

47. (Services) How do you collect information and data for substantiated incidents of sexual harassment involving members of the Armed Forces and identify cases in which a member is accused of multiple incidents of sexual harassment? (See FY13 NDAA § 579.)

USA	<p>SHARP began collecting sexual harassment incident data, including personally identifying information via ICRS, as of 1 October 12. Previously, it was collected manually. We have over 300 sexual harassment complaints in ICRS for FY13. We are doing a manual data call for the Annual Report because DoD has asked for more data than we capture in ICRS.</p> <p>Please see the attached spreadsheet, which is a sexual harassment data dictionary. It shows the data fields SARCs and VAs input for sexual harassment complaints.</p>
USAF	<p>Through the MEO database, AF/A1Q is able to track all complaints. For those that are sexual harassment complaints, AF/A1Q captures comprehensive complaint data and we are able to track whether complaints are substantiated or unsubstantiated. Additionally, AF/A1Q has the ability to track multiple incidents and determine whether members are multiple offenders.</p>
USN	<p>Commands utilize the Military Equal Opportunity Network (MEONet) to document formal complaints. Data is also collected via Operational Reports (OPREPS) by the Navy Sexual Harassment Prevention & Equal Opportunity Office.</p> <p>The MEONet database is being adjusted to enable Equal Opportunity Advisors to identify cases in which a member is accused of multiple incidents of sexual harassment. Currently, a monthly report is provided by the system administrator to the sexual harassment prevention and equal opportunity office which enables the Navy to identify cases in which a member is accused of multiple incidents of sexual harassment.</p>
USMC	<p>This data is included in the DASH Database, described in MCO P5354.1d w/CH 1, Marine Corps Equal Opportunity Manual. The DASH database includes accuser information, information on the subject, and any action taken in the case. Every major Marine Corps command has an Equal Opportunity Advisor within that command (37 throughout Marine Corps), whose duties include receiving reports from Equal Opportunity Representatives (EOR) in subordinate units and inputting that data into the DASH database. Only the EOAs have access to the DASH within Marine Corps major commands.</p> <p>Marines have five options for making a sexual harassment complaint. Once a Marine makes the complaint, the commanding officer of that unit is required to order an investigation within 72 hours. This investigation is partially to collect data for the DASH and informs the commander so that he or she can make a disposition decision. The EOA updates the DASH continuously as a sexual harassment case moves through the investigation and discipline process.</p> <p>The Marine Corps is currently working on technical improvements to the DASH database to track accused who have multiple allegations against them.</p>
USCG	<p>In accordance with the Coast Guard Civil Rights Manual, Enclosure 8, (COMDTINST M5350.4C), Chapter 2, Section C, the Coast Guard's Civil Rights Directorate</p>

Narrative responses have been consolidated by the Response Systems Panel (RSP). Please forgive formatting errors in text and data. Source documents for narrative responses can be obtained by contacting the RSP.

conducts objective collection and review of reported instances of harassment, including sexual harassment, via the Anti-Harassment and Hate Incident (AHHI) program. In accordance with the Civil Rights Manual, Commanding Officers and Officers-in-Charge are responsible for conducting an investigation into any allegations of harassment, including sexual harassment. Once completed, the Commanding Officer or Officer-in-Charge reports whether or not the allegation was substantiated or unsubstantiated to the Civil Rights Directorate and describe the administrative or punitive action taken for a substantiated event.

When AHHI reports are received, the Civil Rights Directorate enters and maintains an electronic record of harassment reports. AHHI case management records several fields, including information on the complainant, the accused, and whether a report is substantiated or unsubstantiated. Aggregated data on harassment reports are provided quarterly and annually to the Commandant of the Coast Guard.

