DEPARTMENTS OF THE ARMY AND AIR FORCE
JOINT FORCE HEADQUARTERS - MONTANA
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NGMT-JFQ-AG 29 June 2026

MEMORANDUM FOR Members and Employees of the Montana National Guard

SUBJECT: Policy Letter Number 26-32A, Sexual Assault Prevention and Response Program

1. References:

a. AR 600-52 Sexual Harassment Assault Response Prevention Program, 11 February 2025.

b. CNGBI 1300.01 Sexual Assault Prevention and Response Program, 26 June 2020.

c. DoDD 6495.01, Sexual Assault Prevention and Response (SAPR) Program, January 23, 2012, as amended.

d. CNGBM 1300.01A, Department of Defense Sexual Assault Advocate Certification Program and Systems Access Requirements, November 1, 2022.

2. Applicability: This policy applies to all Soldiers, Airmen, and employees of the Montana National Guard (MTNG).

3. Purpose: To establish a culture that effectively implements and integrates the Sexual Assault Prevention and Response Program as an operational asset throughout MTNG.

4. MTNG is committed to eradicating sexual violence and associated retaliation within its ranks. Soldiers and Airmen at every level must foster an environment that rejects sexual harassment, sexual assault and attitudes that promote or condone such behavior. MTNG Leadership must take conscious steps to understand, identify, and reduce environmental risks, predatory behavior, high-risk behavior, and personal vulnerabilities associated with sexual assault and sexual harassment.

5. MTNG leadership will create and promote a positive Command climate in which victims have confidence in their Chain of Command to report these crimes immediately. Strategies that seek to reduce the risk of sexual assault are crucial in promoting a healthy Command climate.

6. Sexual Assault is defined as intentional sexual contact characterized by the use of

force, threats, intimidation, or abuse of authority or when the victim does not or cannot consent including rape, sexual assault, aggravated sexual contact, abusive sexual contact, forcible sodomy (forced oral or anal sex), or attempts to commit these acts. (Reference 1c).

7. “Consent” means verbal approval and/or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. Lack of verbal consent and/or physical resistance, or submission resulting from the accuser’s use of force, threat of force, or placing another person in fear does not constitute consent.

a. A person cannot give consent if they are incapacitated, sleeping, mentally or physically incapable, and/or not of legal age.

b. A current or previous intimate relationship, manner of dress and/or the logistics of the victim shall not constitute consent.

8. When responding to an incident of sexual assault, the priority is to ensure that the victim is safe. All victims will also be treated with dignity and respect. Based on eligibility, victims will be offered an opportunity to receive access to healthcare treatment, sexual assault forensic examiner (SAFE) services, counseling, advocacy support, victim assistance and consideration for protection orders, and expedited transfers.

9. All MTNG personnel, to include anyone who may be a victim of sexual assault, may contact the Principal SARC, BDE SARC, 120th Wing SARC, a Victim Advocate (VA), or healthcare personnel to gain confidential referrals to civilian resources or be placed in contact with a chaplain without reporting the crime.

10. MTNG offers eligible victims two reporting options: unrestricted and restricted reporting. This policy is consistent with the overall DoD philosophy and defers to the duty status a victim may be serving in at the time of the assault.

a. Unrestricted reporting is available for victims who desire medical treatment and counseling from military providers and understand that an official investigation of the crime will follow. A criminal investigation will be performed by the civilian law enforcement agency and/or military investigation service with jurisdiction over the location of the assault.

(1) Unrestricted reporting allows the victim to receive access to eligible resources and access to Chain of Command.

(2) Unrestricted reporting also applies to those in State Active Duty (SAD) status. Medical claims stemming from a sexual assault that occurs during the performance of SAD may be covered by the Montana Workers Compensation.

b. Restricted reporting allows an eligible victim to confidentially disclose the sexual

assault to receive medical care and counseling from military providers without triggering an investigation. The Chain of Command is not notified of the content of a restricted report. A victim may only file a restricted report of sexual assault with the SARC or VA. Chaplain or a military healthcare professional will conduct a warm hand-off of the victim who elects to file a restricted report to the SARC or VA.

(1) A SARC, Chaplain, VA or medical professional will not disclose a restricted report of sexual assault to anyone outside the SAPR program or medical/ behavioral health profession unless the victim chooses to change the report to unrestricted and signs DD Form 2910. Verbal permission from the victim to disclose information pertaining to the restricted report is not sufficient to allow a SARC, Chaplain, VA or medical professional to share the information with anyone outside the SAPR program or with a medical/behavioral health professional.

(2) The Principal SARC is required to report the occurrence of a sexual assault to The Adjutant General and other senior leaders designated as “Need to Know”. The SARC will not disclose the identity of the victim but rather provide a generic notification of sexual assault. Additionally, the Adjutant General and other senior leaders designated as “Need to Know” and designated to attend the monthly CMG will not discuss a restricted report of sexual assault unless the victim chooses to convert the report to an unrestricted report by signing Form 2910.

11. All responders will follow the No Wrong Door policy so that a person seeking services from the MTNG will be assisted either by direct support or a warm handoff with the goal of attaining timely care or advocacy. A warm handoff is conducted between two responders or providers, while making every effort to protect the victim’s privacy. The responder, who was initially approached by the victim, will conduct a warm handoff by accompanying the victim to the correct location in person, through an appropriate virtual platform, through a conference call to introduce them to the appropriate resource, service provider, or point of contact.

12. The MTNG SAPR program personnel are available to respond and assist members who are victims of sexual assault. If you or a member of your unit is a victim of sexual assault or have additional questions pertaining to the Sexual Assault Prevention and Response Program, please contact the MTNG SAPRO, 24/7, at 1-406-465-9928.
13. POC for this policy is the MTNG SAPRO Anita Emerson, anita.l.emerson3.civ@army.mil or 406-324-3803.

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The Adjutant General