



DEPARTMENT OF THE ARMY
HEADQUARTERS, 25TH INFANTRY DIVISION AND U.S. ARMY HAWAII
BUILDING 580 KOLEKOLE AVENUE
SCHOFIELD BARRACKS, HAWAII 96857-6000

APVG-CG

21 October 2020

MEMORANDUM FOR RECORD

SUBJECT: United States Army Hawaii (USARHAW) Policy Letter #5 – The Army Harassment Prevention and Response Program

1. Reference: AR 600-60, Army Command Policy, 24 July 2020.
2. Applicability. This policy applies to all Soldiers, DA Civilians and Family members assigned to or present on any USARHAW installation. This policy also extends to on and off post, and during non-duty hours within the limits of the laws of localities, states, and host nations. This policy also applies to online conduct.

3. Policy.

a. USARHAW is a values-based organization where everyone is expected to do what is right and to treat all persons as they should be treated - with dignity and respect. Personnel are expected to treat all people with respect in all aspects of life and forms of communication (for example, online or in person). Furthermore, Army Leaders (Military and DA Civilians) will lead by example and do what is right to prevent abusive treatment of others. Hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct, undermine trust, violate our ethic, and negatively impact command climate and readiness.

b. It is the responsibility of all personnel experiencing or witnessing online misconduct to report the matter to the Chain of Command or Supervisor. Alternative avenues for reporting and sources of information include: Family Support Services, Military Equal Opportunity, Equal Employment Opportunity Office, Sexual Harassment/Assault Response and Prevention, and Army Law Enforcement.

c. Commanders at all levels are responsible for ensuring all Soldiers, DA Civilians, and Family members are aware of what constitutes hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct and the available avenues of redress. On an annual basis, commanders will conduct harassment training in combination with their annual MEO training requirement.

d. Harassment complaints will be processed through the command MEO Program using the MEO and Harassment Complaint Processing System. Personnel who report incidents of hazing, bullying, discriminatory harassment, online misconduct, and other misconduct are protected from acts of threats, reprisal, and retaliation.

e. Commanders and supervisors at all levels will immediately report allegations of criminal behavior to law enforcement. All other hazing or bullying allegations 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. All reports of hazing and bullying will be coordinated with the unit Equal Opportunity Advisor (EOA) to ensure they are processed, recorded, and tracked.

4. Harassment.

a. Hazing. A form of harassment that includes conduct through which Soldiers or DA Civilian employees (who haze Soldiers), without a proper military authority or other governmental purpose but with a nexus to military service, physically or psychologically injures or creates a risk of physical or psychological injury to Soldiers for the purpose of: initiation into, admission into, affiliation with, change in status or position within, or a condition for continued membership in any military or DA Civilian organization. Hazing can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

b. Hazing is evaluated by a reasonable person standard and includes, but is not limited to, the following when performed without proper military authority or other governmental purposes:

(1) Any form of initiation or congratulatory act that involves physically striking, beating, paddling, whipping, or burning another person in any manner or threatening to do the same.

(2) Pressing any object into another person's skin, regardless of whether it pierces the skin, such as "pinning" or "tacking on" of rank insignia, aviator wings, jump wings, diver insignia, badges, medals, or any other object.

(3) Oral or written berating of another person with the purpose of belittling or humiliating.

(4) Encouraging another person to engage in illegal, harmful, demeaning, or dangerous acts.

- (5) Playing abusive or malicious tricks.
- (6) Excessive physical exercise.
- (7) Confinement to restricted areas, isolation, or sleep-deprivation.
- (8) Immersion in noxious substances.
- (9) Branding, handcuffing, duct taping, tattooing, shaving, greasing, or painting another person.
- (10) Subjecting another person to excessive or abusive use of water.
- (11) Forcing another person to consume food, alcohol, drugs, or any other substance.

c. Soliciting, coercing, or knowingly permitting another to participate, solicit, or coerce such conduct, may be considered hazing. Soldiers will be held responsible for an act of hazing even if there was actual or implied consent from the victim, without regard to the Service, rank, status, or position of the victim.

d. Bullying. A form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with a nexus to military service, with the intent of harming a Soldier either physically or psychologically, without proper military authority or other governmental purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. Bullying may involve the singling out of an individual from his or her coworkers, or unit, for ridicule because he or she is considered different or weak. It often is indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim. Bullying can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

e. Bullying is evaluated by a reasonable person standard and includes, but is not limited to, the following when performed without a proper military authority or other governmental purpose such as:

- (1) Physically striking another person in any manner or threatening to do the same.

(2) Intimidating, teasing, name calling, mockery, threats of violence, harassment, taunting, social exclusion, isolating, manipulating, blackmailing, and spreading rumors in which there is often a power differential, whether by rank, position, physical stature, social standing or other measures, between the aggressor (one or more) and the victim (one or more).

(3) Oral or written berating of another person with the purpose of belittling or humiliating.

(4) Encouraging another person to engage in illegal, harmful, demeaning, or dangerous acts.

(5) Playing abusive or malicious tricks.

(6) Branding, handcuffing, duct taping, tattooing, shaving, greasing, painting, hitting, spitting, shoving another person.

(7) Subjecting another person to excessive or abusive use of water.

(8) Forcing another person to consume food, alcohol, drugs, or any other substance.

(9) Degrading or damaging another's property or reputation.

f. Soliciting, coercing, or knowingly permitting another to participate, solicit, or coerce such conduct, may be considered bullying. Soldiers will be held responsible for an act of bullying even if there was actual or implied consent from the victim, without regard to the Service, rank status, or position of the victim.

g. Discriminatory harassment. A form of harassment that is unwelcome conduct based on race, color, religion, sex (including gender identity and pregnancy), national origin, or sexual orientation.

h. Other acts of misconduct. Misconduct may or may not meet the definitions above for hazing or bullying, yet may violate the dignity and respect of others. Additionally, acts of reprisal or retaliation, as defined in paragraph 5-13 or other policy, regulation or law, and/or violations against persons as outlined in the Uniform Code of Military Justice (UCMJ) may violate the provisions of this paragraph.

(1) Harassment is prohibited in all circumstances and environments, including off-duty and "unofficial" unit functions and settings.

APVG-CG

SUBJECT: United States Army Hawaii (USARHAW) Policy Letter #5 – The Army Harassment Prevention and Response Program

(2) Harassment is not limited to superior-subordinate relationships. They may occur between peers or, under certain circumstances, may involve actions directed toward senior personnel by those junior in rank, grade, or position to them.

(3) Incidents involving sexual assault, harassment, or discrimination must be addressed in accordance with the full display of laws, regulations, and policies pertaining to such allegations. In all cases, appropriate responding and investigative procedures will be followed

i. Online misconduct. The use of electronic communication to inflict harm. Electronic communication is the transfer of information (signs, writing, images, sounds, or data) transmitted by computer, phone, or other electronic device. Electronic communications include, but are not limited to: text messages, emails, chats, instant messaging, screensavers, blogs, social media sites, electronic device applications, and web/video conferencing. Examples of online misconduct include, but are not limited to: hazing, bullying, harassment, discriminatory harassment, stalking, retaliation, or any other types of misconduct that undermines dignity and respect. When using electronic communication devices, Army personnel should apply "Think, Type, and Post".

5. Proponent. The USARHAW Equal Opportunity Office is the proponent for this policy. Questions should be directed to the USARHAW Equal Opportunity Office at 808-787-4424



JAMES B. JARRARD
Major General, USA
Commanding