If there is a finding of discrimination raised under Title VII of the Civil Rights Act (and military- equivalent policy) for cases alleging sexual harassment, those cases are accounted for in the Coast Guard's electronic complaint tracking system, called "iComplaints". This system enables users to search by the name of individuals who are alleged to have committed sexual harassment. Such a search would reveal if an alleged harasser was found to have committed sexual harassment previously. The Coast Guard has included Enclosure 8, which includes an excerpt from the Coast Guard Civil Rights Manual that provides AHHI program policy and guidance.

Narrative responses have been consolidated by the Response Systems Panel (RSP). Please forgive formatting errors in text and data. Source documents for narrative responses can be obtained by contacting the RSP.

Table	Data Attribute	Data Type	Allow Nulls?	PKKey?	SHARP Field(s)/Page /Harrasment Case Information	Description	Supporting Table
HarassedCaseInfo	CaseId	int	No	Yes		Internal database case tracking number SHARP case number (system generated)	
HarassedCaseInfo	IncidentNum	varchar	No		Case Number	(system generated)	
HarassedCaseInfo	CaseType	int	No		Case Type	Formal or Informal	vv_HarassedCaseOption
HarassedCaseInfo	RptDate	smalldatetime	No		Case Report Date	Date case reported to	
HarassedCaseInfo	HarassedDt	smalldatetime	Yes		Incident Date	Date incident occurred	
HarassedCaseInfo	HarassedType	int	Yes		Type of Harrasment	Quid pro quo or Hostile	vv_HarassedType
HarassedCaseInfo	Complaint	varchar	Yes		Nature of Complaint	Details of the harrasment	
HarassedCaseInfo	Remedy	varchar	Yes		Requested Remedy	The requested final	
HarassedCaseInfo	CmdName	varchar	Yes		Commander Name	Name of the commander	
HarassedCaseInfo	CmdOrg	varchar	Yes		Commander's Organization	The organization of the commander	
HarassedCaseInfo	CmdGrade	int	Yes		Grade/Rank	The grade - rank of the commander	AllGrade_vw
HarassedCaseInfo	CmdAcknowledgedDt	smalldatetime	Yes		Date CMD Acknowledgement	Date commander acknowledges the	
HarassedCaseInfo	InvestFind	int	Yes		Finding of Investigation	Concur or Non Concur	vv_HarassedFinding
HarassedCaseInfo	Allegation	int	Yes		Allegations	Substantiated or	vv_HarasInvestResult
HarassedCaseInfo	CmdDecision	varchar	Yes		Comment of Commander's	comment from commander's decision	
HarassedCaseInfo	InvestResultDt	smalldatetime	Yes		Date	Date of investigation	
HarassedCaseInfo	CreateUser	int	No			User ID of the SARC	User
HarassedCaseInfo	CreatedDt	smalldatetime	No			Date case created in the	
HarassedCaseInfo	AuditUser	int	No			User ID of the last SARC to edit the case	User
HarassedCaseInfo	AuditDt	smalldatetime	No			Date of the last edit to	
HarassedCaseInfo	sarc_location_code	varchar	No			UIC of the SARC who owns the case	vv_UIC
HarassedCaseInfo	installation_id	int	Yes			Installation id of the case if it was imported from	vv_Installation
HarassedOffender	offender_id	int	No	Yes	/Harrasment Alleged Offender Information	Internal database offender tracking number SHARP case number (system generated)	
HarassedOffender	case_id	int	No		Case Number	(system generated)	
HarassedOffender	unknown_bln	bit	Yes		Unknown Offender	Unknown offender (1 -	
HarassedOffender	first_name	varchar	Yes		First Name	First Name	
HarassedOffender	last_name	varchar	Yes		Last Name	Last Name	

