



**SHIP OPERATIONS COOPERATIVE  
PROGRAM (SOCP)**

# **BEST PRACTICES GUIDE**

on the Prevention of and Response to Sexual  
Harassment & Sexual Assault in the U.S.  
Merchant Marine



**SHIP OPERATIONS COOPERATIVE PROGRAM**  
BUSINESS • GOVERNMENT • EDUCATION • WORKFORCE

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## DISCLAIMER – MARITIME ADMINISTRATION (MARAD)

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any Federal or state [sexual assault](#) or sexual harassment prevention requirements. To the extent this training material incorporates general working definitions of legal terms, those terms do not reflect U.S. Government legal views, advice, or legal approval. Users of this training material are encouraged to seek independent legal advice and should not rely on these materials as a substitute for legal advice.



## SHIP OPERATIONS COOPERATIVE PROGRAM (SOCP)

The Ship Operations Cooperative Program (SOCP) is a non-profit organization of maritime industry professionals working together to improve the safety, productivity, efficiency, security, and environmental performance of U.S. vessel operations. SOCP collaborated with its members which include U.S. ship owners and operators, maritime unions, academies, training institutions, government agencies, and others, to solicit recommendations on the content of the best practices for the U.S. Merchant Marine industry. SOCP has provided its maritime industry expertise and guidance in creating these best practices for the U.S. Merchant Marine.

This document is not mandatory and is not intended to conflict with regulatory requirements from any authority. Individuals and organizations using these best practices should consult appropriate regulatory requirements for their jurisdiction.

SOCP requests readers to submit any noted errors, omissions, or recommendations for future improvement to this Guide and additional best practice examples to: [programadmin@socp.us](mailto:programadmin@socp.us)

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## SOCP MEMBER BENEFITS

- SOCP Members take on industry improvement projects for the betterment of the U.S. maritime industry, focusing on safety, productivity, efficiency, security, and environmental performance of U.S. vessel operations.
- SOCP Members provide “thought leadership” and a vehicle by which U.S. based maritime organizations can work together to solve common problems relating to vessel operations.
- SOCP Members facilitate dialogue between its members consisting of business, government, education and labor as well as outside organizations having the ability to address, and effect change regarding issues of concern.
- SOCP Members develop products that its members can obtain at a reduced cost. These products are also sold to non-members. SOCP members determine the products that would be most valuable to them and assist in their development and production. Revenue generated by SOCP product sales comes back to SOCP and is used in SOCP programs as members see fit.
- SOCP Members test and evaluate new products and technologies that are of interest and may have applications within their operations. Feedback and evaluations from the testing are shared with the SOCP membership so they can determine potential applications within their organizations.
- SOCP Members conduct, support or oversee research and development work, and explore new technologies at a fraction of the cost of conducting independent projects.
- SOCP Members provide the strength of a united consortium when making recommendations to state, federal, and international regulatory organizations.
- SOCP Members allow for the timely sharing and dissemination of maritime news, regulations and information among members.

For more information:

[www.socp.us](http://www.socp.us)

Email: [programadmin@socp.us](mailto:programadmin@socp.us)



## THE RAPE, ABUSE & INCEST NATIONAL NETWORK (RAINN)

RAINN is the largest anti-sexual violence organization in the United States. RAINN created and operates the National Sexual Assault Hotline.

### **RAINN Consulting Group**

RAINN Consulting Group (RCG) is an interdisciplinary team with wide-ranging professional expertise. RCG collaborates with companies to move them beyond reactive, check-the-boxes approaches, to instead support them in establishing new norms of safety and respect within their workplace.

National Sexual Assault Hotline/ Línea De Ayuda Nacional De Abuso Sexual  
If you were affected by sexual violence, you are not alone. Confidential and anonymous support is available 24/7 for survivors & loved ones.

Telephone:  
800.656.HOPE (4673)

Online chat:  
[hotline.rainn.org](https://hotline.rainn.org)

Línea de Ayuda:  
800.656.4673

Línea de Ayuda Online:  
[hotline.rainn.org/es](https://hotline.rainn.org/es)



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# FOREWORD

This Best Practices Guide on the Prevention of and Response to Sexual Assault and Sexual Harassment in the U.S. Merchant Marine has been created to assist companies, agencies, and those working in the maritime industry to prevent and respond to instances of [sexual assault](#), sexual harassment, and other prohibited behaviors and to create a safe workspace and respectful workplace. Every employee is responsible and accountable for their own behavior, and all maritime industry leaders are responsible for promoting a respectful, safe, and inclusive culture within their workforce.

Any workplace can be vulnerable to instances of sexual assault, sexual harassment, and other prohibited behaviors. Certain aspects of the maritime industry can make it particularly susceptible; therefore, implementing best practices to prevent and respond to this behavior is critical.

Historically, the maritime industry has been male-dominated. As such, there are unique challenges faced by women, as well as transgender, non-binary, and gender nonconforming people working in the industry. However, people of all genders, including men, experience the negative consequences of gender stereotypes and norms, which can lead to disrespectful treatment, and ultimately the acceptance of sexual assault and sexual harassment.

In a chain of command, the inherent [power](#) or authority one individual has over another creates opportunities for individuals to abuse this power. Sexual assault and sexual harassment are, in and of themselves, abuses of power. These [power imbalances](#) can also make confronting those who engage in these behaviors and reporting it particularly difficult. **All maritime industry leaders must empower their employees to oppose prohibited behavior and [report](#) incidents, regardless of the rank, position, or station of the [accused](#) party or of any other individual involved in the prohibited behavior.**

A workplace culture where sexual assault and sexual harassment are tolerated can have a significant impact on the mental and physical well-being of all employees, in addition to the harm these incidents cause to the [victim/survivor](#). It can cause low morale; decreased recruitment, retention, or productivity; loss of confidence in the industry; and financial repercussions for companies and organizations.

Each and every employee plays a role in creating a safe, respectful work environment for everyone in the maritime industry. This Guide provides best practices for all employees and industry leaders to follow to contribute to a culture that does not tolerate sexual assault, sexual harassment, and other prohibited behavior, and is supportive of all victims/survivors.

## CONTENT WARNING AND RESOURCES

The maritime industry is committed to creating safe and welcoming environments, which includes being mindful of its communications and publications. This means being sensitive to topics that can cause emotional distress or discomfort in readers.

Please be aware that this Guide includes references of sexual assault, sexual harassment, and other forms of prohibited behavior. This Guide also includes multiple resources for those who need additional support.

You can find these resources [on page 124](#), or by scanning the QR code and navigating to SOCP's resources webpage. You can also visit: [www.socp.us/sash-resources](http://www.socp.us/sash-resources).

You are not alone, support is available.





# INTRODUCTION



## HOW TO BEST USE THIS GUIDE

### WHO IS THIS BEST PRACTICES GUIDE MEANT FOR?

The best practices included in this Guide should be a part of every company's policy on [sexual assault](#) and sexual harassment in the workplace, whether on shore or at sea.

This Guide is intended for U.S. merchant mariners, shore-based employees, maritime operating companies, ship owners and operators, contractors, and others who work in the industry. This Guide is also intended for individuals who work in other segments of the U.S. maritime industry such as vessel marine agents, pilots, marine terminal employees, longshoremen, employees working in U.S. ports, shipbuilding, and ship repair industry employees, cadets, and contractors, subcontractors, and vendors interacting with merchant mariners.

These best practices apply to all segments of the U.S. Merchant Marine including oceangoing, coastwise, Great Lakes, inland, harbor, towing, offshore industry, cruise, ferries, dredging, research vessels, and government-owned vessels.

### WHAT IS A BEST PRACTICE?

Best practices differ from legal requirements or regulations in that they are meant to surpass minimum standards, go beyond a compliance framework, and provide quality results to workplaces. Although best practices are not legal requirements, they can further a company's goals and enhance its compliance efforts.

Best practices can help create respectful, safe, and inclusive workplace environments. U.S. merchant mariners and shoreside employees have a right to work in an environment that prioritizes their safety and well-being.

Additionally, best practices are good for business. Best practices improve

workforce performance and the productivity of a company/organization. Best practices encourage a learning environment and can help identify and fill any knowledge gaps that may exist within a company/organization.

The best practices in this Guide are influenced by the experience and research within the anti-sexual violence field and are grounded by three frameworks:

- Trauma-Informed
- Victim/Survivor-Centered
- Fair and Equitable

To learn more about each of these three frameworks, [see page 132](#).

## EVERY MARINER BUILDS A RESPECTFUL CULTURE

In 2021, the U.S. Department of Transportation (DOT), the Maritime Administration (MARAD), and the United States Merchant Marine Academy (USMMA) required all U.S.-flag vessels commercial operators to adopt and follow the Every Mariner Builds A Respectful Culture (EMBARC) mandatory standards to prevent and respond to incidents of [sexual assault](#), sexual harassment, and other forms of misconduct. U.S. flag-vessel commercial operators must enroll in EMBARC in order to employ USMMA cadets and in some instances SMA cadets aboard their vessels. For more information on the EMBARC standards, visit [www.maritime.dot.gov/embarc](http://www.maritime.dot.gov/embarc).

The National Defense Authorization Act for Fiscal Year 2023 (FY23 NDAA) required the Maritime Administrator, after consultation with the Commandant of the Coast Guard, to establish: (1) criteria, to which an owner or operator of a vessel engaged in commercial service must adhere prior to carrying a cadet performing their Sea Year service from USMMA, that address prevention of, and response to, sexual harassment, dating violence, domestic violence, sexual assault, and stalking; and (2) a process for collecting pertinent information from these owners or operators and verifying their compliance with the criteria.<sup>1</sup>

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<sup>1</sup> Section 3513(a), FY23 NDAA, Pub. L. 117-263 (Dec. 23, 2022); codified at: [46 U.S.C. § 51322: Protection of cadets from sexual assault onboard vessels](#).



To implement this NDAA provision, MARAD is expected to issue EMBARC regulations to establish safety and security requirements that vessel operators must follow whenever they carry USMMA or SMA cadets for training or educational purposes. Implementation of and compliance with these requirements will help to provide a safe and secure merchant marine training environment which protects the U.S. Merchant Marine against disruptions from prohibited behavior and improve the integrity of the nation's merchant mariner workforce pipeline.

## ABOUT THIS GUIDE

This Best Practices Guide on the Prevention of and Response to Sexual Assault and Sexual Harassment in the U.S. Merchant Marine, developed in partnership with the Rape, Abuse & Incest National Network (RAINN), is meant to provide you with information and tools you need to play an active role in the prevention of and [response](#) to this prohibited behavior. Additionally, this Guide is also meant to provide you with resources and information about reporting this behavior and what you can expect after reporting.

### **The Guide is organized in the following format:**

#### **Section I: For All Employees**

This section is meant for all mariners, shoreside employees, and individuals who work in other segments of the U.S. maritime industry such as vessel marine agents, pilots, marine terminal employees, longshoremen, cadets, apprentices, employees working in U.S. ports, shipbuilding, and ship repair industry employees, and contractors, subcontractors, and vendors interacting with merchant mariners, in understanding their roles and responsibilities in actively contributing to a workplace culture that does not tolerate [sexual assault](#), sexual harassment, and other prohibited behaviors.

**Section II: For Cadets**

This section is meant for all cadets who attend the United States Merchant Marine Academy (USMMA) or a State Maritime Academy (SMA), to understand their roles and responsibilities in actively contributing to a learning environment that does not tolerate sexual assault, sexual harassment, and other prohibited behaviors. Cadets are expected to also review Section I: For All Employees.

**Section III: For Victims/Survivors**

This section is meant for anyone who has experienced and/or is unsure if they have experienced sexual assault, sexual harassment, and other prohibited behaviors and is seeking additional information on reporting, advocacy/support, and/or other resource options.

**Section IV: For Key Personnel**

This section is meant for anyone responsible for receiving, responding to, and/or investigating incoming [reports](#) or [disclosures](#) of sexual assault, sexual harassment, and other prohibited behaviors on behalf of their company, agency, or organization. This also includes individuals who provide emotional support and resource referral to [victims/survivors](#).

**Section V: For Companies and Top Management**

This section is meant to assist companies/organizations, their executive leadership, and others responsible for establishing, improving, and/or sustaining comprehensive trauma-informed, victim-centered sexual assault and sexual harassment prevention and [response](#) policies, procedures, resources, and training programs.

## ACRONYMS

Familiarize yourself with the terms and acronyms below, as they will be used often throughout the Guide.

**ALJ:** Administrative Law Judge

**CGIS:** Coast Guard Investigative Service

**DOJ:** United States Department of Justice

**DPA:** Designated Person Ashore

**EAP:** Employee Assistance Program

**EEOC:** Equal Employment Opportunity Commission

**EMBARC:** Every Mariner Builds A Respectful Culture

**LGBTQIA+:** Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual

**MARAD:** Maritime Administration, United States Department of Transportation

**MMC:** Merchant Mariner Credential

**NCC:** National Command Center

**NCIS:** Naval Criminal Investigative Service

**NDAA:** National Defense Authorization Act

**PTSD:** Post-Traumatic Stress Disorder

**SAPRO:** Sexual Assault Prevention and Response Office

**SARC:** Sexual Assault Response Coordinator

**SARP:** Sexual Assault Response and Prevention

**SASH:** Sexual Assault and Sexual Harassment

**SMA:** State Maritime Academy

**SMS:** Safety Management System

**SOCP:** Ship Operations Cooperative Program

**USCG:** United States Coast Guard

**USMMA:** United States Merchant Marine Academy



**SECTION I:  
FOR ALL EMPLOYEES**



## EMPLOYEE BEST PRACTICE #1: RECOGNIZE PROHIBITED BEHAVIOR

### **Bias:**

Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair. Prejudice is an assumption or opinion about someone simply based on that person's membership to a particular group.

### **Continuum of Harm:**

Term used to describe different types of prohibited behaviors that support a workplace that tolerates [sexual harassment](#) and [sexual assault](#).

### **Prohibited Behaviors:**

Behaviors that create an unsafe work environment for employees and are strictly unacceptable for the workplace.

### **Sexual Nature:**

Any form of behavior, contact, or communication that can be perceived to be related to sex, sexual activity, or sexual language.

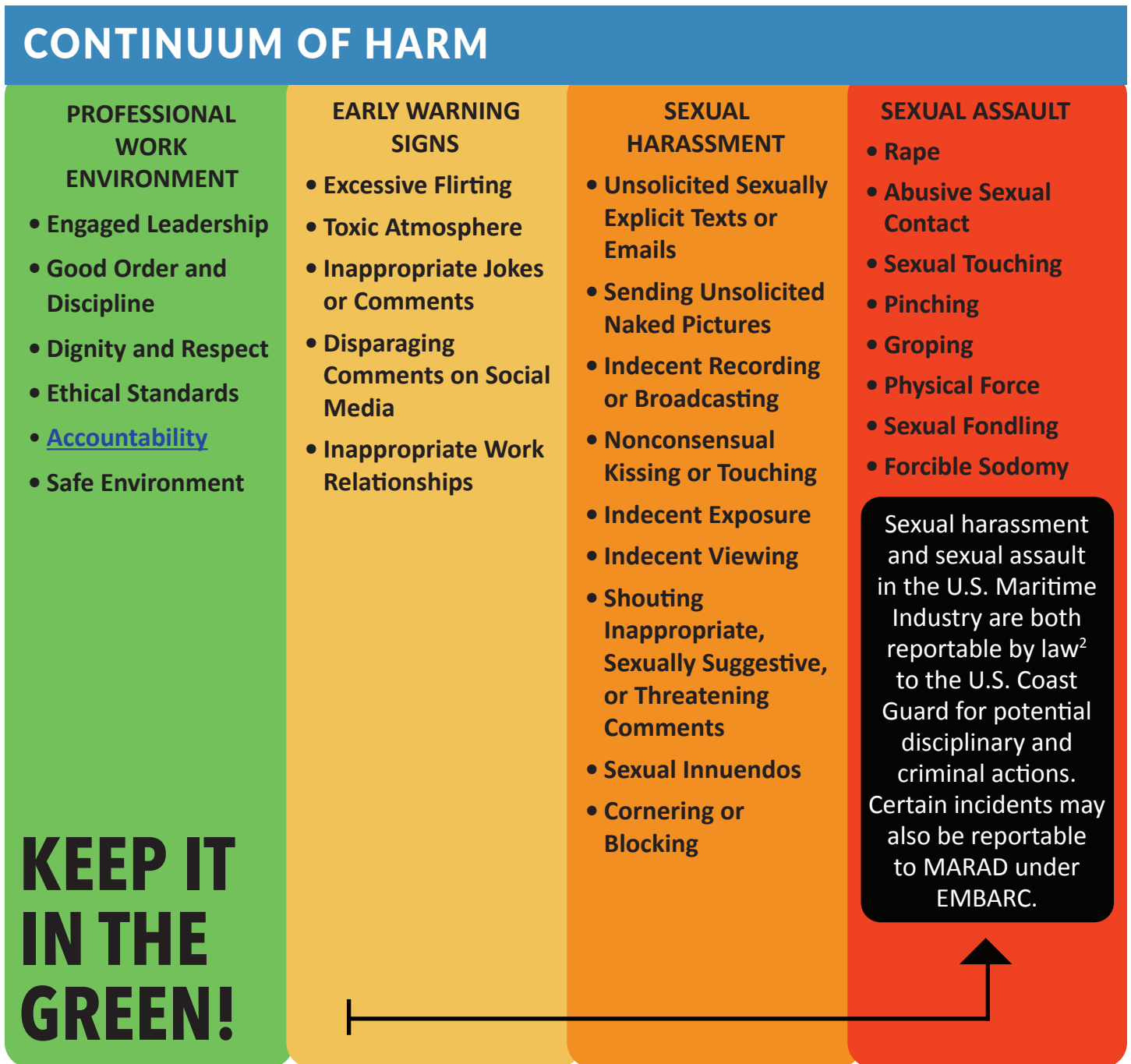
To make sure our workplaces are respectful, safe, and welcoming for everyone, it is important that all employees recognize behavior that is prohibited in the workplace.

This means you must understand what is considered **prohibited behavior** and be able to identify when prohibited behavior is occurring in the workplace.

A tool that helps us understand the connection between different kinds of prohibited behavior, including those of a **sexual nature**, is the **continuum of harm**.

The continuum of harm shows an escalation of behavior that can lead to sexual harassment and sexual assault. Tolerance of behavior found on the left side of the continuum supports or tolerates behavior found on the right side.

That is why it is vital for you to take a stand against all prohibited behaviors of a sexual nature that fall within the continuum of harm.



<sup>2</sup> [46 U.S.C. §10104: Requirement to report sexual offenses](#). Also, see USCG implementation guidance at [Marine Safety Information Bulletin \(MSIB\) 1-23, Reporting Sexual Misconduct on U.S. Vessels](#). Note that MARAD’s EMBARC requires certain SASH-involved incidents to also be reported to USMMA, SMA, or MARAD.

## RECOGNIZING PROHIBITED BEHAVIORS OF A SEXUAL NATURE

BEHAVIOR	DEFINITION
Sexual assault	<p>The intentional touching of a <a href="#">sexual nature</a> without a person's <a href="#">consent</a>.</p> <p>Sexual assault can occur by the use of force, threats, pressure, or by taking advantage of someone's inability to give consent, like when someone is unconscious, sleeping, impaired because of the use of alcohol or drugs, or under the legal age of consent.</p> <p>The <a href="#">victim or survivor</a> can be any gender and the <a href="#">perpetrator</a> can be the same or a different gender.</p> <p>Rape is a form of sexual assault that involves penetration of the victim or survivor's body.</p>
Sexual exploitation	<p>The act of taking sexual advantage of another person. Sexual exploitation is a prohibited behavior.</p> <p>Sexual exploitation includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Forcing other people to watch sex acts</li> <li>• Forcing someone to consume alcohol, drugs, or another substance to gain sexual advantage over them</li> <li>• Gaining pleasure from spying on someone else in a place where they expect privacy</li> <li>• Forcing someone to engage in sexual acts in exchange for something of value, like money</li> </ul>
Sexual harassment	<p>Any unwelcome sexual advances, requests for sexual acts, and other verbal or physical <a href="#">harassment</a> of a sexual nature that affects a person's employment, interferes with a person's work performance, or creates a hostile, intimidating, or offensive work environment.</p>

## Sexual harassment (continued)

The victim or survivor can be any gender and the harasser can be the same or a different gender.

The behavior is considered “unwelcome” when the person subjected to the behavior considers it unwelcome, or if a reasonable person in the same situation would find the behavior unwelcome.

The behaviors below are also considered sexual harassment:  
**Quid pro quo:** in these situations, someone in authority may promise an employment benefit or reward in exchange for sexual acts.

**Flashing:** the act of intentionally exposing oneself or performing acts on oneself publicly, also referred to as indecent exposure.

**Cyberflashing:** the act of sending an explicit or sexual picture or video to someone else without their consent or request.

**Image-based sexual abuse:** the act of sharing, or threatening to share, sexual or intimate images of someone without their consent, commonly referred to as “revenge porn.”

