DEPARTMENT OF THE ARMY
HEADQUARTERS, 25TH INFANTRY DIVISION AND U.S. ARMY HAWAII
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30 JAN 2019

APVG-CG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 25th Infantry Division and United States Army Hawaii Policy Letter #4 - Treatment of Persons (Hazing and Bullying)

1. Reference.

a. Army Regulation (AR) 600-20, Army Command Policy, 6 November 2014.

b. AR 380-67, Personnel Security Program, 24 January 2014.

2. Applicability. This policy applies to all Soldiers and Civilian Employees assigned to or present on U.S. Army Hawaii (USARHAW) installations.

3. The Army is a values-based organization where everyone is expected to do what is right by treating all persons with dignity and respect. Hazing, bullying, and other behaviors that undermine dignity and respect are fundamentally in opposition to our values and are prohibited. Adherence to the professional Army ethic and its supporting individual values creates an environment conducive to personal and professional growth. Every Service Member and Civilian maintains the right to work and live in an environment free of hostility; therefore it is imperative that commanders and directors at all levels enforce this policy. All commanders and directors will ensure this policy is effectively communicated to every military member and Civilian employee under their command or supervision. Every member of the chain of command will ensure any complaints of hazing or bullying brought forward is protected from reprisal or retaliation.

4. Definitions.

a. Hazing. Any conduct whereby a Service Member(s) regardless of service, rank, or position, and without proper authority, recklessly or intentionally causes a Service Member to suffer or be exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another to participate in any such activity is also considered hazing. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature. Likewise, it need not be committed in the physical presence of the victim; it may be accomplished through written or phone messages, text messages, email, social media, or any other virtual or electronic medium. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Without outside intervention, hazing conduct typically stops at an identified end-point.

b. Bullying. Bullying is any conduct whereby a Service Member(s), regardless of service, rank, or position, intends to exclude or reject another Service Member through cruel, abusive, humiliating, oppressive, demeaning, or harmful behavior, which results in diminishing the other Service Member's dignity, position, or status. Absent outside intervention, bullying will typically continue without any identifiable end-point. Bullying may include an abuse of authority. Bullying tactics include, but are not limited to, making threats, spreading rumors, social isolation, and attacking someone physically, verbally, or through the use of electronic media.

c. Additional examples of hazing and bullying are outlined in AR 600-20, para. 4-19. Hazing and bullying are prohibited in all cases, to include off-duty or "unofficial" celebrations or unit functions, on or off post.

5. When authorized by the chain of command and not unnecessarily cruel, abusive, oppressive, or harmful, the following activities do not constitute hazing or bullying:

a. The physical and mental hardships associated with operations or training.

b. Administrative corrective measures, including verbal reprimands and a reasonable number of repetitions of authorized physical exercises.

c. Extra military instruction or training with the intent of improving Service Members' performance.

d. Physical training (PT) or remedial PT conducted with the intent to improve the Service Members' performance.

6. Scope. Hazing or bullying is not limited to superior-subordinate relationships. Incidents may occur between peers or even, under certain circumstances; may involve actions directed towards senior military personnel by those junior in rank or grade to them (for example, a training instructor hazing a student who is superior in rank). Hazing or bullying is prohibited in formal as well as day-to-day military settings, to include off-duty or "unofficial" celebrations or unit functions.

7. Command responsibilities. This policy is punitive in nature. Service Members who violate this policy are subject to adverse administrative action and/or punishment under the Uniform Code of Military Justice. Civilian employees who violate this policy are subject to disciplinary action. Commanders should seek the advice and counsel of their legal advisor when taking actions pursuant to this policy. Commanders and supervisors at all levels will immediately report allegations of criminal behavior to law enforcement. All other hazing or bullying allegations that are reported to a commander will be investigated in accordance with the informal board procedures set forth in AR 15-6 or as a commander's inquiry. Individuals may also report incidents of hazing to the

appropriate Inspector General's (IG) office and these incidents may be investigated by that office or referred to the command for investigation. Regardless of the type of investigation conducted into the hazing or bullying allegation (law enforcement, IG, or administrative), all reports of hazing and bullying will be coordinated with the unit Equal Opportunity Advisor (EOA) to ensure that all the allegations are recorded and tracked in the Equal Opportunity Reporting System (EORS). If a Service Member possesses a security clearance, commanders will ensure the security manager records the derogatory information as an incident report in the JPAS (or subsequent system) in accordance with AR 380-67.

8. Training. IAW AR 350-1, commanders will conduct training on anti-hazing and anti-bullying as part of the EO training requirements related to promoting a healthy unit climate.

9. Subordinate commanders, from the installation, unit, agency, and activity level down to the company, troop, and battery level will publish a treatment of persons policy IAW AR 600-20. Statements will be consistent with the Army policy, include the local command's commitment to prevention of hazing and bullying, and reaffirm that these behaviors will not be tolerated. The command policy will explain how and where to file complaints and will state that all complainants will be protected from acts or threats of reprisal.

10. Individual responsibilities. Every Service Member and Civilian is responsible for the following:

a. Advising the command of any incidents of hazing or bullying.

b. Conducting themselves in accordance with this paragraph and treating all persons as they should be treated with dignity and respect.

c. Ensure that those who present their complaints to the command do so without fear of intimidation, reprisal, or harassment.

11. The proponent for this policy is LTC David L. Nelson, Jr., EO Program Manager, at (808) 655-0053.

RONALD P. CLARK
Major General, USA
Commanding

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