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HarassedOffender	middle_name	vvarchar	Yes	Middle Name	Middle Name	
	offender_incident			Age at the time of incident	Offender age at time of incident	
HarassedOffender	ntAge	int	Yes			
HarassedOffender	id_type_id	int	Yes	Identification Type	Type of ID number	
HarassedOffender	id_num	vvarchar	Yes	ID Number	Offender ID Number	vv_Id_Type
HarassedOffender	dob	smalldatetime	Yes	Date of birth	Offender Date of birth	
HarassedOffender	gender_id	int	Yes	Gender	Offender Gender	vv_Gender
	marital_status_id					
HarassedOffender	d	int	Yes	Marital Status	Offender Marital Status	vv_Marital_Status
HarassedOffender	race_id	int	Yes	Race	Offender Race	vv_Race
HarassedOffender	ethnicity_id	int	Yes	Ethnicity	Offender Ethnicity	vv_Ethnicity
	personnel_category_id				Offender Personnel Category	
HarassedOffender	d	int	Yes	Personnel Category	Category	vv_personnel_category
HarassedOffender	service_id	int	Yes	Service	Offender Service	vv_service
HarassedOffender	duty_status	int	Yes	Duty Status	Offender Duty Status	vv_DutyStatus
HarassedOffender	component_id	int	Yes	Component	Offender Component	vv_component
				If ARNG state, please select stat/U.S. territory	State (if ARNG component)	
HarassedOffender	arng_state_id	int	Yes		Offender Lives (On Post or Off Post)	vv_State
	residency_status_id					
HarassedOffender	s_id	int	Yes	Offender Lives		vv_Residency
HarassedOffender	grade_rank_id	int	Yes	Grade/Rank	Offender Grade/Rank	AllGrade_vw
HarassedOffender	assigned_unit	vvarchar	Yes	Assigned UIC	UIC of offender	vv_UIC
HarassedOffender	duty_unit	vvarchar	Yes	Duty UIC	UIC of offender (duty)	vv_UIC
				If ARNG state, please select stat/U.S. territory	State (if ARNG component)	
HarassedOffender	arng_stae_id	int	Yes			vv_State
				Alleged Offender's Command Notified	Alleged Offender's Command Notified (1- Alleged Offender Moved (PCS))	
HarassedOffender	cmd_notify_bln	bit	Yes			
	subject_moved_bln					
HarassedOffender	_bln	bit	Yes	Alleged Offender Moved (PCS)	Alleged Offender Moved (PCS) (Check or not)	
	subject_moved_dt					
HarassedOffender	_dt	smalldatetime	Yes	Date Alleged Offender Moved (PCS)	Date Alleged Offender Moved (PCS)	
	subject_move_local					
HarassedOffender	ocal	bit	Yes	Alleged Offender Moved (Local)	Alleged Offender Moved (Local) (Check or not)	
	subject_move_local_dt					
HarassedOffender	ocal_dt	smalldatetime	Yes	Date Alleged Offender Moved (Local)	Date Alleged Offender Moved (Local)	
HarassedOffender	alcohol_bln	bit	Yes	Alcohol Involved	Alcohol Involved (1- Yes,	
HarassedOffender	drug_bln	bit	Yes	Drugs Involved	Drugs Involved (1- Yes,	