### Examples of prohibited behaviors of a sexual nature includes the following nonconsensual acts:

- Penetrating someone’s mouth, anus, or genitals with a body part (such as a penis, vagina, mouth, finger, or tongue) or an object
- Kissing, touching, groping, or other intentional contact with someone’s breasts, buttocks, groin, or genitals (over or under a person individual’s clothing) for purposes of sexual pleasure or when such private body parts are otherwise touched in a sexual manner



- Touching someone in a sexual manner
- Sexual contact with a person who cannot consent, which includes someone who is passed out or unconscious; sleeping; impaired due to the use of alcohol or drugs, including prescription medications; or under the age of consent (varies by jurisdiction)
- Letting other people watch private sex acts without their consent
- Forcing someone to consume alcohol, drugs, or another substance to gain sexual advantage over them
- Gaining pleasure from spying on someone else in a place where they expect privacy
- Forcing someone to engage in sexual acts in exchange for something of value, like money, favors, preferential assignments
- Making sexually suggestive gestures, facial expressions, notes, jokes, or comments
- Sending an explicit or sexual picture or video to someone
- Sharing, or threatening to share, sexual or intimate images of someone
- Making offensive comments, jokes, or remarks about someone's **gender identity** or sexual orientation
- Discussing sexual relations/stories/fantasies at work
- Pressuring someone for sexual contact or a date
- Displaying posters or pictures of a sexual nature
- Exposing oneself or performing sexual acts on oneself publicly
- Making conditions of employment or advancement (like a promotion or pay raise) dependent on sexual acts



## RECOGNIZING OTHER PROHIBITED BEHAVIORS

BEHAVIOR	DEFINITION
Harassment	Any unwelcome and/or offensive treatment or behavior (verbal, written, physical, psychological, or visual) that is based on race, color, religion, sex, sexual orientation, <a href="#">gender identity</a> or expression, age, disability, pregnancy, national origin, genetic information, or any other protected class.
Bullying	The ongoing and intentional use of force, threat, or <a href="#">coercion</a> (persuading someone to do something by force or threats) to hurt, scare, or control others. In order to be considered bullying, the aggressive behavior must be repeated and include a perception, either by the bully or others, that there is an unequal balance of <a href="#">power</a> .
Hazing	Any humiliating, degrading, or dangerous activity that is expected of someone joining or participating in a group, regardless of the person's willingness to participate. This also includes demands that are unauthorized or non-essential to a person's role.
Technology-Facilitated Abuse	The use of technology or the internet to bully, harass, stalk, intimidate or control a person. This can include abuse that involves cell phones, computers, and tablets.
Retaliation	Any adverse action taken against an employee for engaging in a protected workplace activity. Adverse action is an action which would discourage a reasonable person from: <ul style="list-style-type: none"> <li>• Complaining about discriminatory or harassing behavior</li> <li>• Reporting violations of law or company policy</li> <li>• Participating in any <a href="#">investigation</a> or proceeding resulting from a <a href="#">report</a> or complaint</li> </ul>
Stalking	A pattern of repeated and unwanted attention, <a href="#">harassment</a> , contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for their safety (or the safety of others) or suffer substantial emotional distress. <p>Stalking can also take place over digital devices, known as cyberstalking.</p>

BEHAVIOR	DEFINITION
Microaggressions	<p>Subtle insults or invalidations, either done intentionally or unintentionally, based on <a href="#">bias</a>.</p> <p>Bias can be based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, genetic information, or any other protected class.</p>

### Examples of other prohibited behaviors include:

- Invading someone's personal space to make them feel unsafe or threatened
- Threatening to demote or relocate someone from their position to force compliance with prohibited behavior
- Forcing someone to consume alcohol, drugs, or another substance
- Pressuring someone to drop or not support a complaint, or to provide incomplete, false, or misleading information in regard to a complaint or **report**
- Making inappropriate jokes, racial or ethnic slurs, or offensive comments
- Making offensive sounds or gestures towards someone
- Shouting at someone in a condescending or harassing way, whether in public or private
- Engaging in the public humiliation of someone
- Spreading rumors or gossiping about someone
- Distributing discriminatory images, messages, videos, or other content
- Destroying someone's property or belongings to cause fear or compliance with prohibited behavior
- Blocking someone's way, or not allowing space to pass, which forces touching
- Pushing, shoving, kicking, tripping someone, or threat of physical assault
- Sending non-consensual communications, such as repeated and unwanted phone calls, emails, text messages, or gifts
- Engaging in repeated [stalking](#) behaviors, like waiting for someone to arrive at certain locations, following someone, or watching someone from a distance

Some of these other prohibited behaviors may also be of a [sexual nature](#) depending on how they are carried out. For example, using technology to sexually harass a person is both [sexual harassment](#) and technology-facilitated abuse.

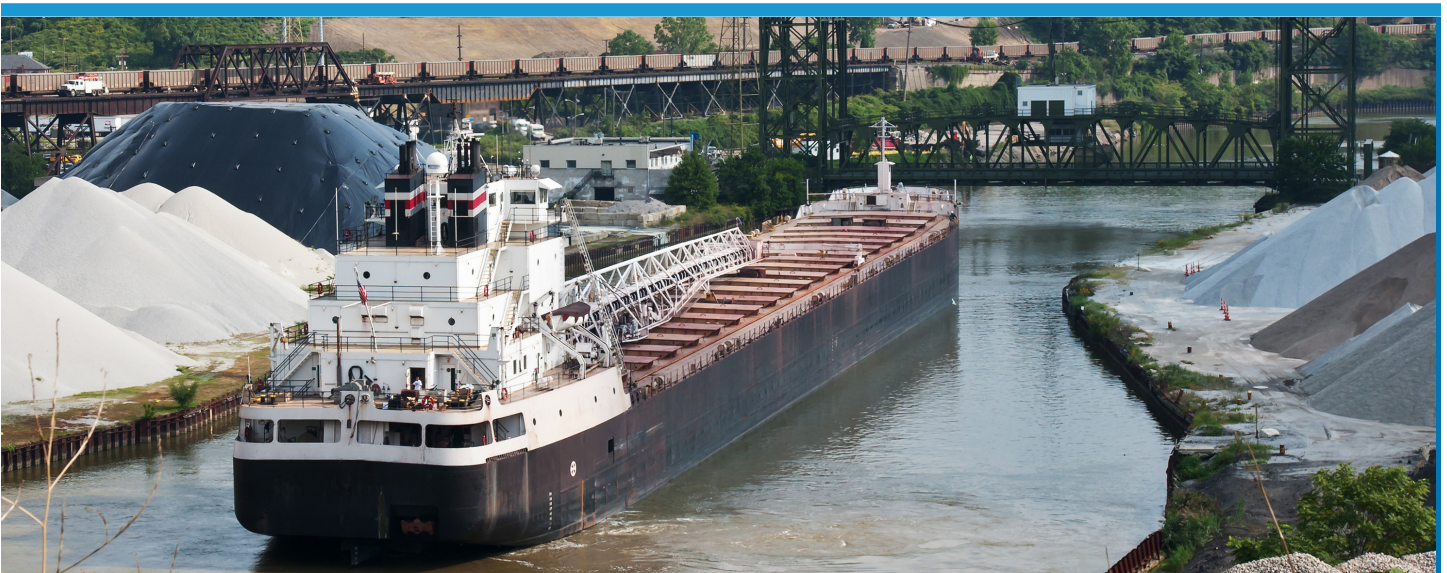
Employees have a responsibility to protect one another. Recognizing all forms of prohibited behavior is the first step you can take in intervening and preventing incidents of [sexual assault](#) and sexual harassment!

## EMPLOYEE BEST PRACTICE #2: UNDERSTAND THE IMPACT OF SEXUAL HARASSMENT AND SEXUAL ASSAULT

### Trauma:

A stress response to an overwhelming experience where someone felt powerless, in distress, and/or unsafe.

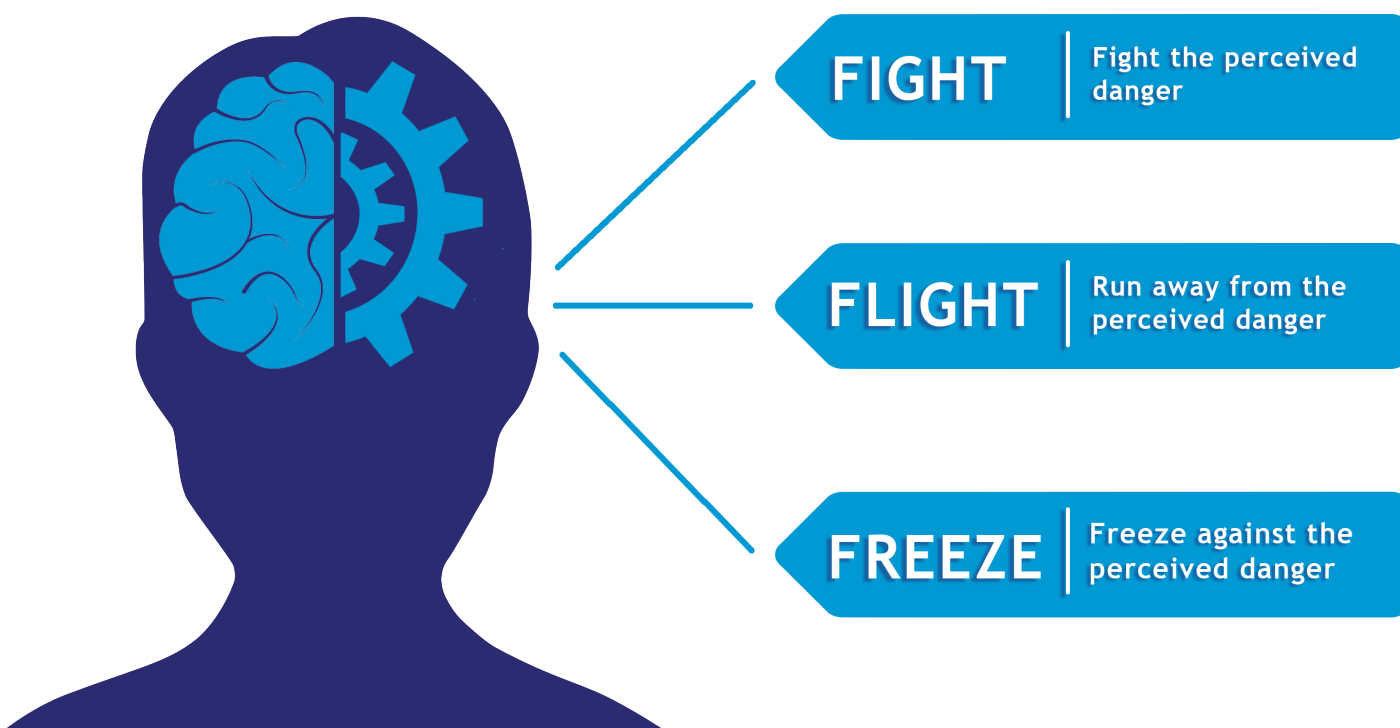
Unfortunately, sexual assault and sexual harassment are common problems. Part of your responsibility in creating a culture that does not tolerate these behaviors is understanding the impact they have on [victims/survivors](#) and the maritime workforce.





## UNDERSTANDING THE IMPACT ON VICTIMS/ SURVIVORS

The stress response, or the fight, flight or freeze response, is the emergency reaction system of the body. A person cannot control how their body will react when confronted with perceived danger. The brain automatically makes that decision for the body in less than a second.



- It is common for survivors of [sexual assault](#) and [sexual harassment](#) to experience the freeze response. Some [victims/survivors](#) may experience confusion when they experience a fight, flight, or freeze stress response and might not understand why they reacted a certain way. However, there is no “right” or “wrong” way to respond to [trauma](#).

Sexual assault and sexual harassment can significantly affect a person's career and personal life. There are many ways in which trauma can affect victims/survivors including, but not limited to, the following:

#### Emotional reactions:

- Fear
- Isolation
- Anger
- Numbness
- Confusion
- Guilt
- Shame
- Self-blame
- Denial
- Powerlessness
- Sadness
- Shock

#### Psychological reactions<sup>3</sup>:

- Post-traumatic stress disorder (PTSD)
- Anxiety
- Depression
- Flashbacks
- Substance use or substance use disorder
- Suicidal thoughts and suicide attempts
- Changes in memory and concentration

#### Physical reactions:

- Heightened awareness of surroundings
- Jumpy, skittish, or nervous behaviors
- Changes in eating or sleeping habits
- Avoidance of certain people or places that trigger memories
- Social isolation and withdrawal
- Self-harming behaviors
- Conflict with family or friends
- Problems at work or school

<sup>3</sup>Bremner JD. (2006) Traumatic Stress: Effects on the Brain. *Dialogues Clin Neurosci*, 8(4):445-61. doi: 10.31887/DCNS.2006.8.4/jbremner.

## UNDERSTANDING THE IMPACT ON THE MARITIME WORKFORCE

Incidents of sexual assault and sexual harassment not only impact the victims; they can also impact others within the maritime workforce, such as:



### WITNESSES/BYSTANDERS

Seeing or hearing an incident of sexual assault or harassment can be traumatic. Witnesses/bystanders can also experience emotional, psychological, and physical reactions after an incident, especially if they had a past personal experience of sexual assault or sexual harassment.



### LEADERSHIP

The safe and efficient operation of a vessel depends on the ability of professional mariners and employees to work seamlessly as a team, which requires mutual respect and trust.



### COMPANY

Potential harms of ignoring incidents of prohibited behavior like sexual assault and sexual harassment include:

- Impaired trust and respect within the team, especially when such behavior is condoned by leadership
- Increased risk of resignations and turnover
- Inability to recruit or hire new personnel

This issue affects everyone, which is why it is important for everyone, including you, to play an active role in preventing sexual assault and sexual harassment.

## EMPLOYEE BEST PRACTICE #3: TREAT YOUR COLLEAGUES WITH RESPECT

### **Boundaries:**

Boundaries are a person's inner sense about what feels comfortable or acceptable, and what does not.

### **Consent:**

Consent is when someone agrees to do something, with full knowledge of what they are agreeing to. Consent can be expressed through words and/or actions. A person cannot consent if they are not able to think clearly or exercise their judgment. For example, a person cannot consent when they are asleep, unconscious, forced to say "yes," incapacitated by drugs or alcohol, or under the legal age of consent.

## TREATING YOUR COLLEAGUES WITH RESPECT

In the maritime industry, everyone is important, and everyone should be treated with dignity and respect. Prohibited behaviors have no place in the industry. If we tolerate these attitudes, it can lead to incidents of sexual assault and [sexual harassment](#).

When we cross someone's **boundaries**, even if we didn't mean to, it can hurt them. It is important for you to always respect these personal limits. One way to show respect is by practicing **consent**.



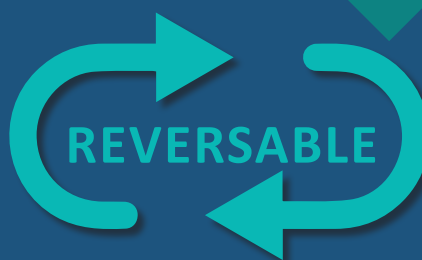
# CONSENT IS:

## FREELY GIVEN

Consent cannot be gained through force, coercion, incapacitation, or intimidation.

*Consent is not freely given between two individuals when one has significant power over the other (e.g., captain/cadet).*

Consent  
CAN BE WITHDRAWN  
at any time



## INFORMED

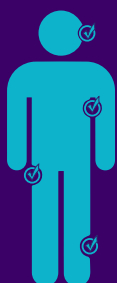
Everyone involved should understand which activities they are consenting to.



## ENTHUSIASTIC CONSENT

Enthusiastic consent means looking for the presence of a “yes” rather than the absence of a “no.”

This can be expressed verbally or through non-verbal cues, such as positive body language like smiling, maintaining eye contact, and nodding. These cues alone do not necessarily represent consent, but they are additional details that may reflect consent. It is necessary, however, to still seek verbal confirmation.



## SPECIFIC:

Consent is specific to individual activities.

*For example, if someone consents to kissing, it does not mean they consent to sex. Consent must be sought for the additional activities.*

# BASIC DO'S AND DON'TS

You have a responsibility to contribute to a healthy workplace culture. It is important to follow appropriate workplace conduct and show respect for your colleagues. Below are some basic Do's and Don'ts to remember.



## DO'S

Do **report** all prohibited behaviors.

---

Do treat others with respect.

---

Do treat others equally regardless of **gender identity**, sexual orientation, race, or other identity.

---

Do complete all sexual assault and **sexual harassment** prevention and **response** training. [www.socp.us/sash-prevention](http://www.socp.us/sash-prevention)

---

Do ensure you and your colleagues are aware of your reporting options.

---

Do report when you believe you witnessed prohibited behavior.

## DON'TS



Don't ignore prohibited behaviors.

---

Don't use slang or slurs to refer to a person by their gender, sexual orientation, or identification.

---

Don't violate, bend, or circumvent company policies and procedures.

---

Don't participate in prohibited behaviors or actions towards others that could be perceived as harassing. This includes sexual assault, **sexual exploitation**, **harassment**, **bullying**, **hazing**, technology-facilitated abuse, **stalking**, and **microaggressions**.

---

Don't retaliate. It is prohibited to retaliate against anyone who reports an incident.

## EMPLOYEE BEST PRACTICE #4: IDENTIFY, COMMUNICATE, AND PROTECT YOUR BOUNDARIES

### Power Imbalances:

A relationship or interaction where one party has more [power](#) than the other.

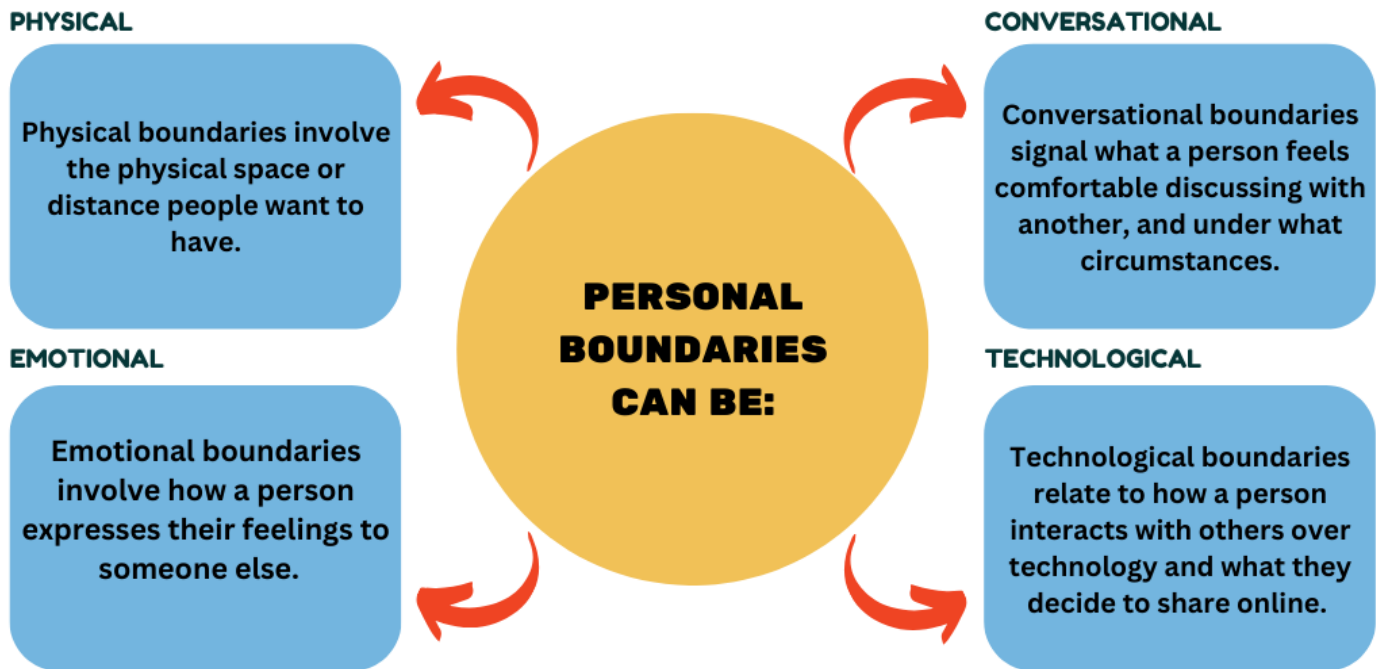
## IDENTIFYING YOUR BOUNDARIES

To facilitate culture change, it is important for you to be focused not only on behaviors that are prohibited, but also on reinforcing positive behaviors. Positive behaviors include identifying, communicating, and protecting healthy [boundaries](#) and encouraging [bystanders](#) to intervene when observing harmful behavior.

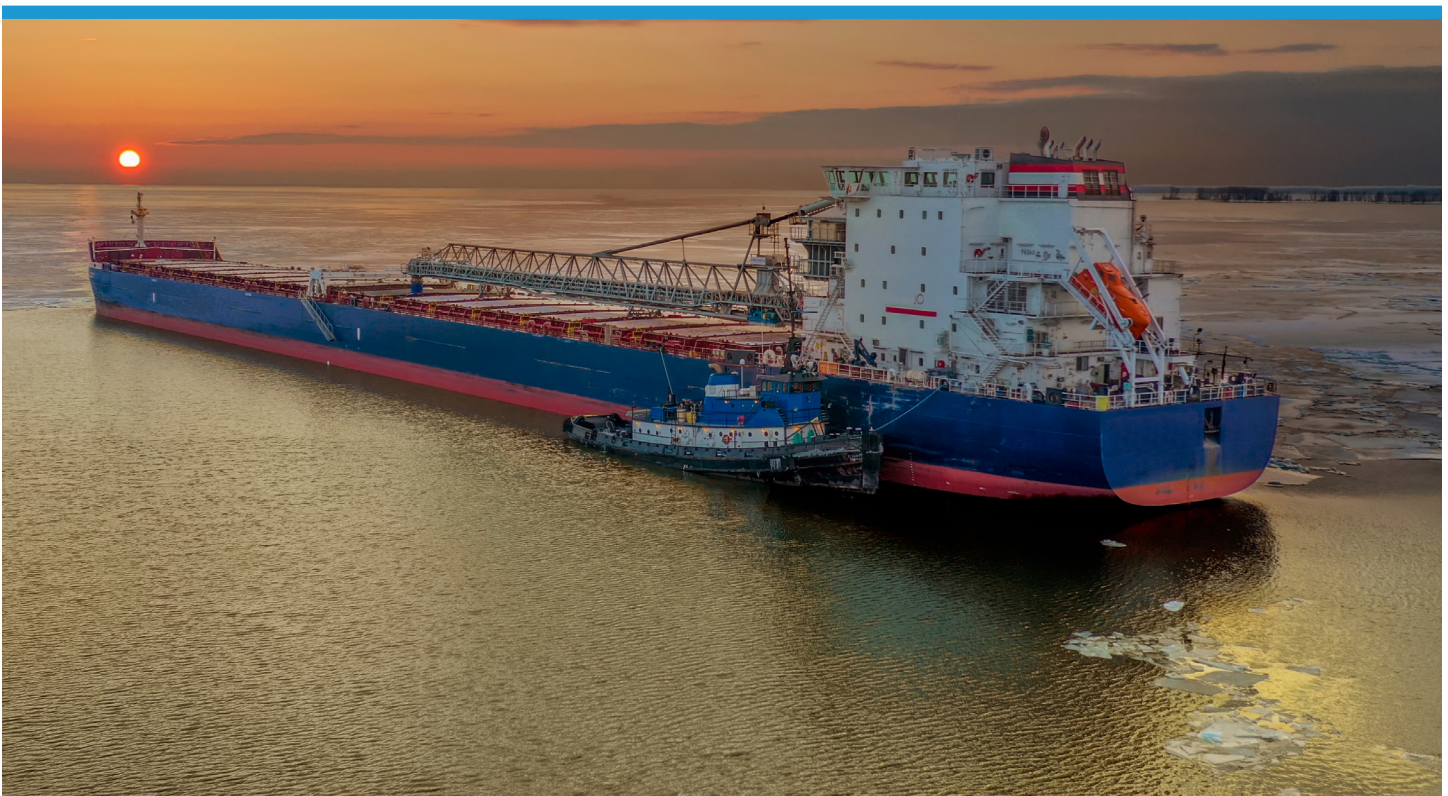
As an example:

- What are your boundaries when it comes to sharing your social media account with a colleague?
- How would you communicate this boundary?
- If challenged, what can you do to seek out support in reinforcing this boundary?

