



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON-KWAJALEIN ATOLL
UNIT 17001 BOX 1
APO AP 96555-0100

AMIM-KWG-ZA

7 February 2024

MEMORANDUM FOR All Military Personnel, Department of Defense (DOD) Civilians, Contractors, and Family Members serving on or visiting United States Army Garrison Kwajalein Atoll (USAG-KA)

SUBJECT: Command Policy Memorandum #2, Commander's Army Harassment Prevention and Response Program (HPRP)

1. References.

- a. Army Regulation 600-20, Army Command Policy, 24 July 2020.
- b. Department of Defense Instruction 1350.02, DOD Military Equal Opportunity Program, 4 September 2020.
- c. Department of Defense Instruction 1020.03, Harassment Prevention and Response in the Armed Forces, 8 February 2018.

2. Applicability. This policy applies to all Military personnel and Department of the Army (DA) Civilians assigned or constitute under the special court-martial convening authority to U.S. Army Garrison Kwajalein Atoll (USAG-KA). Those wishing to file a harassment complaint should seek assistance with their Equal Employment Opportunity (EEO) Office or they may report harassing conduct to their supervisory chain or other officials as set forth in AR 690-12, appendix D.

3. Policy.

a. USAG-KA is a values-based organization where everyone, both Military and DA Civilians, are bound to treat all persons as they wish to be treated - with dignity and respect - in all aspects of life and forms of communication, in accordance with this policy and AR 600-20, chapter 4-19. Army Leaders (Military and Civilian) will lead by example and prevent the abusive treatment of others. Hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct, as defined in paragraphs 4-19. a. (1) through (5) of AR 600-20, are punitive, and violators may be subject to punitive action under the Uniform Code of Military Justice (UCMJ) or adverse administrative action. Such behaviors undermine trust, violate our ethic, and negatively impact command climate and readiness.

b. It is the responsibility of all personnel experiencing or witnessing hazing, bullying, discriminatory harassment, online misconduct, and other acts of misconduct to report the matter to the Chain of Command or Supervisor. There are alternative avenues for

reporting online misconduct or for obtaining information on online misconduct: Family Support Services, Military Equal Opportunity (MEO) Office, Equal Employment Opportunity Office, Sexual Harassment/Assault Response and Prevention, and Army Law Enforcement.

4. Personnel who report incidents are protected from acts or threats of reprisal and retaliation. Commanders will report allegations of criminal behavior of The Army Harassment Prevention and Response Program to law enforcement.

5. Every member of the USAG-KA team must make it his or her priority to ensure everyone is treated with dignity and respect. I expect Leaders, Soldiers, and DA Civilians to reinforce a climate that is consistent with the Army Values and Team Kwaj Pact. Harassment in any capacity is fundamentally in opposition to our values and will not be tolerated in this command. The willingness of any participant is irrelevant; therefore, expressed, or implied consent to prohibited behaviors under this paragraph is not a defense to a violation of this policy.

6. Prohibited Activities. Harassment is a broad term that takes many forms, and it is imperative all USAG-KA personnel can identify and eliminate it from our organization. Though not a comprehensive list, types of harassment include online misconduct, hazing, bullying, discriminatory harassment, and other acts of misconduct.

a. Online Misconduct is the use of electronic communication to inflict harm, to include but not limited to, bullying, hazing, discriminatory harassment, stalking, retaliation, or any other type of misconduct that undermines the dignity and respect of individuals. Electronic communications include, but is not limited to text messages, emails, chats, instant messaging, screensavers, blogs, social media sites, electronic device applications, and Web/video conferencing. Army personnel should apply the "Think, Type, and Post" strategy when communicating and ensure it consistently aligns with the Army Values. It is the responsibility of all personnel experiencing or witnessing online misconduct to report the matter to the Chain of Command or Supervisor.

b. Hazing is a form of harassment that includes conduct through which Soldiers or DA Civilian employees, without proper military authority, or other governmental purpose but with a connection to military service, physically or psychologically injure or create 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 electronic devices or communications, by other means including social media, and in person. Hazing is evaluated by the reasonable person standard.

SUBJECT: Command Policy Memorandum #2, Commander's Army Harassment Prevention and Response Program (HPRP)

(1) Some examples of hazing include but are not limited to initiation or congratulatory acts involving striking, beating, paddling, burning, pressing an object into another person's skin, berating/belittling of another, playing abusive or malicious tricks, excessive physical exercises (when performed without proper military authority or government purpose), or forcing another person to consume food, alcohol, or drugs/other substances.

(2) Soliciting, coercing, or knowingly permitting another to participate, solicit or coerce such conduct, may be considered hazing.

c. Bullying is a form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with a connection 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. It often is indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim.

(1) Some examples of bullying include but are not limited to physically striking another person, teasing, mocking, threats of violence, social exclusion, isolating, oral or written belittling or humiliating, and degrading or damaging another's property or reputation.

(2) Soliciting, coercing, or knowingly permitting another to participate, solicit, or coerce such conduct, may be considered bullying.

d. Discriminatory harassment is unwelcome conduct based on race, color, religion, sex (including gender identity), national origin, or sexual orientation.

e. Misconduct may or may not meet the definitions above for hazing or bullying yet may violate the dignity and respect of others. In accordance with the reference, these acts are categorized as "other acts of misconduct."

7. This policy, in accordance with paragraphs 4-19a (1)-(5) of AR 600-20, is punitive and violators may be punished under the Uniform Code of Military Justice (UCMJ) or subject to administrative action.

8. The imposition of necessary or proper duties and the requirement of their performance does not violate this policy even though the duties may be arduous, hazardous, or both. Authorized duties are not harassment. When authorized by the chain of command and/or operationally required, the following activities don't constitute hazing or bullying: physical and mental hardships associated with operations, operational training, lawful punishment imposed pursuant to the

AMIM-KWG-ZA

SUBJECT: Command Policy Memorandum #2, Commander's Army Harassment Prevention and Response Program (HPRP)

UCMJ, administrative corrective measures, command authorized physical exercises, physical training (PT), and remedial PT.

9. Complaint Processing and Procedures. Personnel filing a harassment complaint should contact MEO personnel or the Commander to file his/her complaint. Alternative avenues for reporting and information include: EEO Office (DA Civilians, and Army Law Enforcement).

10. Training and awareness program are key to the elimination of hazing, bullying, and all forms of harassment. USAG-KA fully supports and encourages any training which enhances our knowledge ensuring all personnel are aware of what constitutes hazing, bullying, and discriminatory harassment and the available avenues to address and prevent the matter.

11. Every member of this command must make it his or her priority to ensure everyone is treated with dignity and respect, on and off post. We must work together to eliminate actions and behaviors that undermine trust, violate our ethic, and negatively impact command climate and readiness. I expect every Team Kwaj Member in this Garrison continue to reinforce a climate consistent with the Army Values, wherein behaviors against this policy are prevented, reported, and when possible, addressed at the lowest level.

12. Expiration Date. This policy supersedes USAG-KA Policy Memorandum 600-20 dated 27 October 2022, and remains in effect until cancelled or superseded in writing, in whole or in part. This policy will be posted on all official bulletin boards.

13. For assistance, the MEO Office is the lead agency for assistance with the Army HPRP. The point of contact for this memorandum is SFC Carpenter, Brandon C. and can be reached at brandon.c.carpenter4.mil@army.mil or DSN 480-2109.

14. The point of contact for this policy is the undersigned at andrew.r.morgan10.mil@army.mil or by phone at (808) 580-1401.

ANDREW R. MORGAN
COL, MC (FA 40C)
Commanding

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