HarassedOffender	created_user_id	int	No		User ID of the SARC creating the case	User ID of the SARC creating the case	
HarassedOffender	created_dt	smalldatetime	No		Date case created in the database	Date case created in the database	
HarassedOffender	audit_user_id	int	No		User ID of the last SARC to edit the case	User ID of the last SARC to edit the case	User
HarassedOffender	audit_dt	smalldatetime	No		Date of the last edit to the case	Date of the last edit to the case	
HarassedOffender	relationship_id	int	Yes		Relationship to Victim	Offender relationship to Installation id of the case if it was imported from	vv_Relationship vv_installation
HarassedOffender	Installation_id	int	Yes		Offender Commander's Name	Offender Commander's Name	
HarassedOffender	cmd_name	varchar	Yes		Alleged Offender's Command Notified	Alleged Offender's Command Notified (1-Offender DSAID	
HarassedOffender	inst_reg_cmd_notified	bit	Yes		Command Notified	Command Notified (1-Offender DSAID	
HarassedOffender	sub_assigned_loc_code	varchar	Yes			Location Code	
HarassedOffender	recr_train_status	bit	Yes		Recruit/Training Status	Recruit Training Status (1- Yes, 0 - No)	
HarassedOffender	recruit_train_id	int	Yes		If yes, Recruit/Training Type	Recruit Training Type (AIT, Basic, etc)	vv_RecruitTrainType
HarassedVictimInfo	VctmId	int	No	Yes	/Harrasment Victim Information	Internal database victim tracking number	
HarassedVictimInfo	CaseId	int	No		Case Number	SHARP case number (system generated)	
HarassedVictimInfo	FirstName	varchar	Yes		First Name	First Name	
HarassedVictimInfo	LastName	varchar	Yes		Last Name	Last Name	
HarassedVictimInfo	MidName	varchar	Yes		Middle Name	Middle Name	
HarassedVictimInfo	IdType	int	Yes		Identification Type	Type of ID number (SSN, etc)	vv_Id_Type
HarassedVictimInfo	IdNum	varchar	Yes		ID Number	ID Number (SSN, etc)	
HarassedVictimInfo	DoB	smalldatetime	Yes		Date of birth	Date of birth	
HarassedVictimInfo	Gender	int	Yes		Gender	Gender	vv_Gender

HarassedVictimInfo	Ethnicity	int	Yes	Ethnicity	Victim Ethnicity	vv_Ethnicity
HarassedVictimInfo	Race	int	Yes	Race	Victim Race	vv_Race
HarassedVictimInfo	PersonnelCat	int	Yes	Personnel Category	Victim Personnel Category	vv_personnel_category
HarassedVictimInfo	Services	int	Yes	Service	Victim Service	vv_Service
HarassedVictimInfo	Component	int	Yes	Component	Victim Component	vv_Component
HarassedVictimInfo	Grade	int	Yes	Grade/Rank	Victim Grade/Rank	AllGrade_vw
HarassedVictimInfo	AssignedUnit	varchar	Yes	Assigned UIC	Victim UIC (assigned)	
HarassedVictimInfo	DutyUnit	varchar	Yes	Duty UIC	Victim UIC (duty)	
HarassedVictimInfo	ARNG	int	Yes	If ARNG state, please select stat/U.S. territory	State (if ARNG component)	vv_State
HarassedVictimInfo	CreateUser	int	No		User ID of the SARC creating the case	User
HarassedVictimInfo	AuditUser	int	No		User ID of the last SARC to edit the case	User
HarassedVictimInfo	CreatedDt	smalldatetime	No		Date case created in the database	

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Table	Data Attribute	Data Type	Allow Nulls?	PKey?	SHARP Field(s) /Page	Description	Supporting Table
HarassCategory_Xwtk	CaseID	int	No			Matches cases to harassment category	
HarassCategory_Xwtk	HsCatDescID	int	No			Matches cases to harassment category	
HarassCategory_Xwtk	AuditUser	int	No			Matches cases to harassment category	
HarassCategory_Xwtk	AuditDt	smalldatetime	No			Matches cases to harassment category	
Users	UserID	int	No	Yes	/Master User Listing AKO	User ID	
Users	AKOID	varchar	No	Yes	User Name	AKO ID of user	
Users	FirstName	varchar	Yes		First Name	User first name	
Users	LastName	varchar	Yes		Last Name	User last name	
Users	LoginCredentials	varchar	No			Same as AKOID unless CAC is off	
Users	MiddleInitial	varchar	Yes		Middle Initial	User middle initial	
Users	Email	varchar	Yes		AKO E-mail	User email	
Users	AccountStatusID	int	Yes			Account status (1 - Active, 0 - Inactive)	vv_Acct_Status
Users	OfficeName	varchar	Yes		Office Name	User office name	
Users	CommPhone	varchar	Yes		Work Phone	User phone	
Users	CommExt	varchar	Yes		Work Ext	User extension	
Users	CommFax	varchar	Yes		Work Fax	User fax	
Users	DSNPhone	varchar	Yes		DSN Phone	User DSN phone	
Users	DSNFax	varchar	Yes		DSN Fax	User DSN fax	