Everyone has different personal boundaries, and they help communicate people's needs and define how people wish to be treated – by friends, family, partners, colleagues, and anyone else in their lives. Boundaries can change over time or across situations.



Remember, boundaries can be crossed in-person or through other ways, including through other people or technology.



## COMMUNICATING AND PROTECTING YOUR BOUNDARIES

Follow these three steps so you can start setting and protecting boundaries in your workplace interactions:

1

Identify what kinds of personal boundaries you have.

Communicate them to others.

2

3

Maintain them even when challenged, if safe to do so.

Sometimes power imbalances can make it difficult, or even unsafe, for people to communicate and protect their boundaries.

- If it is unsafe or difficult to communicate or protect boundaries, you may consider seeking out support from trusted people and organizations.



## EMPLOYEE BEST PRACTICE #5: TAKE ACTION BY INTERVENING OR SPEAKING UP

### **Bystander/witness:**

A person who is present when the prohibited behavior happens and who sees, hears, or has direct knowledge of the incident.

### **Bystander Effect:**

The theory that bystanders are less likely to act or help in a dangerous or harmful situation when multiple bystanders are present.

### **Bystander Intervention:**

The act of noticing a situation that could be dangerous or harmful, and taking action to help.

## INTERVENING

If you are a **bystander/witness** when a sexual assault or incident of **sexual harassment** occurs, you should take action by intervening or speaking up, whether or not the **victim/survivor** does so for themselves. Do not let the **bystander effect** prevent you from getting involved or seeking help.

The process of **bystander intervention** includes three steps:

1. Notice a potentially harmful situation.
2. Assess the situation to intervene.
  - There are many factors that one can assess to determine if it is safe to intervene and how to intervene. This can include assessing:
    - Your comfort level
    - Your job requirements
    - Your safety concerns
3. Intervene during the incident.
  - If there is no safe way to intervene and you are unable to apply the following techniques, you are still encouraged to **report** the incident. There is no punishment if a report is made in error.

# THE 3 D'S

As a bystander, here are three strategies that you can use to intervene.

## DIRECT

Intervene directly with the person doing the harm, or the person being targeted. Address the situation with a short statement or question to point out threatening or inappropriate behavior in a safe manner.

- “Hey, are you ok?”
- “That’s not funny. We don’t do that kind of thing on this ship.”
- “Stop bothering them.”

## DISTRACT

Do anything to disrupt or interrupt a situation. Take an indirect approach to deescalate the situation by starting a conversation with the person being targeted or finding another way to draw attention away from them.

- Go up and start a conversation. “Hey, can you come help me with some loading?”
- ‘Accidentally’ spill a drink or ask for the time. “Hey, do you have the time?”
- Change the subject quickly when harmful content comes up. “Man, we sure have a long day ahead of us. Speaking of which, ...”

## DELEGATE

Bring in another person or people to help, such as a colleague, nearby **bystander**, vessel management, shoreside management/Designated Person Ashore (DPA).

- Contact a company representative and ask them to check in.
- Solicit help from those nearby.
- Bring in someone with influence or authority—a supervisor, Human Resources, etc.

You have a responsibility to protect your colleagues. Taking a stand against these types of prohibited behavior, including jokes, stereotypical or inappropriate comments, is vital. It all starts with challenging your peers’ and social groups’ attitudes and beliefs.

## EMPLOYEE BEST PRACTICE #6: REPORT PROHIBITED BEHAVIOR

### **Discrimination:**

The unfair or prejudicial treatment of people and groups. Prejudice is an assumption or opinion about someone simply based on that person's membership to a particular group. Discrimination is a prohibited behavior. Discrimination includes, but is not limited to [ageism](#), [racism](#), [sexism](#), [ableism](#), [xenophobia](#), [homophobia](#), and [transphobia](#).

### **Mandatory Reporting:**

Refers to certain instances where an incident **must** be reported because of company policy or the law.<sup>4</sup> For example, a SASH Contact who receives a [disclosure](#) of [sexual harassment](#) has a legal obligation to [report](#) it to the company and USCG.

### **Report:**

In this section, a “**report**” refers to an official report of prohibited behavior that has been filed with the USCG, company, or other agency or official, with the goal of providing information for [investigation](#) and official [response](#).

### **Retaliation:**

Any adverse action taken against an employee for engaging in a protected workplace activity. Adverse action is an action which would discourage a reasonable person from:

- Complaining about discriminatory or harassing behavior
- Reporting violations of law or company policy
- Participating in any investigation or proceeding resulting from a report or complaint

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<sup>4</sup> [46 U.S.C. §10104: Requirement to report sexual offenses](#). Also, see USCG implementation guidance at [Marine Safety Information Bulletin \(MSIB\) 1-23, Reporting Sexual Misconduct on U.S. Vessels](#). Note that MARAD's EMBARC requires certain SASH-involved incidents to also be reported to USMMA, SMA, or MARAD.

## UNDERSTANDING WHY PEOPLE DON'T REPORT

Making the decision of whether to [report](#) an incident of sexual assault, [sexual harassment](#), or other prohibited behavior can feel overwhelming.

People do not report incidents for many reasons, including not knowing how to report an incident, being unsure of what will happen next, fear of [retaliation](#), or fear of not being believed to name a few.

To help overcome some of these barriers to reporting, this section provides important information about making a report. Remember, retaliation against someone who makes a report is prohibited. There is no punishment if a report is made in error.

You have a right to feel safe at work and if you experience or witness prohibited behavior, you should report the prohibited behavior, even if it stops. This will help companies to identify previous incidents and prevent future occurrences.

Remember, it is not just physical assaults that should be reported. All prohibited behavior must be addressed right away to prevent it from happening again or becoming more serious in the future. [Bullying](#), [hazing](#), [coercion](#), [stalking](#), and other forms of non-sexual boundary violations are all prohibited. It is your responsibility to help promote a work environment where these behaviors are not tolerated, and all employees are respected and feel safe.

## REPORTING TO YOUR COMPANY

Every company has its own reporting procedure. If you are not sure of your company's policy on reporting, refer to the Safety Management System (SMS). Companies will often have multiple ways for you to report an incident to ensure your protection.

Your company will have a designated person to receive reports of prohibited behavior and who may have a [mandatory reporting](#) responsibility. These can include, but are not limited to:

- Immediate Supervisor
- Senior Officer

- Designated Person Ashore
- SASH Contact
- Port Captain or Port Engineer
- Personnel Department/Labor Relations/Human Resources

Once a [report](#) of prohibited behavior is made to your company, the company is required by law to report the incident to the USCG for [investigation](#). If a United States Merchant Marine Academy (USMMA) cadet is onboard, the company is also required to report the incident to the USMMA, regardless of whether the incident involved the USMMA cadet.

## REPORTING TO LAW ENFORCEMENT

You have the option of reporting incidents directly to the United States Coast Guard Investigative Service (CGIS). The CGIS offers many ways to make a report.

You can report these incidents to the CGIS by:

- Calling the National Command Center (NCC) at 202-372-2100
- Emailing [CGISTIPS@uscg.mil](mailto:CGISTIPS@uscg.mil)
- Submitting a web-based tip form
  - The web-based tip form can be accessed through at the following weblink: [www.p3tips.com/tipform.aspx?ID=878#](http://www.p3tips.com/tipform.aspx?ID=878#)
  - Anonymous reporting is available in this form\*.
- Submitting a mobile-based tip form
  - The CGIS Tips app can be downloaded from your mobile provider's marketplace.
  - Anonymous reporting is available in this form\*.
  - You can scan the QR code below to quickly access the CGIS Tips app.



\*Submitting an anonymous report may limit the ability to open an investigation. You can still use this reporting option, but it is important to understand its limitations.



If you experience an incident of sexual assault onboard a vessel under military operational control, you have the option to [report](#) the incident to the Naval Criminal Investigative Services (NCIS). If you are unsure whether this reporting avenue applies to you, please contact the CGIS for more information.

If an incident of sexual assault occurs during shore leave, you have the option to report the crime to a local law enforcement agency. However, it is still recommended that you report the incident to your company and the CGIS in these instances. Depending on where the port is located (U.S. port or foreign port), laws, regulations, and which agency is responding to the report may vary.

## REPORTING EMPLOYMENT DISCRIMINATION TO THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

If you believe that your employment rights have been violated, filing a job **discrimination** complaint with the Equal Employment Opportunity Commission (EEOC) may be an option for you. This depends on certain factors specific to your employer. Job discrimination includes discrimination and [harassment](#) based on race, color, religion, sex (including pregnancy, [gender identity](#), and sexual orientation), national origin, disability, age (40 or older), and genetic information.

Steps to take to make a report with the EEOC are:

- Locate your nearest EEOC office by calling 1-800-669-4000 or by going to the EEOC's Field Office List and Jurisdiction Map at [eeoc.gov/field-office](https://www.eeoc.gov/field-office), and selecting the office closest to you.
- Individuals who are Deaf or Hard of Hearing can reach the EEOC by videophone at 1-844-234-5122.
- Once you select the closest office, you can make a report via:
  - The online EEOC Public Portal at [publicportal.eeoc.gov/Portal/Login.aspx](https://publicportal.eeoc.gov/Portal/Login.aspx)
  - An in-person appointment with your local office

**If you have issues accessing the EEOC Public Portal, you can call 1-800-669-4000.**

## COMPANY RESPONSE AND ACCOUNTABILITY PROCESS

### **Accountability:**

Accountability is the process through which a person accused of prohibited behavior is investigated and, when appropriate, disciplined for their behavior.

### **Confidentiality:**

Confidentiality is the requirement that information an individual shares with another individual or organization (e.g., employer, academy, medical institution, etc.) will not be shared outside that relationship without that individual's [consent](#).

### **Discipline:**

An approach used by a company/organization to address prohibited behavior. Examples of workplace discipline may include, but are not limited to, training, coaching, written reprimands, suspension, demotion, and termination.

### **Investigation:**

An investigation is an official examination of the facts underlying a [report](#). If the allegations concern a potential crime, it is known as a criminal investigation; if the allegations concern a violation of a workplace policy, rule, or regulation, it is known as a workplace investigation or an administrative investigation.

### **Response:**

The word “response” refers to the *immediate actions* taken by a company following receipt of a report of prohibited behavior. This could also include ongoing support efforts for the [victim/survivor](#).

**Suspension and Revocation Hearing Procedures:**

A proceeding before an Administrative Law Judge (ALJ) concerning a mariner's Merchant Mariner Credential, license, or documents and the right to hold those documents and serve under them.

## THE COMPANY RESPONSE PROCESS

Each company should have policies that describe their [response](#) process. While the response timelines and policies may vary across different companies, parties involved in an incident can typically expect the following immediate actions:

- The [report](#) is directed to the appropriate person.
- CGIS is contacted immediately.
- The company notifies the USMMA of such an incident, when a USMMA cadet is onboard.
- The [victim's/survivor's](#) individual safety, medical support, or emotional support services are addressed immediately, as appropriate, which can include:
  - Provision of medical support, either locally in port or by telemedicine at sea, if feasible
  - Connection to internal resources like an employee assistance program
  - Modifications of watch or work schedules
  - Mitigation of interaction between the victim/survivor and the accused
  - Immediate relief of the victim/survivor at next port of call
- The individuals involved will be separated to prevent any further escalation of the incident and/or to ensure a safe work environment.

## THE COMPANY ACCOUNTABILITY PROCESS

You can find your company's **accountability process**, which describes how a company will investigate and handle [discipline](#) for prohibited behaviors, within their policies and procedures.

In a workplace [investigation](#), also known as an administrative investigation, the alleged [perpetrator](#) is accused of violating company policy and can face administrative discipline, such as verbal or written reprimands or additional training. This differs from a criminal investigation, in which the alleged perpetrator is accused of violating law and can face criminal penalties, such as fines, incarceration, loss of certain rights, rehabilitation, and more.

While the administrative investigation process timelines and policies may vary across different entities, parties involved in an incident can typically expect the following:

- The investigation should use [trauma-informed approach](#) ([see page 132](#) about using a trauma-informed, [victim/survivor-centered approach](#)).
- In cases of sexual assault, the location where the incident took place, such as a stateroom, may need to be secured.
- The [victim/survivor](#), the accused party, and [witnesses/bystanders](#) are interviewed.
- The investigator may ask those being interviewed to provide details of the incident(s), such as:
  - Who was involved in the incident(s)?
  - Who else may have or did witness the incident(s)?
  - Where did the incident(s) occur?
  - When did the incident(s) occur (time and date)?
  - What occurred during the incident(s)?
  - Were there previous related incident(s)?
  - Did you or anyone else [report](#) the incident, and if so to who and when?
  - What happened after the incident(s)?
- The company should maintain [confidentiality](#), to the extent possible.
- The victim/survivor is notified of the process of the investigation.
- The involved parties are advised on the company's [retaliation](#) policy.
- The investigator collects written statements from the appropriate parties.
- The Labor Relations/Human Resources reviews the parties' work history, statements and facts collected during the investigation and determines how to proceed. A third-party or legal counsel may become involved to complete the investigation.

- The investigator concludes their [investigation](#) and submits a Report of Findings to the appropriate Senior Management Representative.
- The Senior Management Representative and Labor Relations/Human Resources reviewing the findings and collectively decide if a corrective action and/or disciplinary action is required.
- The [victim/survivor](#) and the accused party involved in the investigation are notified of the results, as appropriate.
- If law enforcement is involved, communication between law enforcement and the company occurs.

You can find your company's disciplinary actions and process within their policies and procedures. Some examples of disciplinary actions include, but are not limited to:

- Training
- Coaching
- Verbal warnings
- Restrictions of privileges
- Written warnings
- Suspension
- Demotion
- Termination

If it is confirmed that a party has engaged in prohibited conduct, suspension or revocation of the mariner's Merchant Mariner Credential (MMC) may also follow. This process is known as the [suspension and revocation hearing procedures](#).





## ADDITIONAL CONSIDERATIONS

### SHORE LEAVE SAFETY TIPS

You should always be cautious when visiting somewhere unfamiliar. Use your best judgment and put your safety first. While you cannot control the actions of others, there are things you can do to help you stay safe during your time ashore:

The following are tips to help you and your shipmates stay safe while on shore leave:

- Trust your instincts.
- Identify, communicate, and protect your personal [boundaries](#).
- Do not go ashore alone. Partner with a shipmate; there is strength in numbers.
- Be aware of your surroundings; always watch for suspicious behavior.
- Walk quickly and confidently; have a plan of where you are going and don't appear confused or lost.
- Keep valuables concealed; do not openly show large amounts of money.
- Stay in well-lit, populated areas.
- Take the phone numbers of the ship and ship's agent with you ashore.
- If in a foreign country, take with you the phone number and address of the local U.S. Embassy. This information can be located at: [www.usembassy.gov](http://www.usembassy.gov).
- Review the U.S. State Department's Travel Advisories webpage for the country you are visiting: [www.travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html](http://www.travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html).
- Know how to call for help in an emergency.
- Follow your company's drug and alcohol policy.
- Don't stand out; dress casually and try to blend in with the locals.

In our industry we protect one another. When you see a colleague in distress, take action by intervening.

If you experience sexual assault, [sexual harassment](#), or other prohibited behavior while on shore leave, it is not your fault and help is available. For resources available, [see page 124](#).

## DRUGS AND ALCOHOL

The use of alcohol or drugs never makes a [victim/survivor](#) at fault for sexual assault, [sexual harassment](#), or other prohibited behavior committed against them. The [perpetrator's](#) use of alcohol or drugs is not an excuse for their actions or behaviors.

Every company will have different policies on the consumption of alcohol, and it is your responsibility to know what those policies are. The underlying theme is always making good decisions. Some companies may allow social drinking while on shore leave or with shipmates, others may have a zero-tolerance policy. It should always be made clear that consuming to the point of intoxication and not being able to make good decisions is unacceptable.

The use of any recreational drug is illegal, and the use or abuse of prescription medications can also alter your ability to make good decisions. Even the prescribed use of medication can have side effects and impair your judgment.

The use of alcohol and other drugs can have unintended consequences. Though the use of alcohol and drugs does not cause sexual assault, it can raise the risk of sexual assault. It can lower inhibitions and create an atmosphere of confusion over whether [consent](#) is freely and clearly given.

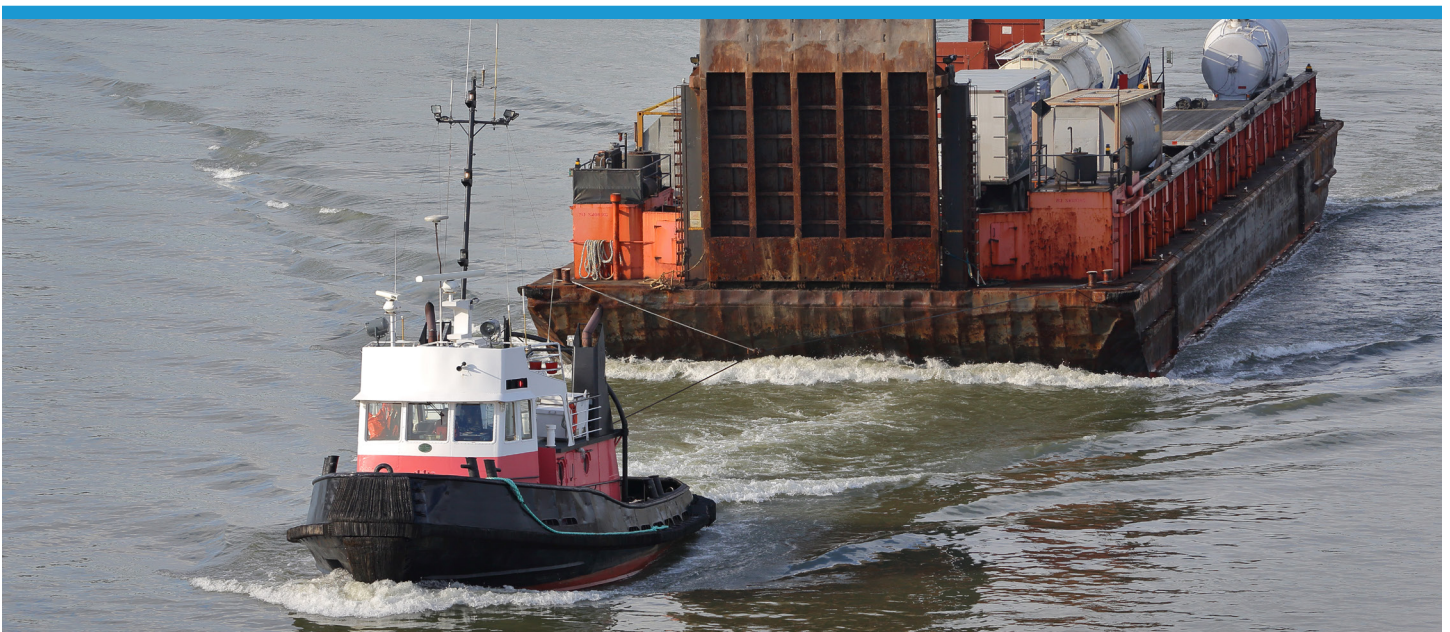
The impact of alcohol and other drugs varies from person to person. Determining whether an individual is incapacitated and unable to give effective consent may be difficult. You are strongly encouraged to use your best judgment when consuming alcohol as well as in deciding to engage in sexual activities. When in doubt, assume that the other person is incapacitated and therefore unable to consent.

## PROHIBITED RELATIONSHIPS/FRATERNIZATION

Every company will have different policies on the regulation of consensual romantic and/or sexual relationships between employees. This can sometimes include employees that are in a supervisor/employee relationship or even those employees that are peers and do not [report](#) to one another. The purpose of these policies is usually to prevent conflicts of interest and [sexual harassment](#) or discrimination that may result from such relationships. Review your company's policies on prohibited relationships.

### EMPLOYEE BEST PRACTICES TAKEAWAYS

1. Recognize prohibited behavior.
2. Understand the impact of sexual assault and sexual harassment.
3. Treat your colleagues with respect.
4. Identify, communicate, and protect your [boundaries](#).
5. Take action by intervening or speaking up.
6. Report prohibited behavior.











