the Army SHARP Academy is redesigning its education model to better serve the needs of the changing workforce while simultaneously addressing IRC cross-cutting recommendation CC.2 (Professionalize the SHARP Workforce) and recommendation 4.1.b. (Eliminate Collateral Duty). The new SHARP workforce structure necessitates a shift toward an educational continuum that is work-role oriented and modular while creating a single standard and an ability to rapidly certify professionals.

Historically, training for the SHARP workforce has been primarily delivered via three standalone courses: the two-week SHARP Foundation Course, the six-week Sexual Assault Response Coordinator/ Victim Advocate (SARC/VA) Career Course, and the two-week SHARP Program Manager (PM) Course. The SHARP Foundation Course was intended for collateral-duty SHARP workforce members to meet the minimum requirements for certifying through the DOD Sexual Assault Advocate Certification Program (D-SAACP). The SARC/VA Career Course was intended for full-time SHARP workforce, and in addition to the minimum D-SAACP requirements, it included programmatic prevention training and administrative duties related to the SHARP profession.

This model created redundancy, waste, and inefficiencies. The SHARP workforce attended both the SHARP Foundation and SARC/VA Career Courses either in response to a role change from collateral duty to full-time or as a strategy to become credentialed to provide victim services and support more expediently. Graduation from either course served as the prerequisite for executive-level SHARP professionals to attend the SHARP PM course, which was designed to broaden competencies related to budgetary practices and managerial organization. As a result of this model, many SHARP professionals completed a total of eight to ten weeks of formal training over time.

In FY22, the Army SHARP Academy conducted a Critical Task Site Selection Board to determine the critical tasks related to each unique work role for SARCs and VAs. The twelve board members represented SHARP subject-matter experts across U.S. Army Forces Command, U.S. Army Training and Doctrine Command, U.S. Army National Guard, U.S. Army Reserve Command, U.S. Army Pacific, and U.S. Army Europe and Africa. After conducting detailed analysis of all survey data, regulatory requirements, and personal experience, board members developed and approved fourteen critical tasks for VAs and nineteen critical tasks for SARCs that must be performed to accomplish their mission and successfully execute their duties (see table). The approved tasks were then used to develop an integrated educational continuum that will provide a single competency framework for all SHARP professionals.

Redesign efforts, based on the analysis completed in FY22, will transform the current model into three distinct, yet complementary, courses utilizing a modularized approach—the SHARP Basic, Intermediate, and Advanced Courses. The threeweek SHARP Basic Course will serve as the entry point for all SHARP professionals and will focus on providing the knowledge, skills, and attitudes to successfully conduct victim advocacy. Upon graduating, students will meet the requirements to be a VA and will be eligible for D-SAACP credentialing.

The SHARP Basic Course will be the only D-SAACP credentialing course, and graduation will be a prerequisite for attending the next level of SHARP professional education. For the next tier, the SHARP Intermediate Course will focus on the knowledge, skills, and attitudes needed to perform case management and program compliance. Upon graduating, students will meet the requirements to be a SARC.

Finally, the SHARP Advanced Course (Critical Task Site Selection Board scheduled for November

2023) will provide lead SARCs, PMs, and the new program compliance analysts the additional knowledge, skills, and attitudes to conduct SHARP program management for senior commanders. Prerequisites for attendance will include graduation from both the SHARP Basic and Intermediate Courses.

All courseware in the new model will be delivered at the SHARP Academy, or by a mobile education team dispatched from the SHARP Academy, to ensure all students are fully trained to a single standard. This model will remove educational redundancy, provide additional quality-assurance oversight, and reduce maximum classroom time from a potential of eight to ten weeks to three weeks for a VA, six weeks for a SARC, and eight weeks for a higher-level SHARP professional. Updated and streamlined curriculum alongside increased rigor and fidelity will create a critical shift that meets the needs of our evolving SHARP professional workforce.

# **A Changing Mindset**

As the SHARP workforce—the primary prevention workforce—and prosecutions evolve, a commander's mindset should change as well. Resources to prevent and respond to SA and SH will become like other prevention programs on an installation (e.g., Ready and Resilient, Risk Reduction, Family Advocacy, and Substance Abuse). Full-time certified professionals will be part of the installation to help commanders promote good order and discipline and preserve their units' readiness. Senior commanders and lead SARCs will employ SARCs and VAs according to their mission requirements. This may be in a habitual relationship with subordinate units, consolidated support from the senior commander's headquarters, or a combination of direct support and general support.

While the current transformation efforts within the SHARP program will improve prevention and care, they are not a comprehensive solution to eliminate SA and SH from our formations. The SHARP program assists commanders at all levels in executing their SHARP responsibilities to prevent and respond to SH, SA, and associated retaliatory behaviors.<sup>18</sup> Prevention thrives in a positive command climate where engaged leaders and bystanders reinforce that harmful behaviors are incompatible with their unit's culture and the Army ethic.

#### Notes

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6. Karli Goldenberg, "'I Am Vanessa Guillen Act' Praised as Calls for Removing COs from Sexual Assault Prosecution Mount," Military.com, 25 May 2021, <u>https://www.military.com/dailynews/2021/05/25/i-am-vanessa-guillen-act-praised-calls-removingcos-sexual-assault-prosecutions-mount.html</u>.

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