Table	Field	DataType	Nullable	Description	View
Users	AdminNotes	varchar	Yes	Reason for edit user information	
Users	ServiceID	int	Yes	Notes on why a user record was edited	
Users	GradeRankID	int	Yes	Service User service	vw_Service
Users	LastLogon	smalldatetime	Yes	Grade/Rank User grade - rank	AllGrade_vw
Users	LastBrief	smalldatetime	Yes	Time the user last logged in	
Users	LastUpdated	smalldatetime	Yes	Last Update d On Time the user record was last updated	
Users	LastUpdatedByUserID	int	Yes	Last Update d By User id of the person who last update the user record	
Users	ApplicationDate	smalldatetime	Yes	Date application was received	
Users	RejectionDate	smalldatetime	Yes	Date application was rejected	
Users	GenderID	int	Yes	Gender User gender (1 - Male, 2 - Female)	vw_Gender
Users	SSN	varchar	Yes	SSN User SSN	
Users	ComponentID	int	Yes	Component User component	vw_Component
Users	AssignedUIC	varchar	Yes	Assigned UIC UIC assigned to user	vw_UIC
Users	BackgroundCheckCompleted	bit	Yes	Background Check Completed Background check status (1 - Yes, 0 - No)	
Users	BackgroundCheckExpirationDate	datetime	Yes	Background Check Expiration Date Date background check expires	

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Users	BackgroundCheckCompletedDate	datetime	Yes	Background Check Completed Date	Date background check completed
Users	SignedAppointmentOrders	bit	Yes	Signed Appointment Orders Date	Signed orders check status (1 - Yes, 0 - No)
Users	SignedAppointmentOrdersVerificationDate	datetime	Yes	Signed Appointment Orders were verified	Date appointment orders were verified
Users	EightyHourTrainingCompleted	bit	Yes	80-hr Training Completed	80-hr training check status (1 - Yes, 0 - No)
Users	EightyHourTrainingCompletedDate	datetime	Yes	80-hr Training Expiration Date	Date 80-hr training expires
Users	OnTheJobTrainingCompleted	bit	Yes	On the Job Training Completed	On the job training check status (1 - Yes, 0 - No)

Users	OnTheJobTrainingCompletedDate	datetime	Yes		On the Job Training Expiration Date Date on the job training expires	
Users	State	varchar	Yes		If ARNG state, please select state/U.S. territory State (if component is ARNG)	vv_state
Users	AnnualRefresherCertificateCourseCompleted	bit	Yes		Annual Refresher Certification Course Completed Annual Refresher Training check status (1 - Yes, 0 - No)	
Users	AnnualRefresherCertificateCourseCompletedDate	datetime	Yes		Annual Refresher Certification Course Expiration Date Date annual refresher training expires	
UsersInRoles	UserID	int	No	Yes	SHARP user ID	Users
UsersInRoles	RoleID	int	No	Yes	User Role	
UsersInRoles	TitleID	int	No	Yes	User Title	
UsersInRoles	LocationID	varchar	No	Yes	UIC of the User	
UsersInRoles	EditReason	varchar	Yes		Reason user information was updated	
vv_HarassedCaseOption	HsCaseOptionID	int	No		Lookup table for CaseType	