## SECTION II: FOR CADETS





**Restricted (Confidential) Reporting:**

A reporting option that allows cadets who are [victims](#) of sexual assault, sexual or gender-based [harassment](#), relationship violence, or [stalking](#), to [report](#) the incident in order to receive services such as medical treatment, victim advocacy, and counseling, **without initiating an [investigation](#)**. Review your academy's policies to determine if restricted reporting is an option for you.

**Unrestricted Reporting:**

A reporting option that allows cadets who are victims of sexual assault, sexual or gender-based harassment, relationship violence, or stalking, to receive the same services (such as medical, victim advocacy, and counseling) and **offers protection from the accused and an official investigation of the incident.**

Cadets are expected to read and follow all best practices listed in the employee section. The following information is specifically meant for cadets only. Cadets are encouraged to review information provided by their respective academies.

## CADET BEST PRACTICE #1: REPORT PROHIBITED BEHAVIOR TO YOUR ACADEMY

You have a right to feel safe in your learning environment and if you experience or witness prohibited behavior, you should report the prohibited behavior, even if it stops. This will help your academy identify previous incidents and prevent future occurrences.

## REPORTING TO THE UNITED STATES MERCHANT MARINE ACADEMY

If you attend USMMA, you have two reporting options: restricted reports and unrestricted reports.

A restricted report **must be made** to one of the following:

- USMMA SAPR Office
- Sexual Assault Response Coordinator (SARC)
- Victim Advocate

Restricted reports to USMMA do not lead to [investigations](#) by USMMA. If you decide to make a restricted report, you can request an investigation later on, if desired. If you want to make an unrestricted report, you can still make this type of [report](#) to a USMMA victim advocate.

An unrestricted report can be made to any of the following:

- USMMA SAPR Office
- Sexual Assault Response Coordinator (SARC)
- Victim Advocate
- Law enforcement
- Chain of Command
- Faculty
- Company contact
- Vessel Master
- USCG

Unrestricted reports to USMMA may result in the opening of an investigation of the allegations by USMMA. A USMMA cadet making an unrestricted report also has the option of notifying law enforcement, with or without the assistance of Academy staff. Notifying law enforcement of the report may result in a criminal investigation of the allegations.

A restricted or an unrestricted report must be made to a USMMA victim advocate. For immediate assistance, contact the USMMA SAPRO Hotline at 516-462-3207. A USMMA cadet may also email a SAPRO victim advocate at: [sapro@usmma.edu](mailto:sapro@usmma.edu) to make a report or for general assistance.

## REPORTING TO A STATE MARITIME ACADEMY

If you attend a state maritime academy (SMA), you should review your SMA's policies to learn more about your reporting options. You can seek out support from a [Title IX](#) office, if applicable. The Title IX office handles concerns of sex discrimination, including sexual orientation and [gender identity](#), which includes incidents of sexual assault and [sexual harassment](#). Ensure you have a good understanding of what your reporting options are within your SMA.

Your SMA may have certain roles that are designated to receive [reports](#) of prohibited behavior. This can include, but is not limited to:

- Academy employee
- Sexual Assault Prevention and Response Program (SAPR) Hotline
- SAPR/Title IX representative
- University or campus police
- Local law enforcement
- Victim Advocate
- U.S. Department of Education, Office for Civil Rights
- MARAD Office of Civil Rights

## CADET BEST PRACTICE TAKEAWAYS

1. Recognize prohibited behavior. (Employee section)
2. Understand the impact of sexual assault and sexual harassment. (Employee section)
3. Treat your colleagues with respect. (Employee section)
4. Identify, communicate, and protect your [boundaries](#). (Employee section)
5. Take action by intervening or speaking up. (Employee section)
6. Report prohibited behavior. (Employee section)
7. Report prohibited behavior to your academy.

A woman is shown from the chest up, wearing a light-colored sweater and a watch. She is holding a sextant and looking through it, with the ocean in the background. The image has a blue tint. The text "FOR VICTIMS/SURVIVORS" is overlaid in white, bold, sans-serif font across the middle of the image.

**FOR VICTIMS/SURVIVORS**



## STATEMENT OF SUPPORT FOR VICTIMS/ SURVIVORS

Being subject to sexual assault, [sexual harassment](#), or other prohibited behaviors is not your fault. We want you to [report](#) it so that you can receive help. It is normal to feel overwhelmed, scared, or feel isolated after you have experienced an incident of prohibited behavior. You are not alone.

Sexual assault and sexual harassment have no place within the maritime industry, and all [victims/survivors](#) deserve support and justice after experiencing any prohibited behavior. If you experience sexual assault, sexual harassment, or other prohibited behavior, you are encouraged to report.

Reporting prohibited behavior, even if it has stopped, can identify patterns of inappropriate behavior, and can prevent future harm. Reporting sexual assault or sexual harassment is a personal decision, and it is up to each victim/survivor to make a choice that is right for them.



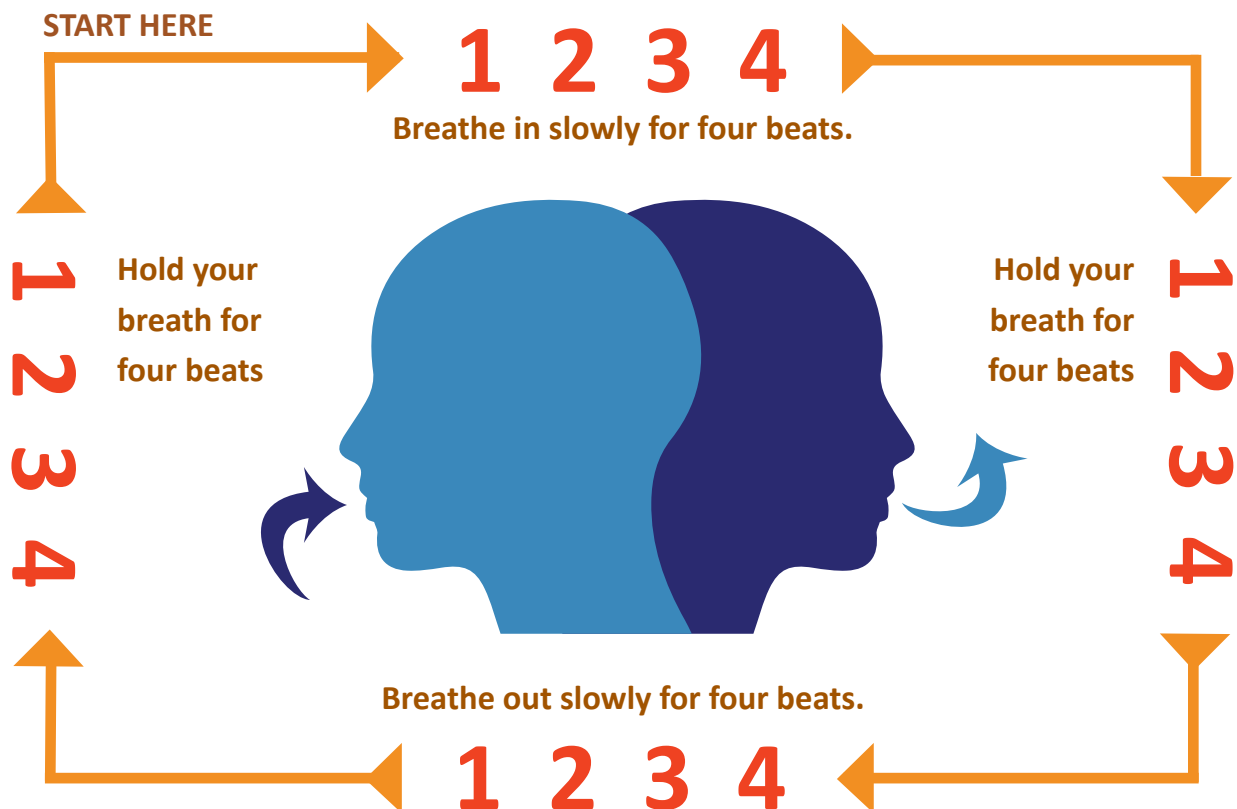
You are encouraged to reach out to any of the resources found in the appendix or by scanning the QR code below and navigating to SOCP's resources webpage at: [www.socp.us/sash-resources](http://www.socp.us/sash-resources).



Grounding exercises can help reduce feelings of anxiety and overwhelm, and can help refocus someone away from distressing thoughts, memories, or flashbacks.

## BOX BREATHING

A common grounding exercise aimed at calming a person down, and helping to encourage deep, regular breathing. Follow the instructional graphic to practice box breathing. Repeat until you feel calmer. This is a simple but effective exercise to use anytime.



• If you experience sexual assault, sexual harassment, or other prohibited behavior, please know it is not your fault and confidential help is available.



## FREQUENTLY ASKED QUESTIONS (FAQS)

Below are some common questions or concerns that [victims/survivors](#) may have after an incident of sexual assault or [sexual harassment](#).

### How and to whom can I [report](#)?

There are a number of ways that victims/survivors can report, and these options may vary. Below is a summary of the reporting options available, but for more information about reporting, please refer to the “Employee Best Practice #6: Report Prohibited Behavior” [on page 38](#), or the “Cadet Best Practice #1: Report Prohibited Behavior to Your Academy” section of this guide, located [on page 51](#). Additionally, please consult the policies of your company, or academy.

- All employees can report an incident of sexual assault, sexual harassment, or other prohibited behavior to their company.
- Employees can additionally report an incident directly to CGIS.
- USMMA Cadets have the option of making a restricted or [unrestricted report](#) to the USMMA. \*
- SMA cadets have the option of reporting to their [Title IX](#) office, or other employees at their academy. \*

\* For more information on reporting within an academy, please review your academy’s policies.

### What can I report?

All employees are strongly encouraged to report any incidents of sexual assault and sexual harassment that they experience or observe. In addition, employees can report other prohibited behaviors, such as [bullying](#), [hazing](#), [coercion](#), [stalking](#), [retaliation](#), and other non-sexual boundary violations.

Employees do not need to be certain that something rises to the level of a legal violation in order to make a report; instead, employees are encouraged to report unwelcome or offensive behavior.

For more information on definitions of these reportable behaviors, refer to the “Employee Best Practice #1: Recognize Prohibited Behavior” section of this guide, located [on page 19](#), and for more information on specific behaviors that can be reported, refer to your company’s or academy’s policies.

**What happens when I report?**

Your company’s or academy’s policies will dictate their process once a report has been made. In general, the receiving organization will review the report and start an [investigation](#). Policies could also include information on what types of support are available, expected timeframes for the start and length of an investigation, and whether and when updates and/or findings of the investigation can be expected.

**Is my information protected when I report?**

Once a report is made, every effort should be made to ensure [confidentiality](#) to the extent possible. However, some information may need to be shared with others, for example, if an investigation is started, or if there are [mandatory reporting](#) obligations, such as reporting to CGIS. In such cases, information should only be shared on a need-to-know basis.

**What if I am not ready to report, or I do not want to report?**

While everyone is strongly encouraged to report any type of prohibited behavior, the decision to report is ultimately the sole decision of the victim/survivor. If you are not ready to report, or do not wish to make a report, you can still access confidential support and resources. Please see the Resources section [on page 124](#) for more information. It is important to note that if others, such as witnesses, are aware of an incident, it is possible that they may make a report of their own. Also, if a [disclosure](#) of sexual assault or sexual harassment is made to certain individuals, the law may require them to make a report.

**Can I receive confidential support without making a report?**

Everyone is strongly encouraged to seek support. Yes, you can still access confidential support even without having to make a report.



You can find these resources in the appendix or by scanning the QR code below and navigating to SOCP's resources webpage at: [www.socp.us/sash-resources](http://www.socp.us/sash-resources). If you are a USMMA cadet, please refer to the information on making a restricted report, beginning [on page 124](#).

The company may make accommodations for the safety, health, and wellbeing of the victim, vessel, and crew.

### **What types of workplace accommodations can be made available to victims/survivors after making a report?**

Workplace accommodations offered by companies can vary. They can include, but are not limited to, the following:

- Modifying the watch or work schedule of the victim/survivor and/or the accused
- Taking steps to reduce and/or eliminate interactions between the victim/survivor and the accused
- Immediate relief of the accused at the next port of call
- Immediate relief of the victim/survivor at the next port of call

In addition to accommodations, a company or academy can connect victims/survivors to internal resources, such as an employee assistance program (EAP) or mental health services.

### **If you were sexually assaulted, and you require medical attention, the following options are available:**

- If a ship is in port, medical support, including a Sexual Assault Forensic Exam (SAFE), can be provided.
- If a ship is at sea, there may be some limitations to medical care that can be immediately provided. However, some medical support may be provided via telemedicine, as appropriate.

## KEY TAKEAWAYS

- If you have experienced harm, it is important that you know that you are not alone. Resources and support are available, and you are encouraged to seek out those supports if you need them.
- While you are encouraged to [report](#) prohibited behavior, the decision to report is personal, and it is up to you to make the choice you feel is right for your situation.
- Sexual assault and [sexual harassment](#) are never your fault. Sexual assault and sexual harassment are caused by the actions of the [perpetrator](#), never the actions of the [victim/survivor](#).







# SECTION IV: FOR KEY PERSONNEL





## KEY PERSONNEL BEST PRACTICE #1: UNDERSTAND YOUR ROLE AND RESPONSIBILITIES

### Key Personnel:

Key personnel are individuals who, as part of their job responsibilities, are responsible for receiving, responding to, and/or investigating reports or disclosures of sexual assault, sexual harassment, and other prohibited behaviors. Key personnel can be mariners, shoreside personnel, and government workers, as well as any other individuals who provide emotional support and resource information to victims/survivors.

## THE ROLE OF A SASH CONTACT (AND THOSE WITH SIMILAR RESPONSIBILITIES)

Companies may have specific individuals on staff whose responsibilities include providing unbiased and non-judgmental emotional support and resource information to the victim/survivor throughout the response and accountability processes. The position assigned to provide these responsibilities may vary from company to company. For example, an HR professional may be called in to serve in this capacity. For the purposes of this Guide, the term “SASH Contact” will be used to reference the people in positions that have these responsibilities.

It is imperative that the role of the SASH Contact is separate from any of the other key personnel roles, i.e., the investigator or disciplinary official should not also be the SASH Contact. Separating this role from the other roles in the response and accountability processes helps prevent the process from becoming biased and staying fair and equitable for all parties involved. It also provides assurance to the victim/survivor that they can share information freely with the SASH Contact and ask questions or access resources without questioning the impact on the investigation.

All SASH Contacts in the maritime industry must complete a training on [victim/survivor](#) assistance. Prior to designation, all SASH Contacts in the U.S. merchant marine must complete a MARAD-accepted victim/survivor assistance training program. All SASH Contacts must also complete a MARAD-accepted victim/survivor assistance annual refresher training. A list of MARAD-accepted training programs and annual refresher training can be found on MARAD's website at: [www.maritime.dot.gov/EMBARC/Training](http://www.maritime.dot.gov/EMBARC/Training).

This foundational training provides information on victim's rights, the justice system, communication skills, [confidentiality](#), advocacy, applicable crimes, and considerations in serving LGBTQIA+, campus/university, and military-member victims/survivors. For more information on publicly available training resources, please [see page 124](#).

## THE ROLE OF AN INVESTIGATOR

Investigators should consult their company policies and procedures regarding proper investigative protocols when an incident of sexual assault or [sexual harassment](#) is reported. Each and every reported incident should be investigated, without exception. The key responsibilities of an investigator are to:

- Conduct a fair and impartial inquiry into a [report](#) of sexual assault, sexual harassment, or other prohibited behavior.
- Respect the rights of all parties, including the accused and the victim.
- Conduct the [investigation](#) in a timely manner.
- Collect information, including thorough interviews with victims/survivors, the accused, and other witnesses.
- Document all findings in the appropriate manner.

An investigator should maintain confidentiality during the investigative process to the extent possible. The accused party, victim, and witnesses should not be subjected to prohibited behavior, such as gossip or [retaliation](#). All parties should be informed of the company's retaliation policy. Pursuant to company policy, other parties or departments, such as Human Resources, may become involved with the process.

After the investigation is complete, a Report of Findings should be forwarded to the appropriate parties for review and consideration of disciplinary steps. After such determinations have been made, the parties should be made aware of the outcome of the investigation.

## THE ROLE OF A DISCIPLINARY OFFICIAL

Disciplinary officials should consult their company policies regarding disciplinary procedures when a finding of sexual assault, [sexual harassment](#), or other prohibited behavior has been made. Disciplinary decisions should be assessed on a case-by-case basis to ensure the chosen disciplinary action reflects the severity of the behavior committed by the employee.

The key responsibilities of a disciplinary official are to:

- Conduct a thorough examination of the facts and statements collected during the investigation, the employee's work history, and past disciplinary actions.
- Make decisions regarding disciplinary action where there has been a violation of policy, to include recommending and/or approving [discipline](#).
- Notify the appropriate parties and/or authorities of the disciplinary decision.
- Consider and manage appeals brought forth.
- Document all disciplinary decisions in a timely manner, including in the employee's file.
- Liaise and consult with other parties or departments, such as management or Human Resources, to enforce disciplinary action.



## RESPONSIBILITIES OF KEY PERSONNEL

Key personnel are held to a higher standard when it comes to their responsibility of preventing and responding to incidents of sexual assault and sexual harassment. These responsibilities include:

- Maintain professionalism at all times.
- Report all incidents to the company for follow-up on reports to USCG, as required by law.
- When an incident occurs on a vessel carrying USMMA or State Maritime Cadets, immediately reporting the incident to the company's SASH contact for transmission to the appropriate contact at USMMA, MARAD, or the State Maritime Academy.
- Take immediate action to stop and correct prohibited behavior.
- Ensure individual safety, such as by separating those engaged in confrontation or contacting law enforcement or medical support.
- Ensure adherence to all company policies and procedures
- Ensure that all personnel, vendors, and contractors are held to the same level of accountability
- Report those who are ignoring incidents, if brought to your attention.
- Manage personal biases during the response and accountability process.
- Intervene and interrupt all forms of prohibited behaviors.
- Make appropriate notifications when handling a report.
- Respond to incidents of prohibited behaviors in a trauma-informed, victim-centered manner.
- Protect the confidentiality and privacy of all parties involved in an incident, to the extent possible.
- Preserve fairness and equity in the response and accountability process
- Communicate in honest and transparent ways with all parties involved.
- Offer resources and support to the victim/survivor of an incident.
- Complete necessary documentation and recording of the response and/or accountability process.

## KEY PERSONNEL BEST PRACTICE #2: MANAGE YOUR BIASES

**Bias:**

Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair. Prejudice is an assumption or opinion about someone simply based on that person's membership to a particular group.

**Gender Identity:**

Gender identity is a person's internal and personal sense of what their gender is. This could include being male, female, neither, both, or other genders.

### THE IMPACT OF IMPLICIT BIAS

Sexual assault and [sexual harassment](#) are often misunderstood or unrecognized. Different beliefs and ideas people have about sexual assault and sexual harassment can come from multiple sources. This can include personal experiences, opinions of family or friends, and messages from the media. All of these sources can also influence a person's biases. **Bias** can result in perpetuating stereotypes, myths, and misconceptions. The graphic on the following page includes some common myths and misconceptions about sexual assault and sexual harassment.

**Sexual assault and sexual harassment only happens to women.**

## MYTH 01

**Women do experience high rates of sexual assault and sexual harassment, however victims/survivors can be any gender.**

**Most sexual assault is perpetrated by strangers.**

## MYTH 02

**Approximately 80% of sexual assaults are perpetrated by someone known to the victim/survivor.<sup>5</sup>**

**False reports of sexual assault are common.**

## MYTH 03

**A report should only be considered false if an investigation finds evidence that the complainant intentionally reported something that was not true. Research has found that only 2-10% of reports of sexual assault to law enforcement are false.<sup>6,7,8,9</sup> In reality, most sexual assaults are never reported to law enforcement.**

<sup>5</sup> Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Crime Victimization Survey, 2010-2016 (2017).

<sup>6</sup> David Lisak et al., "False Allegations of Sexual Assault: An Analysis of Ten Years of Reported Cases," 16 *Violence Against Women* (2010): 1318-1334

<sup>7</sup> Kimberly A. Lonsway, "Trying to Move the Elephant in the Living Room: Responding to the Challenge of False Rape Reports," 16 *Violence Against Women*, (2010): 1356-1371

<sup>8</sup> Ferguson, C. E., & Malouff, J. M. (2016). Assessing Police Classifications of Sexual Assault Reports: A Meta-Analysis of False Reporting Rates. *Archives of Sexual Behavior*, 45(5), 1185–1193. doi:10.1007/s10508-015-0666-2

<sup>9</sup> Lisak, D., Gardinier, L., Nicksa, S. C., & Cote, A. M. (2010). False Allegations of Sexual Assault: An Analysis of Ten Years of Reported Cases. *Violence Against Women*, 16(12), 1318–1334. doi:10.1177/1077801210387747



A victim's/  
survivor's decisions  
and/or actions can  
cause sexual  
assault or sexual  
harassment.

## MYTH 04

No matter what a victim/survivor did, what they were wearing, or whether they were drinking, being sexually assaulted or sexually harassed is never the victim's/survivor's fault. Everyone has the right to be safe from sexual assault and sexual harassment. The only cause of sexual assault and sexual harassment is the person who perpetrates it.

If sexual assault  
or sexual  
harassment is  
not reported,  
that is proof that  
it "did not  
happen."

## MYTH 05

Reporting sexual assault or sexual harassment is a highly personal decision, and research shows that most victims/survivors of sexual assault or sexual harassment do not report what happened to them.<sup>10</sup> There are many reasons that a victim/survivor may choose not to report, including but not limited to:

- Fear of not being believed
- Fear of being blamed for what happened
- Fear of retaliation
- Shame, stigma, or embarrassment
- Not realizing that what happened was wrong or inappropriate
- Not knowing that they can report, or how to report
- Belief that reporting would not do anything, or that nothing would come of a report



**While companies should always encourage survivors to [report](#) what happened to them, it is crucial that a [victim's/survivor's](#) lack of reporting is not taken as proof that sexual assault or sexual harassment did not happen.**

Other common biases that influence the way that people respond to incidents of sexual assault and sexual harassment include victim-blaming and misconceptions about who experiences sexual assault and sexual harassment.

