

State Harassment and Assault Prevention and Eradication (SHAPE) Act of 2020

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Three years ago, the #MeToo movement empowered women and men to speak out about their experiences with sexual harassment and demand systemic change. In November 2017, 223 women in the national security field—current and former diplomats, civil servants, servicemembers, and development workers—signed an open letter with the hashtag #metoonatsec, declaring, “We, too, are survivors of sexual harassment, assault, and abuse or know others who are. This is not just a problem in Hollywood, Silicon Valley, newsrooms or Congress. It is everywhere. These abuses are born of imbalances of power and environments that permit such practices while silencing and shaming their survivors.” In April 2020, the U.S. Commission on Civil Rights highlighted similar findings in a new [report](#) titled, “Federal #MeToo: Examining Sexual Harassment in Government Workplaces” which identified ways the State Department could be doing more to keep employees safe and hold perpetrators accountable.

National security professionals often make sacrifices in service to our nation, spending time away from loved ones in war-zones or hostile locations to further our safety. Given the globe-spanning structure of the State Department and its workforce and the importance of corridor reputation, its employees can be uniquely vulnerable to misconduct and face barriers to accountability. Like all workers, they deserve basic dignity and respect on the job. The SHAPE Act will facilitate stronger anti-harassment and discrimination policies, survivor care, and accountability at the State Department.

Enhanced Policies, Protocols, Training, and Reporting

- Requires the State Department to develop a comprehensive policy on the prevention of and response to harassment, discrimination, sexual assault, and related retaliation that includes:
 - Education and training on prevention and response
 - Confidential reporting of incidents
 - Investigation of complaints
 - Survivor advocacy, resources, and supportive services
 - Data collection on violations and disciplinary actions taken in adjudicated cases
- Establishes an Office of Employee Advocacy to provide optional legal counsel and representation to victims, receive and track claims of misconduct, run an international 24/7 hotline, administer climate surveys, and house Employee Advocates to assist victims throughout the process.
- Requires biannual Department climate surveys on workplace culture to determine the effectiveness of reforms.

Rights of Survivors and Access to Supportive Services

- Requires implementation of standardized sexual assault protocols:
 - Access to a trained Sexual Assault Prevention and Response Victim Advocate
 - Provision of a sexual assault forensic evidence kit upon request and comprehensive health services
 - Training of Regional Security Officers in sexual assault investigative techniques
- Guarantees access to legal assistance and representation for victims.
- Requires availability of alternate work assignments or paid leave of absence for those alleging misconduct.
- Outlaws forced nondisclosure or non-disparagement agreements in employment contracts and settlement or separation agreements.

Accountability

- Requires an annual report to Congress on claims and disciplinary action taken to hold perpetrators accountable, as well as climate survey results.
- Requires Global Talent Management (HR) to document and maintain records of findings and disciplinary action taken, to include suspension without pay and termination.