vv_HarassedCaseOption	HsCaseOption	varchar	No		Lookup table for CaseType	
vv_HarassedType	HsTypeID	int	No		Lookup table for HarassedType	
vv_HarassedType	HsType	varchar	No		Lookup table for HarassedType	
vv_Acct_Status	acct_status_id	int	No	Yes	Lookup table for Account Status	
vv_Acct_Status	acc_status_txt	varchar	No		Lookup table for Account Status	
vv_Gender	gender_id	int	No	Yes	Lookup table for Gender	
vv_Gender	gender_cd	char	No		Lookup table for Gender	
vv_Gender	gender_txt	varchar	No		Lookup table for Gender	
vv_Service	service_branch_id	int	No	Yes	Lookup table for Service	
vv_Service	category_id	int	No		Lookup table for Service	
vv_Service	service_branch_txt	varchar	Yes		Lookup table for Service	
vv_Service	service_branch_cd	char	No		Lookup table for Service	
vv_Component	compo_id	int	No	Yes	Lookup table for Component	
vv_Component	compo_cd	char	Yes		Lookup table for Component	
vv_Component	compo_desc	varchar	No		Lookup table for Component	
AllGrade_vw	gradeID	int	No		Lookup view for Grade/Rank	
AllGrade_vw	grade	varchar	No		Lookup view for Grade/Rank	vv_Grade_Rank
AllGrade_vw	serviceBranchID	int	No		Lookup view for Grade/Rank	vv_Service
vv_Grade_Rank	grade_id	int	No	Yes	Lookup table for Grade	
vv_Grade_Rank	grade	varchar	No		Lookup table for Grade	
vv_Grade_Rank	grade_desc	varchar	Yes		Lookup table for Grade	
vv_Grade_Rank	grade_txt	varchar	Yes		Lookup table for Grade	
vv_Grade_Rank	service_branch_id	int	Yes		Lookup table for Grade	vv_Service
vv_HarasInvestResult	InvestResultID	int	No		Lookup table for Allegations	
vv_HarasInvestResult	InvestResult	varchar	No		Lookup table for Allegations	
vv_HarassedFinding	FindingID	int	No		Lookup table for Finding of Investigation	
vv_HarassedFinding	Finding	varchar	No		Lookup table for Finding of Investigation	
vv_Id_Type	id_type_id	int	No	Yes	Lookup table for Identification Type	
vv_Id_Type	ID_type	varchar	No		Lookup table for Identification Type	
vv_Installation	installation_id	int	No	Yes	Lookup table for Installation	
vv_Installation	installation_name_txt	varchar	No		Lookup table for Installation	
vv_Installation	installation_code_id	int	Yes		Lookup table for Installation	

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vv_Installation	compo_id	int	Yes		Lookup table for Installation
vv_Installation	active_bln	char	No		Lookup table for Installation
vv_UIC	UIC	varchar	No		Lookup table for UIC
vv_UIC	ANAME	varchar	Yes		Lookup table for UIC
vv_UIC	CMD	varchar	Yes		Lookup table for UIC
vv_UIC	ASGMT	varchar	Yes		Lookup table for UIC
vv_UIC	GEOLOCATIONNAM				
vv_UIC	E	varchar	Yes		Lookup table for UIC
vv_UIC	COMPO	int	Yes		Lookup table for UIC
vv_UIC	installation_id	int	Yes		Lookup table for UIC
					vv_Installation
vv_State	state_id	int	No	Yes	Lookup table for State
vv_State	state_cd	varchar	No		Lookup table for State
vv_State	state_txt	varchar	No		Lookup table for State
vv_State	state_country_id	int	Yes		Lookup table for State
					vv_Country
vv_Country	country_id	int	No	Yes	Lookup table for Country
vv_Country	country_cd	varchar	No		Lookup table for Country
vv_Country	country_txt	varchar	No		Lookup table for Country
vv_Ethnicity	ethnicity_id	int	No	Yes	Lookup for Ethnicity
vv_Ethnicity	ethnicity_cd	varchar	No		Lookup for Ethnicity
vv_Ethnicity	ethnicity_txt	varchar	No		Lookup for Ethnicity
vv_Personnel_C	personnel_category_				
ategory	id	int	No	Yes	Lookup for Personnel Category
vv_Personnel_Ca	personnel_category_tx				
tegy	t	varchar	Yes		Lookup for Personnel Category
vv_Race	race_id	int	No	Yes	Lookup for Race
vv_Race	race_txt	varchar	No		Lookup for Race
vv_Race	race_cd	varchar	Yes		Lookup for Race
vv_DutyStatus	dutyStatus_id	int	No	Yes	Lookup for Duty Status
vv_DutyStatus	dutyStatus	varchar	No		Lookup for Duty Status
vv_Marital_Stat					
us	marital_status_id	int	No	Yes	Lookup for Marital Status
vv_Marital_Status	marital_status_txt	varchar	No		Lookup for Marital Status
vv_RecuritTrain					
Type	recurit_train_id	int	No	Yes	Lookup for Recruit/Training Status
vv_RecuritTrainT					
ype	recurit_train_type	varchar	No		Lookup for Recruit/Training Status
vv_Relationship	relationship_id	int	No	Yes	Lookup for Relationship
vv_Relationship	relationship_txt	varchar	No		Lookup for Relationship