<sup>10</sup> Rape, Abuse & Incest National Network (RAINN). (2020). The Criminal Justice System: Statistics. <https://www.rainn.org/statistics/criminal-justice-system>

There are many stereotypes about how people of a certain [gender identity](#) should act and express themselves – and these gender stereotypes can influence how women, men, transgender people and non-binary people are perceived.

Some common stereotypes about masculinity include:

- Being physically strong and aggressive
- Not showing emotion
- Being ambitious and task-oriented

While some common stereotypes about femininity include:

- Being physically fragile
- Showing too much emotion
- Being cooperative and person-oriented

Stereotypes can lead to permissive behavior and attitudes concerning [microaggressions](#), [sexism](#), sexual assault, and sexual harassment. Relying on stereotypes and myths is harmful because they can disregard the actual and varied experiences of victims/survivors. In the case of gender [bias](#), this can lead to male victims/survivors having their experiences minimized or dismissed, questioning a victim/survivor's sexuality, or believing that someone could not be a victim/survivor or a [perpetrator](#), based on their gender identity. It also makes it less likely for victims/survivors to feel that they will be believed if they decide to [report](#).

Being influenced by biases is completely natural, however, they can impact how someone responds to incidents of sexual assault and sexual harassment – such as impacting whether or not a victim/survivor is believed, and how seriously a report is taken.

## MANAGING BIAS AS KEY PERSONNEL

Managing bias is an important component of a fair and equitable [response](#) and accountability process. Not only does it illustrate a commitment to carrying out [key personnel](#) duties responsibly, but it also serves in the best interest of all individuals involved in an incident of sexual harassment or sexual assault.

An important way of ensuring fairness and equity is by maintaining professionalism and treating all involved persons (e.g. [victims/survivors](#), witnesses, accused parties) with respect and dignity when interacting with them, or when communicating to others about the incident. This includes ensuring all information about an incident and the individuals involved is treated sensitively, held confidentially to the extent possible, and shared only on a need-to-know basis.

Key personnel have the additional responsibility of ensuring they are able to execute their formal role in the response and accountability process, and should understand the scope and limitations of this role.

In order to address potential biases, key personnel should engage in a process of ongoing self-assessment aimed at identifying biases, understanding where these biases originate, and managing the effects these biases can have. One way that key personnel can do this is through considering questions such as:

- What messages do I frequently receive about sexual assault and [sexual harassment](#)?
- Do I have attitudes or biases that can impact the ways that I execute my role and interact with those involved (e.g., I have strong feelings about sexual activity outside of a committed relationship; I expect victims to respond to [trauma](#) in a particular way)?
- What pre-existing opinions do I have about the individuals involved?
- Am I making automatic assumptions about this incident, or about the people involved?
- Am I worried or fixated on the incident and individuals involved (e.g., I feel excessively responsible for factors that do not fall within my role, or feel overly sympathetic/protective towards an involved party)?
- Am I reminded of my own personal experiences, or that of someone close to me?
- Am I feeling overwhelmed or powerless (e.g., easily frustrated, experiencing physiological symptoms)?



Key personnel should regularly engage in this process of self-reflection, with the goal of being aware of any biases or automatic assumptions that they have. Key personnel can also make conscious attempts to reduce the influence of biases through increasing their exposure to different perspectives, practicing empathy with others, thinking of counter-stereotypic examples, and seeking out further education on the topic.

It is impossible to completely rid yourself of [bias](#), so instead, key personnel should focus on identifying their biases and intentionally setting those biases aside, in order to provide unbiased and appropriate support to victim(s)/survivor(s).



## KEY PERSONNEL BEST PRACTICE #3: FOLLOW MANDATORY REPORTING REQUIREMENTS

### Disclosure:

When a [victim/survivor](#) shares information about an incident of sexual assault, [sexual harassment](#), or other prohibited behavior they experienced. A disclosure can be made to anyone the victim/survivor feels comfortable confiding in, including friends, family members, loved ones, work colleagues, etc.

### Mandatory Reporting:

Refers to certain instances where an incident must be reported because of company policy or the law.<sup>11</sup> For example, a SASH Contact who receives a disclosure of sexual harassment has a legal obligation to [report](#) it to the company and USCG.

### Responsible Entity of a Vessel:

The owner, master, or managing operator of a documented vessel engaged in commercial service; or the employer of a seafarer on such a vessel who is responsible for reporting to the USCG any complaint or incident of [harassment](#), sexual harassment, or sexual assault in violation of employer policy or law, of which such entity is made aware.

## MANDATORY REPORTING AND CONSEQUENCES FOR FAILURE TO REPORT

As [key personnel](#), you may have a responsibility required either by law and/or company policy to report when you receive a **disclosure** of sexual assault, sexual harassment, or other prohibited behavior. This **mandatory reporting** responsibility needs to be carried out even when the victim/survivor expresses that they do not wish to report. It is important to be aware of this responsibility and to communicate it upfront with employees, when appropriate. That way,

<sup>11</sup> [46 U.S.C. §10104: Requirement to report sexual offenses](#). Also, see USCG implementation guidance at [Marine Safety Information Bulletin \(MSIB\) 1-23, Reporting Sexual Misconduct on U.S. Vessels](#). Note that MARAD's EMBARC requires certain SASH-involved incidents to also be reported to USMMA, SMA, or MARAD.



employees can make an informed decision on whether they wish to disclose the incident to key personnel. If you are unsure whether you are a mandated reporter, review your company's policies and engage in a conversation with leadership. Failure to follow company policies or procedures can result in disciplinary action and fines.

The law<sup>12</sup> expanded **mandatory reporting** requirements. A **Responsible Entity of a Vessel**, which includes "the owner, master, or managing operator of a documented vessel engaged in commercial service; or the employer of a seafarer on such a vessel," shall report to the USCG "any complaint or incident of **harassment, sexual harassment**, or sexual assault in violation of employer policy or law, of which such entity is made aware." Once a Responsible Entity of a Vessel becomes aware of an incident of harassment, sexual assault, or sexual harassment, they must immediately use the fastest communication channel to report to a single entity in the USCG designated by the Commandant and the appropriate officer or agency of the government in whose waters the incident occurs.

When making a mandated report to the USCG, the following information should be provided, to the best of the reporter's knowledge:

- Your name, official position or role in relation to the vessel, and contact information
- Name and official number of the documented vessel
- Time and date of the incident
- Geographic position or location of the vessel when the incident occurred
- Brief description of the alleged harassment, sexual assault, or sexual harassment being reported

When an incident occurs on a vessel carrying cadets, reports should be submitted as specified on MARAD's website at: [www.maritime.dot.gov/EMBARC/Reporting](http://www.maritime.dot.gov/EMBARC/Reporting).

If a Responsible Entity of a Vessel makes a report of a sexual assault and sexual harassment incident through CGIS Tips, via CGIS email at: [CGISTIPS@uscg.mil](mailto:CGISTIPS@uscg.mil), or the NCC's phone line, the report will satisfy the reporting requirements of 46 U.S. Code § 10104 (a), as long as not provided anonymously.

Failure to comply may result in a civil penalty of \$25,000 and an additional \$500 will be added for each day of noncompliance, up to \$50,000 per violation.

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<sup>12</sup> [46 U.S.C. §10104: Requirement to report sexual offenses](#). Also, see USCG implementation guidance at [Marine Safety Information Bulletin \(MSIB\) 1-23, Reporting Sexual Misconduct on U.S. Vessels](#). Note that MARAD's EMBARC requires certain SASH-involved incidents to also be reported to USMMA, SMA, or MARAD.

## KEY PERSONNEL BEST PRACTICE #4: USE A TRAUMA-INFORMED, VICTIM/SURVIVOR-CENTERED APPROACH

### **Trauma-informed Approach:**

Using methods that consider the feelings and difficult experiences of people who have been through [trauma](#), such as understanding how common trauma is and how it can affect a person's body, relationships, behaviors, and emotions.

### **Victim-centered Approach:**

Using methods that focus on the needs and concerns of the [victim](#), such as treating the victim with dignity and respect, providing the victim with nonjudgmental support, allowing the victim to make informed choices, reducing the risk of re-traumatization, prioritizing the victim's feelings of safety and security, and ensuring that the victim's rights, voice, and perspective are considered.

## TRAUMA-INFORMED AND VICTIM/SURVIVOR-CENTERED PRINCIPLES

All [key personnel](#) should incorporate the principles of being trauma-informed, victim-centered, and fair and equitable into their roles throughout the [response](#) and accountability process.

Taking a **trauma-informed approach** means recognizing the presence of trauma signs and acknowledging the role that trauma can play in a person's life. Key personnel can incorporate a trauma-informed approach into their role through:

- Understanding that symptoms of trauma may manifest in many ways, and not discounting a victim/survivor who does not “appear” to be traumatized
- Offering information or resources multiple times, or repeating things as necessary

- Providing victims/survivors with opportunities to take breaks or slow down, or skip and come back to questions during conversations or interviews
- Being transparent with all parties involved about the parameters of your role

A **victim/survivor-centered approach** is one that prioritizes the needs, concerns, and wishes of the victim/survivor at every stage of the **response** and accountability processes, with the goal of avoiding re-traumatization. There is often a concern that being victim/survivor-centered conflicts with the principle of being fair and equitable (discussed below) and may skew **key personnel** against the accused. However, this is not necessarily the case. A victim/survivor-centered process aims to treat **all** parties equitably, while acknowledging that the victim/survivor's ability to make decisions for themselves has often been minimized in the response and accountability processes.

To maintain a victim/survivor-centered approach, key personnel should:

- Provide all information available to a victim/survivor, so that the victim/survivor can make informed decisions
- Refrain from judging or commenting on actions that a victim/survivor takes that key personnel may disagree with

Finally, a **fair and equitable approach** is one that provides both the victim/survivor and the accused with the appropriate opportunities to participate and have their voice heard at each stage of the reporting, **investigation**, and accountability processes.

Actions key personnel can take to ensure a fair and equitable response and accountability processes include:

- Providing all parties with information about their rights, options, and resources available to them during the response and accountability processes
- Remaining unbiased and non-judgmental while performing your role
- Maintaining **confidentiality** to the extent possible, and not discussing or sharing sensitive information or details of an incident outside of those who need to know

For information on how to apply this approach in your role, refer to the appendix and read “Using the Trauma-Informed Approach” [on page 132](#).

## KEY PERSONNEL BEST PRACTICE #5: REDUCE THE RISK OF VICARIOUS TRAUMA, COMPASSION FATIGUE, AND BURNOUT

### **Burnout:**

A state of emotional, physical, and mental exhaustion, usually associated with periods of prolonged stress.

### **Compassion Fatigue:**

An emotional and physical strain created by the [trauma](#) of helping others, which leads to a reduced capacity for empathy.

### **Vicarious Trauma:**

The negative effects on someone’s mental, emotional, and physical health that can result from exposure to the traumatic events experienced by others.

## REDUCING THE RISK OF VICARIOUS TRAUMA, COMPASSION FATIGUE, AND BURNOUT AS KEY PERSONNEL

[Key personnel](#) involved in receiving a [disclosure](#) of sexual assault or [sexual harassment](#), or in the [response](#) process are at risk of experiencing **vicarious trauma**. The exposure to potentially graphic details during this process can also be traumatizing to the key personnel.

While other key personnel may have only limited interactions with [victims/survivors](#), SASH Contacts, or those key personnel offering emotional support to victims/survivors, are more likely to have repeated interactions with victims/

survivors. As such, SASH Contacts may have different experiences of vicarious [trauma](#), then for example, investigators. Offering continued emotional support, particularly to a victim/survivor who is in crisis, can be uniquely exhausting, and take a significant toll on the SASH Contact's own emotional health.

Some additional strategies key personnel in SASH Contact roles can use to combat these effects could include:

- Debriefing tough conversations with coworkers, which can offer SASH Contacts valuable opportunities to receive support from others in similar roles\*
- Maintaining appropriate professional [boundaries](#) with the victims/survivors they are supporting

*\* When debriefing with colleagues, always ensure you are maintaining [confidentiality](#). Do not share personal or identifying information of the parties involved in a sexual assault, sexual harassment, or other prohibited behavior incident.*

Although key personnel whose main responsibility is receiving a report may not have prolonged interactions with victims/survivors, those key personnel limited in the support that they can provide to victim/survivor (such as staff who receive and escalate a report but have no role in the [investigation](#) process) are more likely to experience vicarious trauma.





Vicarious trauma can manifest in many ways: some might experience symptoms of trauma, including those associated with post-traumatic stress disorder (PTSD), while others may experience a shift in how they view and experience the world (e.g., they may feel that they have lost their sense of safety).

**Compassion fatigue** is one way that vicarious trauma can be exhibited; the key component of compassion fatigue is a diminished capacity for empathy, since that empathy is being continually drawn upon. Empathy forms an integral piece of a victim/survivor-centered, trauma-informed, and fair and equitable response, so a reduced ability to provide empathy to a victim/survivor can have a serious impact on the quality of the response provided.

In addition to vicarious trauma and compassion fatigue, key personnel may also experience symptoms of burnout. **Burnout**, unlike vicarious trauma and compassion fatigue, is not exclusively associated with trauma. While burnout is not exclusively caused by exposure to trauma, key personnel who are experiencing vicarious trauma and compassion fatigue are at an increased risk of experiencing burnout as well.

While everyone may experience these effects differently, some common indicators may include:

- Physical symptoms, such as headaches, muscle tension, and increased susceptibility to illness
- Substance use, or increased substance use
- Loss of enjoyment in normal activities
- Social withdrawal, or increased conflict with friends, coworkers, and loved ones
- Difficulty sleeping
- Feeling fatigued or low energy
- Feelings of professional inadequacy or disillusionment
- Feelings of self-blame or responsibility for what happened
- Constantly worrying about work after hours

Taken together, the combined effects of vicarious trauma, compassion fatigue, and burnout can have significant effects on the mental, physical, and emotional state of key personnel, as well as their ability to provide a compassionate, supportive, and nonjudgmental response to a survivor.

Some examples of strategies that key personnel involved in receiving a report or in investigating an incident can use to combat vicarious trauma they may experience are to:

- Seek support from internal and external resources, including coworkers and supervisors.\*
- Focus on the responsibilities and boundaries of their role.
- Develop and utilize a robust self-care plan, such as incorporating hobbies or outlets that bring joy, taking breaks, and spending time talking with friends and loved ones.

*\*When debriefing with colleagues, always ensure you are maintaining confidentiality. Do not share personal or identifying information of the parties involved in a sexual assault, sexual harassment, or other prohibited behavior incident.*





## KEY PERSONNEL BEST PRACTICE TAKEAWAYS

1. Understand your role and responsibilities.
2. Manage your [biases](#).
3. Follow [mandatory reporting](#) requirements.
4. Use a trauma-informed, [victim/survivor-centered approach](#).
5. Reduce the risk of vicarious [trauma](#), compassion fatigue, and burnout.





**SECTION V:  
FOR COMPANIES AND TOP  
MANAGEMENT**



## COMPANY/TOP MANAGEMENT BEST PRACTICE #1: LEAD EFFORTS THAT ENCOURAGE A WORKPLACE CULTURE THAT DOES NOT TOLERATE PROHIBITED BEHAVIOR

### LEADING THE EFFORT TO ELIMINATE PROHIBITED BEHAVIOR

Changing workplace culture in the U.S. Merchant Marine starts with those in leadership positions. It means changing the conversation surrounding this issue from one based strictly on complying with regulations to one based on mutual respect. The goal is a culture that prioritizes, as its primary goal, the safety of all employees. All maritime industry leadership must take an active role in empowering all employees to actively oppose prohibited behavior by intervening and reporting incidents.

When it comes to creating a workplace culture that does not tolerate sexual assault and [sexual harassment](#), it is important for CEOs, presidents, and all individuals in top leadership roles to:

- Demonstrate a strong commitment to workplace culture change.
- Communicate the company's effort to combat prohibited behaviors.
- Intervene when observing or becoming aware of prohibited behaviors.
- Challenge inappropriate or prohibited behaviors consistently.
- Recognize and mitigate conditions that can place employees at risk of experiencing harm.
- Model positive workplace behaviors by treating everyone with respect and respecting [boundaries](#).
- Ensure reporting procedures are accessible to all employees.
- Dedicate time and resources to sexual assault and sexual harassment training.
- Prevent the influence of favoritism or rank from interfering with [investigations](#) and disciplinary actions.



- Communicate disciplinary actions that result in termination or a probationary status of an employee for sexual assault and [sexual harassment](#) to the nearest Coast Guard Officer in Charge, Marine Inspection, which can be located at the following website: [www.uscg.mil/contact/](http://www.uscg.mil/contact/).

## COMPANY/TOP MANAGEMENT BEST PRACTICE #2: IDENTIFY RISK FACTORS IN YOUR WORKPLACE AND PROACTIVELY ADDRESS THEM

### **Power Imbalances:**

A relationship or interaction where one party has more [power](#) than the other.

According to the findings from the Equal Employment Opportunity Commission Select Task Force on the Study of Harassment in the Workplace, certain company/organization conditions can increase the likelihood of [harassment](#), including incidents of sexual assault and sexual harassment.<sup>13</sup> Specific workplace conditions and suggested proactive mitigating measures that are particularly relevant to maritime industry include:

### **Lack of diversity in the workplace (homogenous workforces)**

- Lack of diversity in the industry can create **power imbalances** between those employees who belong to the majority and those who are in the minority. Increasing diversity at all levels of the workforce is important.
- Leadership should be involved in creating a culture of respect, where employees from all backgrounds (e.g. race, ethnicity, religion, [gender identity](#), sexual orientation, other protected classes, etc.) are welcomed and valued.

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<sup>13</sup> United State Equal Employment Opportunity Commission. (2016). Select Task Force on the Study of Harassment in the Workplace. <https://www.eeoc.gov/select-task-force-study-harassment-workplace>

**Workplaces with significant power imbalances**

- Chain of command is crucial in the industry and can assist individuals at all levels understand their function and responsibilities. However, the chain of command creates inherent power imbalances among employees, which provides room for the exploitation of that power.
- Leadership must ensure workplace rules are applied uniformly, regardless of an employee's rank or perceived value to the company.

**Isolated workplaces**

- Incidents of prohibited behaviors are more likely to occur in work environments where employees are physically isolated from other employees or where the prohibited behavior is less likely to be seen by others.
- Leadership should consider, where possible, restructuring work environments and schedules to eliminate isolated conditions. It is also important for leadership to ensure that employees in isolated work environments understand the company's reporting policies and procedures.



Every workplace will have some or many of these risk factors. The presence of a single or even multiple risk factors does not mean it will result in harassment, including incidents of sexual assault and [sexual harassment](#), in the workplace. However, the presence of numerous risk factors may place a company at great risk of harassment occurring. It is important to identify the risk factors in your workplaces and take proactive measures to mitigate these risks.

Below are additional key aspects in creating a culture that prevents sexual assault, sexual harassment, and other prohibited behaviors:

- Strong, comprehensive sexual assault and sexual harassment policies, including policies related to [retaliation](#) and prohibited relationships
- Readily accessible reporting mechanisms
- Organizational [response](#) protocols that are victim-centered, trauma-informed, and fair and equitable
- Training and education to increase awareness of the issue and teach actionable skills around the following:
  - [Boundaries](#)
  - [Consent](#) and Communication
  - [Bystander Intervention](#)
  - Accountability





## COMPANY/TOP MANAGEMENT BEST PRACTICE #3: PROVIDE SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION TRAINING

### IMPORTANCE OF COMPANY-WIDE TRAINING

Companies should provide training to all employees on the prevention of and [response](#) to sexual assault, [sexual harassment](#) and other prohibited behaviors. By providing training on prevention and reporting to all employees, a company demonstrates its commitment, from the top down, to a workplace culture that does not tolerate sexual assault and sexual harassment. Additionally, regular training allows all employees to understand what prohibited behaviors are, how prohibited behaviors should be reported, and what actions the company will take to enforce its policies and procedures. Without training, it cannot reasonably be expected that everyone within a company will have the same level of understanding, awareness, and commitment in regard to nurturing a safe and a respectful working environment.

### EFFECTIVE TRAINING

SOCP has developed a standardized interactive computer-based training (CBT) for employers to train their seafarers and shore-based employees across all areas of the U.S. Merchant Marine. This “Maritime Prevention and Response of Sexual Assault and Sexual Harassment” CBT is available for download, free of charge, on the SOCP website. SOCP strongly recommends that this CBT be utilized widely across our industry as the standardized method of delivering training for sexual assault and sexual harassment.

If considering alternative or additional training, company leaders should seek out those that, at a minimum, include the following topics:

- Prohibited behaviors, including definitions and examples
- [Consent](#) with examples of what does and does not constitute consent

- **Boundaries** and the importance of identifying, communicating, and protecting boundaries
- Information on the company's complaint reporting policies and procedures and other available reporting options, including the importance of reporting prohibited behavior
- **Retaliation**, including a clear, unambiguous statement that any retaliation against anyone who has opposed prohibited conduct, reported an incident, participated in an **investigation**, or engaged in any other protected activity, is unlawful and a terminable offense
- Impact of prohibited behavior and retaliation on the victim/survivor, witnesses, company, and vessel crew
- **Response** and prevention and their importance
- Responsibilities of **witnesses or "bystanders"** to intervene in an incident
- **Bystander intervention** strategies with examples
- Responsibilities of the company, including its responsibility to investigate all complaints and enforce its prevention policies
- **Mandatory reporting**
- Resources for victims/survivors

Should companies choose to develop training in addition to the CBT, then it is important to realize that the average reading level and comprehension skills should be at the 6th to 8th grade level. A company should direct a portion of its prevention and response training to the specific demographics within the company. The maritime industry is made of a diverse group of people, whether the vessels are U.S. or foreign-flagged. There are mariners from many different countries, cultures, backgrounds, ethnicities, and religions. It is imperative that a company take steps to develop training that can be delivered to and be well-received by all these individuals.

