



REPLY TO
ATTENTION OF

OFFICE OF THE DEAN
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

MADN

20 August 2020

DEAN POLICY MEMORANDUM (DPOM) 01-22

SUBJECT: Dean's Directorate Engagement to Prevent Retaliation.

1. **PURPOSE:** To establish the Dean's Directorate policy for retaliation against personnel for reporting an allegation of sexual assault.
2. **REFERENCES:**
 - a. Department of Defense (DoD) Directive 7050.06 (Military Whistleblower Protection), 17 April 2015.
 - b. Army Regulation (AR) 600-20 (Army Command Policy) 24 July 2020.
 - c. USMA Policy Memorandum 18-39 (Prohibition of Retaliation Against Personnel for Reporting an Allegation of Sexual Assault), 2 Jul 2018.
3. **APPLICABILITY:** This policy applies to all personnel assigned or attached to the Dean's Directorate.
4. **POLICY:** The Dean Directorate leadership is committed to providing the safest possible learning and working environment for Cadets, staff, and faculty by maintaining a professional command climate that promote dignity and respect. Acts of retaliation targeting victims of sexual assault and complainants of sexual harassment discourages reporting. For victims of sexual assault, creating an environment after reporting an allegation of sexual assault is a critical step in their personal recovery. Recovery can only occur in an environment free from retaliation. The Army is a values-based organization where everyone is expected to do what is right by treating all persons as they should be treated – with dignity and respect.
5. **DEFINITIONS:**
 - a. IAW AR 600-20, Chapter 5, "retaliation" is defined as:
 - (1) Any person subject to the UCMJ who wrongfully takes or threatens to take an adverse personnel action, or wrongfully withholds or threatens to withhold a favorable personnel action with the intent to discourage or retaliate against any person for reporting or planning to report a criminal offense, or making, or planning to make a protected communication. (See Article 132, UCMJ (2019).)

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(2) Acts of cruelty, oppression or maltreatment (as these terms are described in UCMJ, Art. 93) committed against a victim, an alleged victim or another member of the Armed Forces by peers or other persons, because the individual reported a criminal offense or was believed to have reported a criminal offense.

(3) Personnel action is defined in DoDD 7050.06 as any action taken against a member of the Armed Forces that affects, or has the potential to affect, that member's current position or career. Such actions include a promotion; a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards or training, relief or removal; separation; discharge; referral for mental health evaluations under DoDI 6490.04; and any other significant change in duties or responsibilities inconsistent with the member's grade.

b. Allegations of retaliation described above will be referred to, and investigated by, the appropriate IG in accordance with references DoDD 7050.06 and AR 20-1.

6. Allegations of retaliation described in paragraph 5a(1) will be referred to the West Point Inspector General's office.

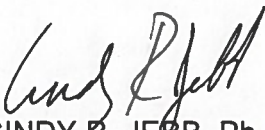
7. Allegations of retaliation described in paragraph 5a(2) will be referred to, and investigated by, the victim's chain of command, or by any other appropriate investigative agency, organization or entity.

8. **PUNITIVE:** Violations of this policy may be punished under Article 92, UCMJ, and any other applicable laws or regulations. Commanders and supervisors must seek advice and counsel of their legal advisor when taking actions pursuant to the policy. See AR 600-20, paragraph 4-19.

9. **RESPONSIBILITIES:** Any member of the Dean's Directorate that witnesses, or is made aware of, retaliation against another should inform the Chain of Command immediately.

10. **EXPIRATION.** This policy is in effect until superseded or rescinded.

11. **PROPONENT:** The proponent of this policy is the USMA SARC, who can be contacted at (845) 938-0508 or at russell.strand@westpoint.edu.


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