wv_Residency
wv_Residency

residency_id
residency

int
varchar

No
No

Lookup for Offender Lives
Lookup for Offender Lives

Anti-Harassment & Hate Incident Procedures Policy

(Excerpt from the Coast Guard Civil Rights Manual, COMDTINST M5350.4C, Chapter 2, Section C)

Introduction

The purpose of this policy is to prescribe procedures, in accordance with the Coast Guard and DHS Anti-Harassment Policy, for combating harassment in the U.S. Coast Guard and to promptly correct any harassment that occurs. This policy also prescribes additional notification procedures for conduct that would constitute a hate incident. The Coast Guard continually strives to meet the highest standards of personal respect by valuing human dignity and diversity in accordance with our core values of honor, respect, and devotion to duty. In order to meet this objective, every commander, manager and supervisor must be personally committed to and responsible for the fair and equal treatment of all Coast Guard personnel and to those with whom it interacts. To this end, the Coast Guard's goal is to safeguard the workplace environment so that no member of the workforce shall be subject to physical or verbal harassment, abuse or violence based on an individual's race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, parental status, political affiliation or any other basis protected by law.

Regional, zone, and sector commanders, commanding officers of logistics and service centers, commanding officers of headquarters units, deputy and assistant commandants for directorates, Judge Advocate General and special staff elements at Headquarters shall ensure compliance with the provisions of this policy.

The Coast Guard is committed to providing an environment free of harassing behavior for all of its members and employees. The Coast Guard provides all of its members and employees the opportunity to achieve their full potential in order to improve unit cohesion, military readiness and mission execution. The Coast Guard will not tolerate retaliation against any employee for reporting harassing conduct under this or any other policy or procedure, or for assisting in any inquiry about such a report. Harassment is a violation of Coast Guard core values and will not be tolerated and employees will be protected should retaliation occur.

Despite ample public and private efforts in the United States over the past 100 years, harassment still occurs. As a military, multi-mission, maritime service performing a broad range of services to a diverse nation, these types of incidents go against everything the Coast Guard stands for and are contrary to applicable laws and regulations. The Coast Guard has determined that the most effective way to limit harassing conduct is to treat it as misconduct, even if it does not rise to the level of harassment actionable under civil rights laws and regulations. In the usual case, a single utterance of an ethnic, sexual, or racial epithet that offends an

employee would not be severe enough to constitute unlawful harassment in violation of federal law; however, it is the Coast Guard's view that such conduct is inappropriate and must be stopped.

a. Defining Harassment

Prohibited Harassment is defined as including, but not limited to, unwelcome conduct, whether verbal, nonverbal, or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment on the basis of an individual's protected status, which includes: race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, parental status, political affiliation, or any other basis protected by law. Among the types of unwelcome conduct prohibited by this policy are epithets, slurs, stereotyping, intimidating acts, and the circulation or posting of written or graphic materials that show hostility toward individuals because of their protected status. Acts of physical violence, and actual, implied, or veiled threats of violence, are forms of prohibited harassment. Any form or manner of threatening or provoking remarks or threatening gestures in the workplace is also prohibited.