Company and vessel leadership should be individually and specially trained on their responsibilities for reporting incidents, responding to and investigating complaints, enforcing the company's policies, and addressing related safety concerns.



Prevention and response training can be delivered by multiple methods including interactive computer-based training, video training, face-to-face training, instructor-led training, role playing, team-building exercises, and discussions during safety meetings or drills onboard the vessel. Providing multiple delivery methods helps reinforce the learning objectives and outcomes.

Other factors to keep in mind when developing content for training include:

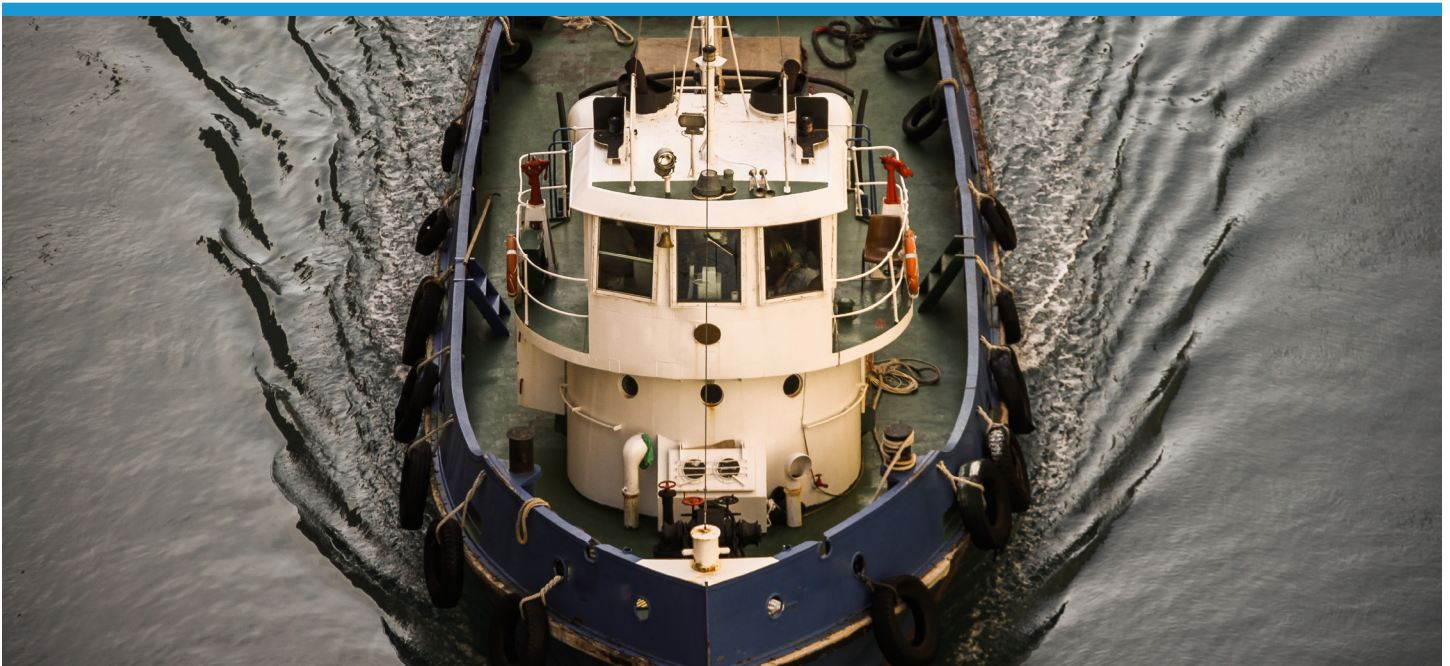
- Self-paced training and computer-based training can be useful and effective when there is no internet connection.
- Training that is interactive with an instructor or group is beneficial as it allows employees to ask questions and demonstrate knowledge and comprehension.
- Knowledge checks throughout interactive training as well as quizzes and reviews keep employees engaged, reinforce the information being presented, and facilitate retention.



Companies should also incorporate trauma-informed learning principles into the development of training. [Trauma](#) can negatively affect an employee's ability to learn in the workplace by decreasing their ability to pay attention and impacting their ability to manage their emotions and behavior. Trauma-informed learning environments are those in which teaching modalities, educational material, and classroom practices are informed by this understanding of trauma and how it impacts a person's well-being, relationships, and behaviors. This approach promotes empowerment, provides learners with resources, and places a priority on emotional safety as a necessary condition for learning about sexual assault, [sexual harassment](#), and other harmful behavior.

Training that incorporates these principles tends to include:

- Content warnings before discussing any sensitive topics
- Resources for the learner who wishes to seek help after the training
- Clear ground rules when in group training settings
- Statements that acknowledge and accept difficult emotions that the training topic may bring to learners
- Strategies learners can use to sustain their own well-being
- Diverse representation across scenarios



Trainings should not include:

- Overly emotive language or imagery
- Real-life incidents
- Scenarios that perpetuate harmful stereotypes

Companies should require all employees to complete training on at least an annual basis. In addition, the company should ensure employees review these policies and procedures, specifically during new-hire orientation or during vessel safety meetings. This should include an acknowledgment that the information was received by the employee. Companies should make efforts to vary and update their training content and delivery methods at least every other year to ensure renewed engagement for current employees and facilitate the real-world applicability of the instruction.

Supplemental tools to reinforce training throughout the year can include but are not limited to:

- Topic and policies discussions on preventing sexual assault and sexual harassment in regularly scheduled meetings or safety meetings
- Periodic emails, messages, or letters to reinforce to employees that your workplace has no tolerance for sexual assault and sexual harassment
- Posters, handouts, wallet cards or other visual aids that list the prohibited behaviors, as well as providing the options and methods for reporting incidents
- Providing policies and procedures during an employee's new hire process



SOCP offers sexual assault and sexual harassment training toolkit items including aids, tools and samples for the above. The toolkit items are available free of charge and can be downloaded from the SOCP website: [www.socp.us/sash-prevention](http://www.socp.us/sash-prevention).

Companies should also consider the use of surveys to help identify what and where issues with understanding of policies and procedures related to prohibited behavior are and periodically measure how their prevention and response trainings are working.



If feasible and cost-effective, a company should consider leadership training to ensure that management styles are in-line with prevention and response training. Leadership training helps address styles that can be problematic. Leadership training should include shore-based and vessel leadership, either separately or collectively.

## RETAINING TRAINING RECORDS

The company should retain all records of training and policy acknowledgment for a period equal to the life of the training program, and in accordance with the records retention policy under the company's SMS. Tracking of training completion can be done electronically within a database or Learning Management System or manually with written acknowledgment and test records in employee files. It is imperative for liability purposes that all records be retained for a specified time per any applicable regulation.

New employees who show proof of prior completion of annual training should only need to complete a company or policy-specific familiarization. This allows mariners who frequently work for different companies throughout the year to avoid repetitive completion of the same training requirements.

## COMPANY/TOP MANAGEMENT BEST PRACTICE #4: DEVELOP A COMPREHENSIVE SEXUAL ASSAULT AND SEXUAL HARASSMENT POLICY AND RESPONSE PLAN

### BUILDING A TRAUMA-INFORMED POLICY

Shifting the culture within maritime workplaces means recognizing that these workplaces need to be sensitive to the needs of those who have experienced [trauma](#). A policy that adopts the three frameworks of being trauma-informed, victim-centered, and fair and equitable is able to meet those needs.



**Trauma-informed** describes approaches delivered with an understanding of the vulnerabilities and experiences of trauma victims, including the physical, social, and emotional impact of trauma. Trauma-informed approaches recognize the presence of trauma signs and acknowledge the role that trauma can play in a person's life. On an organizational level, trauma informed approaches are meant to encourage a culture, environment, or community that is supportive of the healing and recovery of those who have experienced harm and appropriately respond to the effects of trauma at all levels within an organization. The guiding principles of the trauma-informed approach include understanding, empathy, safety, and trust.

**Victim/Survivor-Centered** describes the process of placing a [victim's/survivor's](#) needs and interests at the center of the [response](#) and accountability processes. Victim/survivor-centered approaches seek to avoid retraumatizing victims/survivors and place a systematic focus on their safety, well-being, choices, needs, and rights. On an organizational level, a victim/survivor-centered approach centers on those most impacted by the harm and ensures they are considered at every stage of the prevention, response, and accountability processes. It is also meant to empower those who may feel they have lost [power](#), with information and choices. This is not to say that a victim/survivor-centered approach ignores the rights of those who are accused of prohibited behavior, however it ensures an equitable treatment of all parties.

**Fair and Equitable** describes the equal, consistent, and fair application of policies, processes, and services that create an environment where every person knows what is acceptable, feels they are valued, and is able to access services in a just system. A fair and equitable approach provides both the victim/survivor and the accused with the opportunity to be heard and to participate at each stage of the reporting, [investigation](#), and disciplinary processes.

Utilizing these frameworks in policies allows companies:

- To provide clear and accessible guidance and easy to understand language
- To convey a strong stance against sexual assault and [sexual harassment](#)
- To communicate conduct expectations

- To encourage individuals to report
- Include fair and equitable treatment to all involved parties in the response and accountability processes

## UNDERSTANDING THE CHALLENGES VICTIMS/ SURVIVORS FACE

Victims/survivors in the maritime industry can face unique challenges to reporting. Some of these challenges include internal factors such as a victim's/survivor's feelings of shame, confusion, guilt, or self-blame. Others include external factors such as negative reactions from others, [power imbalances](#) between the victim/survivor and the accused, fear or threat of [retaliation](#), or a lack of understanding of the available resources. A trauma-informed policy seeks to reduce the reporting barriers a victim/survivor may face due to those internal and external factors. An effective policy can educate victims/survivors on available resources, communicate what is and is not appropriate behavior, and provide other important information that can make reporting more accessible.

## BUILDING A SEXUAL ASSAULT AND SEXUAL HARASSMENT POLICY

All companies should have a detailed standalone policy on the prevention of and [response](#) to sexual assault and [sexual harassment](#). A standalone sexual assault and sexual harassment policy is a centralized document that communicates a company's values and expectations and defines prohibited sexual assault and sexual harassment. It also covers how to report this prohibited behavior, and how the company responds to reports. A clearly developed, concise sexual assault and sexual harassment policy should not be only a statement of what a company "should" or "shall" do; but also, should communicate the value of a culture that is intolerant of sexual assault and sexual harassment and is supportive of all victims/survivors.

Effective prevention and response policies allow the reader to understand what is prohibited, learn how to report prohibited behavior, understand how the company will handle a report of prohibited behavior, and recognize the company's commitment to the issue. Policies should also be written to assure employees that their participation in the enforcement or prevention process is valued and will be protected.

A standalone sexual assault and sexual harassment policy should contain the following key components:

- Introduction
- Key terminology and relevant examples
- Workplace behavior expectations
- Reporting
- [Investigations](#)
- [Discipline](#)
- Victim support and accommodations

The introduction should clearly communicate the purpose of the policy, how this policy aligns with the values and mission of the company, and the scope of the policy - ensuring to include all individuals who the policy applies to. In the introduction, companies should include a clear, unambiguous statement that the behavior is prohibited and unlawful. Companies should be aware that through their policies, they can prohibit more forms of misconduct than what the law requires or designates.

Key terminology should be defined in the policy, such as clearly defining sexual assault, sexual harassment, and any other forms of prohibited behavior. These definitions should include examples which are tailored to the maritime industry and the employees covered by the policy. Without a clear definition, ambiguity can exist, and inconsistencies within policies and procedures can hinder a company's ability to prevent and respond to incidents.

Workplace behavior expectations should incorporate a clear and objective criteria to determine if or when a violation has occurred. The criteria cannot be subjective

and left open to interpretation, such as stating that “obnoxious” behavior is prohibited, which raises the question of “what constitutes obnoxious” and “obnoxious to whom?” It is crucial to define the difference between appropriate, positive behavior and inappropriate, prohibited behavior within this section.

A clear description of behaviors that should be reported should also be included. The reporting section should include instructions on how to report a violation and to whom it should be reported. This section should describe all the different ways someone can make a report, for example, explaining whether anonymous reporting is an available option. It is crucial to offer transparency into the process so that individuals can feel comfortable reporting because expectations are clear.

Policies should include a statement that [retaliation](#) for protected activities, such as making a report or participating in an investigation, is illegal and a terminable offense. Policies should also include information on [confidentiality](#) that identifies under what circumstances a report regarding sexual assault or sexual harassment may remain confidential, or when mandated reporting or sharing information regarding the report may be required. This provision should make it clear that all efforts will be made to maintain confidentiality, to the extent possible.

Offer information on the investigation process such as describing what someone can expect from participating in the process, such as timeframes and the expected level of communication or updates.

Lastly, your policy should also be informative for victims/survivors wanting to understand what resources are available to them and how they can be accessed. You can include any employer-sponsored programs that are available to employees, such as employee assistance programs or counseling programs, and outside resources like crisis hotlines or local rape crisis centers. Additionally, it is important to communicate what kinds of workplace accommodations may be made available to victims/survivors.



## WIDESPREAD DISTRIBUTION OF POLICY

A company should announce and distribute policies through multiple channels to all employees. When doing so, a CEO statement that sexual assault, [sexual harassment](#), and other prohibited behaviors will not be tolerated and will result in disciplinary action should be included.

Distribution can be done electronically, by mail and/or in person, as can the collection of acknowledgments. Written acknowledgment of understanding by employees helps ensure effective implementation.

Companies can reinforce policies by posting them on websites, social media, in common areas on vessels, as part of a mariner's sign-on and vessel familiarization process, in annual reports, and/or in other recruiting materials. Companies should identify ways to periodically remind employees of the policies and reporting procedures.



## PITFALLS TO AVOID WHEN DEVELOPING A SEXUAL ASSAULT AND SEXUAL HARASSMENT POLICY

Certain conditions can decrease the likelihood that a victim/survivor will feel safe or empowered to speak out and report an incident. These conditions should be avoided to ensure they are not unintentionally discouraging individuals from making a report. Examples of these conditions include:

- **Lack of reporting options**
  - A company should have multiple and accessible ways to receive a report. Some companies accept reports in-person, over email, through online forms, and over the phone. Consider creating multiple ways someone can submit reports in order to meet employees' varied needs and abilities.
- **Using judgmental and/or other harmful victim-blaming language**
  - Language that blames a victim/survivor for their experience may unintentionally discourage them from reporting, as they may have little faith that they will be believed or treated with respect.





- **Unclear conduct expectations**
  - Clear communication can help someone understand whether what they experienced is prohibited and whether they can report it. A victim/survivor may receive an incorrect impression that they cannot report if their experience is not defined in the policy.
- **Lack of transparency into reporting process and [investigation](#) process**
  - Being trauma-informed means offering predictability where possible for victims/survivors. This means providing as much information about the reporting and investigation process as possible.
- **Lack of protections related to [confidentiality](#)**
  - Incidents of sexual assault and [sexual harassment](#) are sensitive in nature. Victims/survivors often experience shame and do not want their information shared with others. Communicating how their information and safety will be protected is crucial.
- **Lack of protections related to [retaliation](#)**
  - Retaliation is illegal. Employees who participate in protected activities such as reporting incidents of prohibited behaviors, should not be punished or experience further harm. It is important for companies to have policies that define retaliation and explain available protections to those who experience it.
- **False reporting policies**
  - According to research, false reports of sexual assault are quite rare. For more information and citations on false reports, [see page 68](#). Overemphasizing false reporting or singling out sexual assault and sexual harassment when discussing false reports, may actively discourage victims/survivors, as they may fear their report may be considered false. An alternative way to address the underlying concern is to incorporate a good faith reporting policy.

## BUILDING A SEXUAL ASSAULT AND SEXUAL HARASSMENT RESPONSE PLAN

A [response](#) plan is a document that offers guidance for [key personnel](#) on how to provide a trauma-informed response to incidents and reports of sexual assault, [sexual harassment](#), and other prohibited behaviors.

A company should designate key personnel who are responsible for receiving, responding to, and/or investigating incoming reports or [disclosures](#) of sexual assault, sexual harassment, or other prohibited behavior. This also includes individuals who provide emotional support and resource referrals to victims/survivors, as part of their job responsibilities. The response plan should outline which roles fill which responsibilities. For example, a company could provide guidance on what role a SASH Contact has within the company and the specific duties and responsibilities they must fulfill.

A company should provide clear instructions to key personnel on what steps must be taken when an incident of sexual assault, sexual harassment, and other prohibited behavior is reported, including required notifications that must be made and a clear investigative plan that increases consistent practices and outlines how an [investigation](#) will be expected to be carried out. Key personnel should also be equipped with guidance on how to maintain [confidentiality](#), to the extent possible. For those in roles that determine disciplinary action, guidance on the range of measures that can be implemented when a finding of sexual assault, sexual harassment, and other prohibited behavior is made is also important to include.

## DOCUMENTATION

Documentation is crucial throughout the response and accountability processes and serves many purposes, some of which include:

- Creates record of received reports and actions the company took in response to each

- Provides useful information for subsequent reports and related [investigations](#)
- Assists in complex cases, such as incidents that need to be re-assessed or that are being challenged
- Facilitates the review and improvement of internal processes, training gaps, and adherence to compliance standards

The [response](#) plan should include clear guidance on documentation needed and when and how to preserve it. Decide how your company will store and preserve documentation of reports and investigations, who will have access to them, and for how long your company will retain them.





## COMPANY/TOP MANAGEMENT BEST PRACTICE #5: ENGAGE IN ONGOING EVALUATION OF PROCESSES, POLICIES, AND PRACTICES

All companies should engage in a process of continual self-assessment and evaluation. Doing so allows companies to evaluate internal processes and policies, and ensure the sustainability of sexual assault and [sexual harassment](#) prevention, [response](#) and accountability efforts. There are multiple methods of evaluation that can be used for this self-evaluation, some of which are described below.

### TABLE-TOP EXERCISES

Table-top exercises provide opportunities for [key personnel](#) to practice their role within a sexual assault or sexual harassment incident response in a non-crisis situation. Table-top exercises can be valuable methods of training and familiarizing key personnel with the specifics of their role in the response and accountability process, as well as making sure that staff are comfortable and confident in navigating policy and procedure. Some suggested components to consider during a table-top exercise are included below:

- Clear goals and desired outcomes of the exercise
- An exercise team comprised of a facilitator, a note-taker, participants, and an observer(s)
- A hypothetical, yet realistic, scenario
- An exercise agenda or plan that outlines the goals of the exercise, the roles and responsibilities of the attendees, and the hypothetical scenario
- A debrief discussion that captures key takeaways, strengths, and overall opportunities for the response process and protocol
- An after-action report that outlines a clear plan to address the areas of opportunity identified within the exercise

## AFTER-ACTION INCIDENT REVIEWS

After-action incident reviews provide an opportunity for [key personnel](#) and others involved in the [response](#) to an incident of sexual assault or [sexual harassment](#) to provide and receive support in the immediate aftermath. They can also be used to debrief and process challenges and successes, and identify any necessary next steps. After action incident reviews should be conducted on an as-needed basis (e.g., after an especially difficult incident or [investigation](#)).

## ANNUAL CASE REVIEWS

Annual case reviews provide a formal opportunity for key personnel and others who were involved in the response and accountability process to reflect and discuss how various cases were handled. This also provides an opportunity to identify and adjust to larger response patterns across multiple cases. Some suggested questions to consider during a case review are included below:

- How well did the company:
  - Provide an empathetic response?
  - Offer the victim/survivor appropriate resources, supports, and accommodations?
  - Handle investigations (e.g., were they victim/survivor-centered, trauma-informed, fair and equitable, and timely)?
  - Administer fair and appropriate accountability measures?
  - Maintain [confidentiality](#) to the extent possible?
- What types of behaviors or incidents are reported most often?
- Are reporting rates going up or down, and why?
- Is there a pattern in the settings where sexual assault or sexual harassment is taking place?
- What reporting mechanisms are being used most and least often? What conclusions can be drawn from that?
- What resources, support services, and accommodations are used most and least often?
- Are the resources, support services, and accommodations that are being offered to victims/survivors meeting their needs?

## GATHERING EMPLOYEE INPUT AND FEEDBACK

Gathering employee input and feedback is one way to learn from employees about how they perceive and interact with the policies and procedures that are in place (e.g., do employees know how to make a report, or what is a reportable incident?). Employee input and feedback can be collected through various means, including surveys, focus groups, one-on-one conversations with [key personnel](#) and other staff, comprehensive climate assessments, and pre- and post-tests of educational programs or trainings.

## UPDATING POLICIES AND PROCESSES

Reviewing and updating policies and processes can help identify any gaps or inconsistencies that need to be addressed and ensure that policies and on-the-ground practices are aligned. Policies and procedures can be reviewed and updated on an as-needed basis (e.g., if a recent matter revealed gaps in policies that need to be addressed immediately). Policies should also be reviewed and updated on a regular basis (e.g., every two years) even if a situation does not occur that triggers a review. This will also help ensure that policies are in line with EMBARC standards and are legally compliant. Any policy updates should be communicated to all employees and/or persons affected by that change.



## COMPANY/TOP MANAGEMENT BEST PRACTICE #6: DEVELOP SUSTAINABLE STRATEGIES TO EFFECTIVELY REDUCE VICARIOUS TRAUMA, COMPASSION FATIGUE, AND BURNOUT AMONG YOUR KEY PERSONNEL

### **Burnout:**

A state of emotional, physical, and mental exhaustion, usually associated with periods of prolonged stress.

### **Compassion Fatigue:**

An emotional and physical strain created by the [trauma](#) of helping others, which leads to a reduced capacity for empathy.

