

## Treatment of Persons Definitions and Guidance

1. All acts of harassment are prohibited. Victims of harassment, and/or maltreatment are encouraged to report incidents to their chain of command, unit Equal Opportunity Advisor, or Inspector General's office. Reported incidents of hazing or bullying allegations will be investigated and substantiated incidents are punishable under the UCMJ. All complainants and victims will be protected from acts or threats of reprisal and/or retaliation.

### 2. Forms of Harassment:

a. Hazing - A form of harassment that includes conduct through which Soldiers or Army Civilian professional 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 Army Civilian professional 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. Bullying - a form of harassment that includes acts of aggression by Soldiers or Army Civilian professionals, 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.

c. Discriminatory Harassment - a form of harassment that is unwelcome conduct based on race, color, religion, sex (including gender identity), national origin, or sexual orientation.

d. 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 5-11 or other policy, regulations, or laws, and/or violations against persons as outlined in the UCMJ may violate the provisions of this paragraph.

e. 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 devices. 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": "Think" about the message being communicated and who could potentially view it; "Type" a communication that is consistent with Army values; and "Post" only those messages that demonstrate dignity and respect for self and others.

**Enclosure**