### **Vicarious Trauma:**

The negative effects on someone's mental, emotional, and physical health that can result from exposure to the traumatic events experienced by others.

## UNDERSTANDING VICARIOUS TRAUMA, COMPASSION FATIGUE, AND BURNOUT

**Vicarious trauma**, **compassion fatigue**, and **burnout** are some of the negative mental, emotional, and physical effects that can result from exposure to the traumatic events experienced by others. All [key personnel](#) involved in receiving a [disclosure](#) of sexual assault or [harassment](#), or in the [response](#) and accountability processes are at risk of experiencing these negative effects. For more detailed information on these concepts, please refer to “Key Personnel Best Practice #5: Reduce the Risk of Vicarious Trauma, Compassion Fatigue, and Burnout.”



In order to ensure long-lasting and sustainable sexual assault prevention and response efforts, companies must take active efforts to support key personnel, and work to mitigate the effects of vicarious [trauma](#) on their staff.

Taken together, vicarious trauma, compassion fatigue, and burnout can have significant impact on the mental, physical, and emotional well-being of key personnel, as well as their ability to provide a compassionate, supportive, and nonjudgmental response to a survivor. In order to ensure that key personnel are able to offer victims/survivors trauma-informed support, companies must also offer trauma-informed support to key personnel.

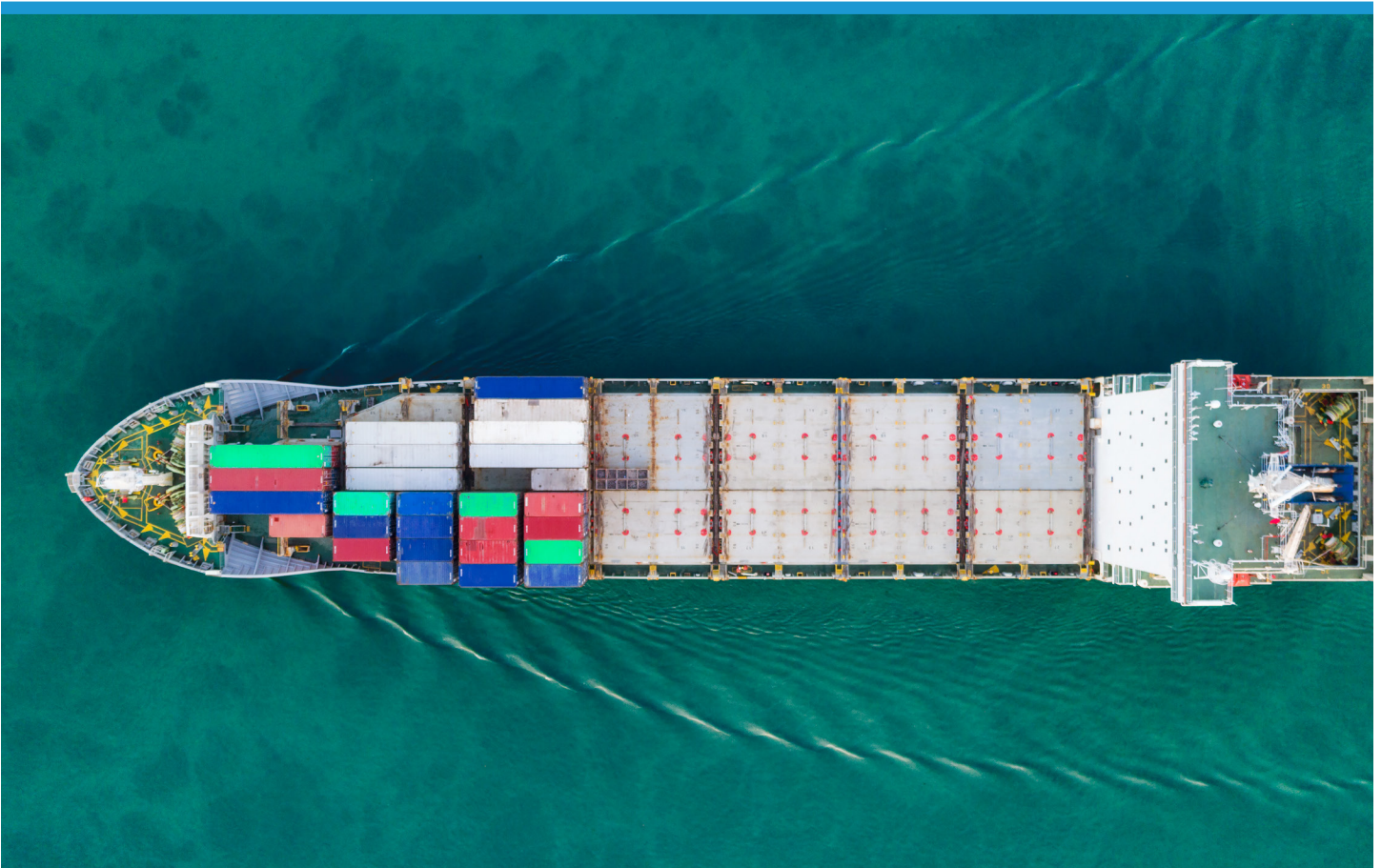
The following are examples of steps companies and company leadership can take to mitigate and combat vicarious trauma experienced by key personnel:

- Offer direct support to key personnel through internal and external resources, such as an EAP and encourage employees to use these resources.
- Encourage discussions of self-care and provide staff with self-care resources.
- Encourage and normalize conversations about mental and emotional well-being in the workplace.
- Ensure all company policies and procedures are trauma-informed.

While it is impossible to fully prevent key personnel from experiencing vicarious [trauma](#), compassion fatigue, and burnout, companies can help support these key personnel and in turn, further support survivors by providing key personnel with information, resources, and strategies to reduce the impact that these effects can have on them.

## COMPANY/TOP MANAGEMENT BEST PRACTICE TAKEAWAYS

1. Promote and enforce a workplace culture that does not tolerate prohibited behavior.
2. Identify risk factors in your workplace and use proactive measures to address them.
3. Provide sexual assault and [sexual harassment](#) prevention training.
4. Develop a comprehensive sexual assault and sexual harassment policy and [response](#) plan.
5. Engage in ongoing evaluation of processes, policies, and practices.
6. Develop sustainable strategies to effectively reduce the risk of vicarious trauma, compassion fatigue, and burnout among your [key personnel](#).



## APPENDIX - A. GLOSSARY OF TERMS

**Note:** The following general working definitions in this Glossary are provided to enable users of this SOCP Best Practices Guide (BPG) to use a common framework to understand SOCP's intended meaning of the below listed terms when these terms are used anywhere in the BPG. SOCP compiled these definitions by obtaining input from maritime industry subject matter experts and SASH subject matter experts (including RAINN). BPG users should be aware that these terms may be defined differently by various employers, SASH experts, organizations, statutes, regulations, or jurisdictions. The below listed terms and their working definitions do not reflect U.S. Government legal views, advice, or legal approval. Users of this BPG are encouraged to seek their employer's guidance or independent legal advice and should not rely on these definitions as a substitute for their employer's written guidance or independent legal advice.

**Ableism:**

Discrimination and prejudice against a person based on their disability. *Ableism is a prohibited behavior.*

**Accountability:**

Accountability is the process through which a person accused of prohibited behavior is investigated and, when appropriate, disciplined for their behavior.

**Accused/Perpetrator/Aggressor:**

Terms used interchangeably to describe the individual who is alleged to have committed an act of sexual assault, sexual harassment, or other prohibited behavior.

**Ageism:**

Discrimination and prejudice against a person based on their age. *Ageism is a prohibited behavior.*

**Bias:**

Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair. Prejudice is an assumption or opinion about someone simply based on that person's membership to a particular group.

**Boundaries:**

Boundaries are a person's internal sense of what feels comfortable or acceptable, and what does not.

**Bullying:**

The ongoing and intentional use of force, threat, or coercion (persuading someone to do something by using force or threats) to hurt, scare, or control others. In order to be considered bullying, the aggressive behavior must be repeated and includes a perception, either by the bully or others, that there is an unequal balance of power. *Bullying is a prohibited behavior.*

Bullying includes, but is not limited to:

- Making threats
- Name-calling
- Spreading rumors
- Embarrassing someone in public
- Tripping/pushing someone
- Hitting/kicking/pinching someone
- Invading someone's personal space to make them feel unsafe or threatened
- Breaking someone's belongings

Bullying and harassment have many similarities, but the difference is that harassing behavior is based on race, color, religion, sex, sexual orientation, gender identity or expression, or other protected factor.



**Bystander/Witness:**

A person who is present when the prohibited behavior happens and who sees, hears, or has direct knowledge of the incident.

**Bystander Effect:**

The theory that bystanders are less likely to act or help in a dangerous or harmful situation when multiple bystanders are present.

**Bystander Intervention:**

The act of noticing and responding to a situation that could be dangerous or harmful, and taking action to help.

**Coercion:**

Persuading someone to do something by using force or threats. *Coercion is a prohibited behavior.*

**Consent:**

Consent is when someone agrees to do something, with full knowledge of what they are agreeing to. Consent can be expressed through words and/or actions.

A person cannot consent if they are not able to think clearly or exercise their judgement. For example, a person cannot consent when they are asleep, unconscious, forced to say “yes,” incapacitated by drugs or alcohol, or under the legal age of consent.

Consent is:

- Freely given: Consent cannot be gained through force, coercion, incapacitation, or intimidation. Consent is not freely given between two individuals when one has significant power over the other (e.g., captain/cadet).
- Reversible: Consent can be withdrawn at any time.

- **Informed:** Everyone involved should understand which activities they are consenting to.
- **Enthusiastic:** Enthusiastic consent means looking for the presence of a “yes” rather than the absence of a “no.” This can be expressed verbally or through non-verbal cues, such as positive body language like smiling, maintaining eye contact, and nodding. These cues alone do not necessarily represent consent, but they are additional details that may reflect consent. It is necessary, however, to still seek verbal confirmation.
- **Specific:** Consent is specific to individual activities. For example, if someone consents to kissing, it does not mean they consent to sex. Consent must be sought for the additional activities.

**Confidentiality:**

Confidentiality is the requirement that information an individual shares with another individual or organization (e.g., employer, academy, medical institution, etc.) will not be shared outside that relationship without that individual’s consent.

**Continuum of Harm:**

Term used to describe different types of prohibited behaviors that support a workplace that tolerates sexual harassment and sexual assault. *All behaviors that fall in the continuum of harm are prohibited.*

**Cyberflashing:**

The act of sending an explicit or sexual picture or video to someone else without their consent or request. *Cyberflashing is a prohibited behavior.*

**Discipline:**

An approach used by a company/organization to address prohibited behavior. Examples of workplace discipline may include, but are not limited to, training, coaching, written reprimands, suspension, demotion, and termination.

**Disclosure:**

When a victim/survivor shares information about an incident of sexual assault, sexual harassment, or other prohibited behavior they experienced. A disclosure can be made to anyone the victim/survivor feels comfortable confiding in, including friends, family members, loved ones, work colleagues, etc.

**Discrimination:**

The unfair or prejudicial treatment of people and groups. Prejudice is an assumption or opinion about someone simply based on that person's membership to a particular group. *Discrimination is a prohibited behavior.*

Discrimination includes, but is not limited to:

- Ageism, which is the discrimination and prejudice against a person based on their age.
- Racism, which is the discrimination and prejudice against a person based on their race or ethnicity.
- Sexism, which is the discrimination and prejudice against a person based on their sex or gender.
- Ableism, which is the discrimination and prejudice against a person based on their disability.
- Xenophobia, which is the discrimination and prejudice against foreigners, immigrants, or strangers.
- Homophobia, which is the discrimination and prejudice against a person who is lesbian, gay, bisexual, or queer.
- Transphobia, which is the discrimination and prejudice against a transgender person.

**Domestic Violence:**

Domestic violence, also known as dating violence, describes a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship. *Domestic violence is a prohibited behavior.*

Domestic violence includes but is not limited to:

- Physical abuse
- Emotional and verbal abuse
- Sexual abuse
- Financial abuse
- Psychological abuse
- Technological abuse
- Stalking

**Doxxing:**

The intentional sharing of a person's private information online without their consent, usually to cause harm. Private information can include phone numbers, addresses, identification numbers, etc. *Doxxing is a prohibited behavior.*

**Gender Identity:**

Gender identity is a person's internal and personal sense of what their gender is. This could include being male, female, neither, both, or other genders.

**Harassment:**

Any unwelcome and/or offensive treatment or behavior (verbal, written, physical, psychological, or visual) that is based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, genetic information, pregnancy, or any other protected class. This includes sexual harassment and online harassment. *Harassment is a prohibited behavior.*

Harassment includes, but is not limited to:

- Making threats
- Name-calling
- Spreading rumors
- Embarrassing someone in public
- Tripping/pushing someone



- Hitting/kicking/pinching someone
- Invading someone's personal space to make them feel unsafe or threatened
- Breaking someone's belongings

Harassment and bullying have many similarities, but the difference is that harassing behavior is based on a protected class (such as race, color, religion, sex, sexual orientation, gender identity or expression, etc.)

**Hazing:**

Any humiliating, degrading, or dangerous activity that is expected of someone joining or participating in a group, regardless of the person's willingness to participate. This also includes demands that are unauthorized or non-essential to a person's role. *Hazing is a prohibited behavior.*

**Homophobia:**

Discrimination and prejudice against a person who is lesbian, gay, bisexual, or queer. *Homophobia is a prohibited behavior.*

**Hostile Work Environment:**

A term used to describe behavior within a workplace that creates an environment that is difficult or uncomfortable to work in because of illegal discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, genetic information, or any other protected class.

**Image-based Sexual Abuse:**

The distribution, or threat of distribution, of sexual or intimate images of someone without their consent, commonly referred to as "revenge porn." *Image-based sexual abuse is a prohibited behavior.*

**Investigation:**

An investigation is an official examination of the facts underlying a report. If the allegations concern a potential crime, it is known as a criminal investigation; if the allegations concern a violation of a workplace policy, rule, or regulation, it is known as a workplace investigation or an administrative investigation.

**Implicit Bias:**

A form of bias that happens automatically and unintentionally.

**Key Personnel:**

The individuals responsible for receiving, responding to, and/or investigating incoming reports or disclosures of sexual assault, sexual harassment, or other prohibited behavior. This includes mariners, shoreside personnel, and government workers, as well as any other individuals who provide emotional support and resource information to victims/survivors as part of their job responsibilities.

**Mandatory Reporting:**

Refers to certain instances where an incident **must** be reported because of company policy or the law. For example, a SASH Contact who receives a disclosure of sexual harassment has a legal obligation to report it to the company and USCG.

**Microaggressions:**

Subtle insults or invalidations, either done intentionally or unintentionally, based on bias. Bias can be based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, genetic information, or any other protected class. *Microaggressions are prohibited behaviors.*

**Power:**

The ability or capacity to direct or influence the behaviors of others.

**Power Dynamics:**

How power affects a relationship between two or more people.

**Power Imbalances:**

A relationship or interaction where one party has more power than the other.

**Prohibited Behavior:**

Behaviors that create an unsafe work environment for employees and are strictly unacceptable for the workplace.

**Quid Pro Quo:**

Is a form of sexual harassment and is Latin for “this for that.” In these situations, someone in authority may promise an employment benefit or reward in exchange for sexual acts. The person in authority may also withhold a benefit or reward because of someone’s rejection of a request for sexual acts.

**Racism:**

Discrimination and prejudice against a person based on their race or ethnicity.  
*Racism is a prohibited behavior.*

**Report:**

An official report of prohibited behavior that has been filed with the USCG, company, or other agency or official, with the goal of providing information for investigation and official response.

**Reporting Party:**

The individual who makes a report of prohibited behavior. The individual may have experienced, witnessed, or heard about an incident of prohibited behavior.

**Response:**

The word “response” refers to the *immediate actions* taken by a company following receipt of a report of prohibited behavior. This could also include ongoing support efforts for the victim/survivor.

**Responsible Entity of a Vessel:**

The owner, master, or managing operator of a documented vessel engaged in commercial service; or the employer of a seafarer on such a vessel who is responsible for reporting to the USCG any complaint or incident of harassment, sexual harassment, or sexual assault in violation of employer policy or law, of which such entity is made aware.

**Restricted (Confidential) Reporting:**

A reporting option that allows cadets who are victims of sexual assault, sexual or gender-based harassment, relationship violence, or stalking, to report the incident in order to receive services such as medical treatment, victim advocacy, and counseling, **without initiating an investigation**. Review your academy's policies to determine if restricted reporting is an option for you.

**Retaliation:**

Any adverse action taken against an employee for engaging in a protected workplace activity. *Retaliation is a prohibited behavior.*

Adverse action is an action which would discourage a reasonable person from:

- Complaining about discriminatory or harassing behavior
- Reporting violations of law or company policy
- Participating in any investigation or proceeding resulting from a report or complaint

Examples of retaliation include, but are not limited to, the following:

- Transferring an employee to a less desirable position or station
- Engaging in verbal or physical abuse
- Altering an employee's work conditions such as work hours, schedule, or location
- Increasing the level of scrutiny of an employee's work performance

- Pressuring an employee to drop or not support a complaint, or to provide incomplete, false, or misleading information in regard to a complaint or report

**Sexism:**

Discrimination and prejudice against a person based on their sex or gender.

*Sexism is a prohibited behavior.*

**Sexual Assault:**

Intentional touching of a sexual nature without a person's consent. *Sexual assault is a prohibited behavior.*

Sexual assault can occur by the use of force, threats, pressure, or by taking advantage of someone's inability to give consent, like when someone is unconscious, sleeping, impaired due to the use of alcohol or drugs, or is under the legal age of consent. The victim can be any gender and the perpetrator of the sexual assault can be of the same or different gender.

Sexual assault includes, but is not limited to:

- Penetrating someone's mouth, anus, or genitals with a body part (such as a penis, vagina, mouth, finger, or tongue) or an object, known as "rape"
- Kissing, touching, groping, or other intentional contact with someone's breasts, buttocks, groin, or genitals (over or under a person's clothing) for purposes of sexual pleasure or when such private body parts are touched in a sexual manner
- Sexual contact with a person who cannot consent, which includes someone who is passed out or unconscious; sleeping; impaired due to the use of alcohol or drugs, including prescription medications; or under the age of consent (varies by jurisdiction)

Sexual assault that occurs within a dating, romantic, or sexual relationship is frequently referred to as domestic or dating violence.



**Sexual Exploitation:**

The act of taking sexual advantage of another person. *Sexual exploitation is a prohibited behavior.*

Sexual exploitation includes, but is not limited to:

- Letting other people watch private sex acts
- Forcing someone to consume alcohol, drugs, or another substance to gain sexual advantage over them
- Gaining pleasure from spying on someone else in a place where they expect privacy
- Forcing someone to engage in sexual acts in exchange for something of value, like money

**Sexual Harassment:**

Any unwelcome sexual advances, requests for sexual acts, and other verbal or physical harassment of a sexual nature that affects a person's employment, interferes with a person's work performance, or creates a hostile, intimidating, or offensive work environment.

The behavior is considered "unwelcome" when the person subjected to the behavior considers it unwelcome, or if a reasonable person in the same situation would find the behavior unwelcome. *Sexual harassment is a prohibited behavior.*

The victim can be any gender and the harasser can be of the same or different gender.

Sexual harassment includes, but is not limited to:

- Making sexually suggestive gestures, facial expressions, notes, jokes, or comments
- Making offensive comments, jokes, or remarks about someone's gender identity or sexual orientation
- Discussing sexual relations/stories/fantasies at work

- Pressuring someone for sexual contact or a date
- Displaying posters or pictures of a sexual nature
- Exposing oneself or performing sexual acts on oneself publicly, known as “flashing”
- Touching someone in a sexual nature without their consent, known as “sexual assault”
- Making conditions of employment or advancement (like a promotion or pay raise) dependent on sexual acts, also known as “quid pro quo”

**Sexual Nature:**

Any form of behavior, contact, or communication that can be perceived to be related to sex, sexual activity, or sexual language.

**Stalking:**

A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for their safety (or the safety of others) or suffer substantial emotional distress.

Stalking can also take place over digital devices, known as “cyberstalking.” *Stalking is a prohibited behavior.*

Stalking includes, but is not limited to:

- Following or spying on someone, such as waiting for someone to arrive at a certain location
- Appearing at a person’s workplace, home, or school
- Approaching someone in a public place or on private property
- Making threats against someone, or that person’s family, friends, or property
- Making unwanted contact, such as repeated phone calls, emails, text messages, and online messages

- Leaving unwanted items, gifts, or flowers at a location that someone owns, occupies, or works
- Any other behavior used to harass, track, or threaten someone

**Suspension and Revocation Hearing Procedures:**

A proceeding before an Administrative Law Judge (ALJ) concerning a mariner's Merchant Mariner Credential, license, or documents and the right to hold those documents and serve under them.

**Technology-facilitated Abuse/Digital Abuse:**

The use of technology or the internet to bully, harass, stalk, intimidate, or control a person. *Technology-facilitated abuse is a prohibited behavior.*

This can include abuse that involves digital devices such as cell phones, computers, and tablets, and can occur through text, apps, emails, instant messages, or online in social media or forums where people can view, participate in, or share content.

Technology-facilitated abuse includes, but is not limited to:

- Sending abusive or threatening texts, emails, or messages through social media platforms
- Sending an explicit or sexual picture or video to someone without their consent or request, also known as "cyberflashing"
- Making abusive or threatening phone calls
- Using GPS or other software to monitor someone without their consent
- Installing video cameras that give access to someone's personal life
- Sharing, or threatening to share, sexual or intimate images of someone without their consent, known as "image-based sexual abuse" or "revenge porn"
- Sharing negative, harmful, or false content about a person

- Intentionally revealing a person's private information (such as phone numbers, addresses, ID numbers) online without their consent usually to cause harm, also known as "doxxing"
- Creating fake social media profiles in someone else's name to cause embarrassment

**Title IX:**

Title IX of the Education Amendments of 1972 is a Federal civil rights law protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence.

**Transphobia:**

Discrimination and prejudice against a transgender person. *Transphobia is a prohibited behavior.*

**Trauma:**

A stress response to an overwhelming experience where someone felt powerless, in distress, and/or unsafe. Though trauma is an experience that people can share, each person can experience it differently.

**Trauma-informed Approach:**

Using methods that consider the feelings and difficult experiences of people who have been through trauma, such as understanding how common trauma is and how it can affect a person's body, relationships, behaviors, and emotions.

**Unrestricted Reporting:**

A reporting option that allows cadets who are victims of sexual assault, sexual or gender-based harassment, relationship violence, or stalking, to receive the same services (such as medical, victim advocacy, and counseling) **and offers protection from the accused and an official investigation of the incident.**

**Victim/Survivor:**

Terms used interchangeably to describe the individual who experienced sexual assault, sexual harassment, or other prohibited behavior.

**Victim-centered Approach:**

Using methods that focus on the needs and concerns of the victim, such as treating the victim with dignity and respect, providing the victim with nonjudgmental support, allowing the victim to make informed choices, reducing the risk of re-traumatization, prioritizing the victim's feelings of safety and security, and ensuring that the victim's rights, voice, and perspective are considered.

**Xenophobia:**

Discrimination and prejudice against foreigners, immigrants, or strangers.



## APPENDIX – B. Resources



Resources are available to you regardless of your decision to report or participate in the response and accountability process. You can also access these resources by visiting: [www.socp.us/sash-resources](http://www.socp.us/sash-resources).

You are encouraged to access any of the following resources for support. Please note that accessing confidential support or resources does not result in a report to your company or academy. Contact information current as of September 2024.

### Sexual and Domestic Violence Resources:

- National Sexual Assault Hotline (NSAH): 800-656-HOPE (4673)
  - Available to anyone affected by sexual violence in any way
  - [www.online.rainn.org](http://www.online.rainn.org)
- 1in6
  - Provides support for male-identified survivors of sexual violence
  - [www.1in6.org](http://www.1in6.org)
- DoD Safe Helpline: 877-995-5247
  - For the military community and their loved ones affected by sexual assault
  - [www.safehelpline.org](http://www.safehelpline.org)
- Deaf Hotline: 855-812-1001
  - For the deaf community affected by domestic violence and sexual violence
  - [www.thedeafhotline.org](http://www.thedeafhotline.org)
- Maritime Administration (MARAD) Office of Civil Rights
  - Members of the public may file a complaint with MARAD's Office of Civil Rights by emailing [civilrights.marad@dot.gov](mailto:civilrights.marad@dot.gov).
  - [www.maritime.dot.gov/about-us/file-complaint-marad](http://www.maritime.dot.gov/about-us/file-complaint-marad)

- National Domestic Violence Hotline: 800-799-SAFE (7233)
  - For people struggling with intimate partner violence/unhealthy relationships
  - [www.thehotline.org](http://www.thehotline.org)
- NO MORE Global SASP Directory
  - Provides a global directory of sexual assault service providers (SASPs) and other resource information
  - [www.nomoredirectory.org/](http://www.nomoredirectory.org/)
- U.S. Department of Education (ED) Office for Civil Rights (OCR)
  - If you want to learn more about your rights, or if you believe that a school district, college, or university is violating Federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov). If you wish to fill out a complaint form online, you may do so at: [www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html).
  - [www.ed.gov/](http://www.ed.gov/)
- U.S. Merchant Marine Academy (USMMA) Sexual Assault Prevention and Response Office (SAPRO)
  - Our hotline is available to all USMMA community members to consult with a victim advocate in responding to a crisis. You may call on behalf of yourself, a friend, a student, or a colleague. The hotline is available for Midshipmen to make a report of relationship or sexual misconduct on campus, off campus, or at Sea. The hotline is completely anonymous and will connect you to a trained Victim Advocate 24/7/365.
  - 24/7/365 SAPRO Hotline: (516) 462-3207
  - For non-emergent situations, our office email is [sapro@usmma.edu](mailto:sapro@usmma.edu). In crisis or for immediate assistance, please call the USMMA SAPRO Hotline at (516) 462-3207.
  - [www.usmma.edu/buildamerica/academy-life/sexual-assault-prevention/sexual-assault-prevention-and-response-program](http://www.usmma.edu/buildamerica/academy-life/sexual-assault-prevention/sexual-assault-prevention-and-response-program)

- VictimConnect: 855-484-2846 (9-5pm ET)
  - A place for crime victims to learn about their rights and options in a confidential and compassionate manner
  - [www.victimconnect.org/](http://www.victimconnect.org/)
- Women Offshore Sexual Assault and Violence Eradication (S.A.V.E.) Program:
  - For women in offshore environments affected by sexual violence
  - [www.womenoffshore.org/sexual-assault-violence-eradication-program](http://www.womenoffshore.org/sexual-assault-violence-eradication-program)

#### **Resources on Training Related to Sexual Assault Awareness and Response:**

- National Sexual Violence Resource Center (NSVRC)
  - Provides online training for victim advocacy
  - [www.nsvrc.org/elearning/2355](http://www.nsvrc.org/elearning/2355)
- Office of Victims of Crime
  - Provides training and technical assistance for key employee and those servicing crime victims
  - [www.ovcttac.gov/](http://www.ovcttac.gov/)
- U.S. Department of Justice – Office of Violence Against Women
  - Provides training on sexual assault, domestic violence, dating violence and stalking
  - [www.justice.gov/ovw](http://www.justice.gov/ovw)
- End Violence Against Women International (EVAWI)
  - Provides online webinars on topics related to victim advocacy, sexual assault, reporting, and more
  - [www.evawintl.org/past-webinars/](http://www.evawintl.org/past-webinars/)

#### **Mental Health Resources:**

- 988 Suicide & Crisis Lifeline: 988
  - For anyone struggling with suicidal thoughts, self-harm, depression
  - [www.988lifeline.org](http://www.988lifeline.org)

- CMTS C-19 WG Catalog Mental Health Resources for Mariners & MTS
  - [www.cmts.gov/Portals/75/Documents/page\\_covid/CMTS\\_Catalog\\_Covid-19\\_Mental\\_Health\\_Mariners\\_MTS.pdf?ver=FVrPjTgBFPFazfYlvKOZpw%3d%3d](http://www.cmts.gov/Portals/75/Documents/page_covid/CMTS_Catalog_Covid-19_Mental_Health_Mariners_MTS.pdf?ver=FVrPjTgBFPFazfYlvKOZpw%3d%3d)
- “Mariner Health & Wellness,” Proceedings of the Marine Safety & Security Council, the Coast Guard Journal of Safety at Sea, Fall 2020 issue
  - [www.dco.uscg.mil/Portals/9/DCO%20Documents/Proceedings%20Magazine/Archive/2020/Vol77\\_No2\\_Fall20\\_Proceedings.pdf?ver=-Mytxq63r7KwEbzSlGxy8g%3d%3d](http://www.dco.uscg.mil/Portals/9/DCO%20Documents/Proceedings%20Magazine/Archive/2020/Vol77_No2_Fall20_Proceedings.pdf?ver=-Mytxq63r7KwEbzSlGxy8g%3d%3d)

#### **Resources for U.S. Citizens Traveling Abroad:**

- Pathways to Safety International
  - Provides services to Americans living or traveling overseas experiencing interpersonal or gender-based violence
  - [www.pathwaystosafety.org](http://www.pathwaystosafety.org)
- U.S. Department of State – Bureau of Consular Affairs, Office of Overseas Citizens Services
  - Assists American citizens who become victims of crime while traveling, working, or residing abroad
  - [www.ovc.ojp.gov/help-for-victims/us-citizens-victimized-abroad](http://www.ovc.ojp.gov/help-for-victims/us-citizens-victimized-abroad)
- U.S. Embassy Locator: 202-501-4444 (if overseas) or 888-407-4747 (U.S./Canada)
  - Directory tool for locating the nearest U.S. embassy, consulate, diplomatic mission, or office providing consular services
  - [www.usembassy.gov/](http://www.usembassy.gov/)

#### **Information on the Criminal Justice Process:**

- Reporting to Law Enforcement
  - Information on how to report a sexual assault incident to the police
  - [www.rainn.org/articles/reporting-law-enforcement](http://www.rainn.org/articles/reporting-law-enforcement)

- Communicating with Law Enforcement
  - Information on what to expect when communicating with law enforcement, and what information goes into a report of sexual assault
  - [www.rainn.org/articles/communicating-law-enforcement](http://www.rainn.org/articles/communicating-law-enforcement)
- What To Expect from the Criminal Justice System
  - Information on what to expect from the criminal justice system, including information on pressing charges
  - [www.rainn.org/articles/what-expect-criminal-justice-system](http://www.rainn.org/articles/what-expect-criminal-justice-system)
- Understanding Statutes of Limitations for Sex Crimes
  - Explains the statutes of limitations for sex crimes and provides information about the state-specific statutes
  - [www.rainn.org/articles/statutes-limitations-sex-crimes](http://www.rainn.org/articles/statutes-limitations-sex-crimes)
- RAINN's Laws in Your State Database
  - Contains information for each state on mandatory reporting laws, rape and sexual assault definitions, definitions of consent, and information on the statutes of limitations
  - [www.rainn.org/public-policy-action](http://www.rainn.org/public-policy-action)

**Legal Resources:**

- Center for Mariner Advocacy (CMA)
  - Free legal-aid service devoted exclusively to the needs of merchant mariners
  - [www.seamenschurch.org/programs-services/mariner-advocacy](http://www.seamenschurch.org/programs-services/mariner-advocacy)
- Finding the Right Legal Service
  - A website that helps users find adequate free or low-cost legal services
  - [www.usa.gov/legal-aid](http://www.usa.gov/legal-aid)
- Attorney Referral Service
  - Refers individuals to attorneys in their area who can represent them in pursuit of civil claims and victim restitution
  - [www.victimbar.org/attorney-referral-request-form/](http://www.victimbar.org/attorney-referral-request-form/)



- Lawhelp.org
  - Provides referrals to legal aid organizations, information on legal rights, and self-advocacy tools
  - [www.lawhelp.org](http://www.lawhelp.org)
- Womenslaw.org
  - Provides legal information regarding domestic violence, sexual violence and other topics
  - [www.womenslaw.org/](http://www.womenslaw.org/)

### **Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ+) Resources:**

- LGBT National Hotline: 888-843-4564
  - For the LGBTQIA+ community seeking peer-support, information, and local resources
  - [www.lgbthotline.org](http://www.lgbthotline.org)
- Trans Lifeline: 877-565-8860
  - A peer support phone service run by trans people for trans and questioning peers
  - [www.translifeline.org](http://www.translifeline.org)

### **Medical Resources:**

- What is a Sexual Assault Forensic Exam (SAFE)
  - Information on preparing for a forensic exam, what information is collected, and answers to common questions
  - [www.rainn.org/articles/rape-kit](http://www.rainn.org/articles/rape-kit)
- International Association of Forensic Nurses: Forensic Nursing Program Listing
  - Resource directory for locating a forensic nursing program where forensic exams may be offered
  - [myonline.forensicnurses.org/rolodex/searchOrganizationDirectory](http://myonline.forensicnurses.org/rolodex/searchOrganizationDirectory)

**USCG Reporting Options:**

- Calling the National Command Center (NCC) at 202-372-2100
- Emailing [CGISTIPS@uscg.mil](mailto:CGISTIPS@uscg.mil)
- Submitting a web-based tip form
  - The web-based tip form can be accessed through at the following weblink: [www.p3tips.com/tipform.aspx?ID=878#](http://www.p3tips.com/tipform.aspx?ID=878#)
  - Anonymous reporting is available in this form\*.
- Submitting a mobile-based tip form
  - The CGIS Tips app can be downloaded from your mobile provider's marketplace.
  - Anonymous reporting is available in this form\*.
  - You can scan the QR code below to quickly access the CGIS Tips app.



\*Submitting an anonymous report may limit the ability to open an investigation. You can still use this reporting option, but it is important to understand its limitations.

- See USCG implementation guidance at [Marine Safety Information Bulletin \(MSIB\) 1-23, Reporting Sexual Misconduct on U.S. Vessels](#).

**Additional Reporting Options:**

- Federal Bureau of Investigations: Online Reporting Options
  - Instructions for reporting instances of violent crime through the FBI's online crime tip form
  - [www.justice.gov/actioncenter/crime.html](http://www.justice.gov/actioncenter/crime.html)

**United States Code (U.S.C.) — SASH-related Maritime Laws:**

- [46 U.S.C. § 2101: General definitions](#)
- [46 U.S.C. § 2114: Protection of seamen against discrimination](#)
- [46 U.S.C. § 3106: Master key control system](#)
- [46 U.S.C. § 3203: Safety Management System \(SMS\)](#)

- [46 U.S.C. § 4901: Surveillance requirements](#)
- [46 U.S.C. § 7511. Convicted sex offender as grounds for denial](#)
- [46 U.S.C. § 7704a: Sexual harassment or sexual assault as grounds for suspension or revocation](#)
- [46 U.S.C. § 10104: Requirement to report sexual offenses](#)
- [46 U.S.C. § 11101: Accommodations for seamen](#)
- [46 U.S.C. § 51322: Protection of cadets from sexual assault onboard vessels](#)

## APPENDIX – C. USING THE TRAUMA-INFORMED APPROACH

### PROVIDING A TRAUMA-INFORMED RESPONSE TO A DISCLOSURE OR REPORT

A report or disclosure of an experience of sexual assault or sexual harassment can be a highly sensitive conversation, and all key personnel should expect that victims/survivors may be experiencing a number of emotions, such as grief, panic, overwhelm, sadness, anger, and/or frustration. The initial response a victim/survivor receives when first making a disclosure can have a profound impact on whether or not the victim/survivor decides to tell others, report to law enforcement, or access resources.

While receiving a disclosure or report of sexual assault or sexual harassment can be upsetting or unsettling, it is imperative that all victims/survivors receive a supportive response. All key personnel should follow the principles of being victim-centered and trauma-informed when responding to victims/survivors.

Key personnel involved in receiving a report of sexual assault and/or sexual harassment can incorporate these principles into their role through the following strategies:

- **Prioritize the victim's/survivor's safety and well-being.** First, ensure that there is no imminent danger to the victim/survivor. Key personnel receiving a disclosure or report should also attend to a victim's/survivor's emotional safety by making every attempt to reduce the risk of re-traumatization and restore feelings of safety and control. For example, key personnel should:
  - Separate the victim/survivor and the perpetrator.
  - Explore ways to mitigate contact between the victim/survivor and the perpetrator.
  - Offer the victim/survivor options for medical attention.

- Respect the victim's/survivor's physical boundaries.
  - Offer the victim/survivor assistance with creating a safety plan.
  - Allow a victim/survivor to lead the conversation.
  - Avoid asking probing questions if you are not the investigator in the matter.
  - Offer information about resources and support.
  - Share information about what to expect next to provide the victim/survivor with predictability.
  - Where possible, offer the victim/survivor choice in how to proceed in order to promote their self-determination and sense of agency. For example, if possible, during an interview ask the victim/survivor which room they would be most comfortable in and whether they would like someone else present with them. Allow breaks and encourage them to share information in an order that works for them.
  - Respect any conversational boundaries that the victim/survivor sets and understand that they may not be ready or want to discuss all the details of the situation at this time.
- **Protect privacy and confidentiality.**
    - Key personnel should never discuss a report of sexual assault or sexual harassment in a public setting, and information about an incident should be shared only on a need-to-know basis. At all times, key personnel should avoid gossip about an incident or investigation.
- **Provide honest and transparent communication.**
    - Key personnel should proactively explain to the victim/survivor what information is likely to be shared, and with whom.
    - Be honest about your role, your responsibilities, and your boundaries.
    - Do not over-promise or mislead them about the response and accountability processes. Do not promise any particular outcome in their matter.
    - Follow through on your promises and be dependable and consistent.



## USING A TRAUMA-INFORMED APPROACH IN THE RESPONSE PROCESS

SASH Contacts can provide unbiased and nonjudgmental support through empathetic communication. Having conversations about sexual assault and sexual harassment can be upsetting and overwhelming for the victim/survivor. The following examples are ways that SASH Contacts can use empathy to better support the victim/survivor during these types of conversations:

- Use a calm demeanor to help put the victim/survivor at ease and speak slowly.
- When asking questions, only ask one question at a time.
- Use verbal and non-verbal communication cues, like maintaining eye contact or nodding, to show that you are paying attention.
- Avoid asking questions that you do not need the answers to. Asking probing questions can cause a victim/survivor to feel self-conscious, judged, or retraumatized.
  - Avoid “why” questions, if at all possible, as they can convey judgment, and may make a victim/survivor feel blamed for what happened to them.
- Acknowledge, validate, and normalize the feelings and emotions that a survivor may be expressing through phrases such as:
  - *“It makes sense that you feel \_\_\_\_\_.”*
  - *“It’s common for someone to feel that way after something like this happens.”*
  - *“I can imagine” or “it would make sense if you felt that” (instead of phrases like “I know” or “I understand.”)*
- Recognize and reflect emotions and statements back to the victim/survivor through summarizing and restating. This can help ensure that you are understanding the victim/survivor correctly, and gives the victim/survivor an opportunity to add in more detail or context.
  - *“Just to make sure that I’m understanding correctly, \_\_\_\_\_.”*
  - *“So, it sounds like \_\_\_\_\_. Is that correct?”*
- Mirror the victim/survivor’s language— use the victim’s/survivor’s language when talking about what happened.

- Do not disclose your own trauma experiences to the victim/survivor. Although it can be tempting to disclose any experiences you have had, it is important to keep the focus and the attention on the victim/survivor's experience. Sharing your own experience can make a victim/survivor feel like theirs is being minimized, dismissed, or unheard.
- Avoid using physical touch to comfort, especially without permission. Some may feel drawn to show support in this way (e.g., with a hug), but it may be uncomfortable or unwelcome to a victim/survivor. Instead, rely on supportive language and body language.

Victims/survivors may have emotional reactions during conversations, and express feelings of anger or frustration, sadness or grief, or apathy or numbness. In addition to validating and normalizing a victim's/survivor's feelings and exhibiting patience, below are additional strategies that can be used in order to support victims/survivors through these emotions.

- Dealing with anger or frustration
  - Recognize that the anger or frustration is most likely not directed at you.
  - Remain calm and avoid becoming defensive.
- Dealing with sadness or grief
  - Allow the victim/survivor space to cry or sit in silence. You can offer to sit with them or ask if they prefer privacy.
  - Provide them with mental health resources, such as the 988 Suicide & Crisis Lifeline if you are concerned about their safety and wellbeing.
- Dealing with apathy or numbness
  - Remember that a lack of emotional reaction does not indicate that the victim/survivor is not telling the truth or is not affected by what happened.

Victims/survivors may also express some common reactions, such as minimizing their experience, expressing distrust in the response and accountability processes, and seeking validation or direction from the SASH Contact. Examples of this, along with potential SASH Contact responses are:

- **Minimizing their experience:** “It wasn’t a big deal; I don’t know why I even told anyone about it.” → “*You’ve been through something traumatic, and your experience is valid.*”
- **Expressing distrust in the process:** “I don’t even know why I bothered reporting it, I don’t think they’ll actually do anything about it.” → “*I can understand why you’d feel that way, but I’m here to support you however I can, regardless of what else happens.*”
- **Seeking validation or direction:** “Do you think I should press charges?” → “*I can’t make that decision for you; you know your situation best. But I’ll support whatever decision you make, and I am happy to talk through your options with you.*”

## USING A TRAUMA-INFORMED APPROACH IN THE INVESTIGATION PROCESS

Investigators must use a victim/survivor-centered and trauma-informed approach when obtaining information to avoid retraumatizing the victim/survivor, or making them feel judged, ashamed, or at fault for what they experienced. Steps that investigators can take include:

- Preparing the individual for the questions you are about to ask
  - Explain the purpose of the questions, and with whom the information will be shared (if applicable).
- Using open-ended questions instead of questions that call for a yes or no answer
- Summarizing and restating information back to the victim/survivor
  - Not only is this a way of showing that you are listening and paying attention, but it can also be a method to help obtain more information; a victim/survivor may add more detail and context they did not include originally.
- Checking in with the victim/survivor to see if they need a break or to skip a question when you notice hesitation or discomfort
- Avoiding questions that start with “why” as they can often convey judgment and make a survivor feel blamed

## USING A TRAUMA-INFORMED APPROACH IN THE DISCIPLINARY PROCESS

Companies have a responsibility to hold those who commit sexual assault, sexual harassment, and other prohibited behavior accountable. The involvement of the USCG, and USCG's response to a reported incident of prohibited behavior, does not alleviate companies of their responsibility to protect the safety of their employees. It is important for companies to consistently utilize the disciplinary process when there has been a violation of company policy. This sends the message that prohibited behavior will not be tolerated under any circumstances. It may also encourage others to report these incidents because they may feel increased trust in the accountability process and those who implement it.

Disciplinary officials are required to carry out their responsibilities in an unbiased manner, which also means using a trauma-informed approach when making decisions to hold accountable a perpetrator who committed sexual assault, sexual harassment, or other prohibited behavior. A trauma-informed approach ensures all parties involved in the process are treated fairly and equitably, which also includes the victim/survivor. Steps that disciplinary officials can take include:

- Treating all parties within the disciplinary process with respect and professionalism
- Treating all parties fairly and equitably by avoiding the influence of favoritism, bias, or rank in disciplinary decisions
- Using bias-free language when communicating with all parties involved in the disciplinary process
- Explaining the disciplinary process to all involved parties
- Answering any questions the parties may have
- Maintaining confidentiality of all parties, to the extent possible
- Allowing opportunities for the victim/survivor to remain engaged during the disciplinary process, such as keeping victims/survivors informed throughout the process, or allowing victims/survivors to weigh in on decisions and accommodations, as appropriate









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