Sexual Harassment is a form of prohibited harassment. For additional guidance with respect to incidents of sexual harassment, please refer to the Sexual Harassment Prevention Policy (Chapter 2, Section C, Part 2).

b. Whistleblower Protection

It is prohibited to retaliate or harass an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule or regulation, gross mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law and such information is specifically required to be kept secret by executive order in the interest of national defense or the conduct of foreign affairs.

Individuals who believe they may have been victims of whistleblower retaliation may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel, 1730 M Street N.W., Suite 218, Washington, DC 20036-4505.

c. Commandant Directive

All members of the Coast Guard are charged to "bring harassment or misconduct of a harassing nature to the attention of their supervisors or anyone in their supervisory chain." Every Commander, CO/OIC, manager, and supervisor is directed to be accountable for maintaining a work environment in which harassment is not tolerated and for taking proactive measures to prevent any form of illegal discrimination or harassment.

**d. Harassment
Complaint
Procedures**

Every employee and military member is responsible for responding to and eliminating prohibited harassment in the Coast Guard. The specific actions required vary based on position and authority. All Hands are prohibited from conducting harassing behavior of any type.

Everyone is encouraged to inform any person engaging in harassing conduct that the conduct is unwelcome.

Reporting Procedures for Victims and Witnesses:

1. Any victim or witness of prohibited harassment is encouraged to report the inappropriate conduct to their chain of command. All Hands are required to ensure protection of confidentiality to the extent possible.
2. Alternatively, anyone may report prohibited harassment to any Coast Guard Civil Rights Service Provider (CRSP) and/or the Civil Rights Directorate (CRD). For conflict of interest matters, CRSPs may only consult the chain of command upon approval by Director of Civil Rights or his/her designee.
3. Persons whose complaints are not promptly investigated may contact the Coast Guard CRD at (202) 372-4524.
4. Reports of harassment will be treated as confidential to the extent possible and consistent with good order and discipline. The Coast Guard does not tolerate retaliation against any individuals for reporting harassment or assisting another individual in reporting harassment.
5. Filing a harassment complaint does not replace, substitute, or satisfy the separate requirements for filing a Discrimination Complaint, negotiated grievance, merit system protection board appeal or other statutory grievance procedure.

Supervisors & Managers are required to stop harassing behavior and report such activities via the procedures outlined above.

Commanders of Coast Guard Units are required to take the following steps upon notification of a complaint of prohibited harassment. They must:

1. Take appropriate actions to ensure safety of victim, including contacting local law enforcement, base security forces, or emergency medical care if necessary.
2. Notify the CRSP and/or the Regional Civil Rights Manager having

jurisdiction over the complainant's geographical location.

3. Notify Coast Guard Investigative Service (CGIS) or other law enforcement agencies if required under Mandatory Reporting of Incidents to Coast Guard Investigative Service and Requesting Investigative Assistance, COMDTINST 5520.5E. For example, Commanders are required to report harassment incidents that involve a Uniform Code of Military Justice (UCMJ) violation or violation of Federal Criminal Law to CGIS. If notification of CGIS or another law enforcement agency is required, then processing of the complaint in accordance with these procedures will be held in abeyance for five (5) business days to provide time for notification of the appropriate investigative agency and for that agency to inform the Commander whether it intends to pursue an investigation. If CGIS, or other law enforcement agency, responds that they will not investigate, or do not respond within five (5) business days, the Commander will continue processing the complaint under these procedures. If CGIS, or other law enforcement agency, informs the Commander that they will investigate, the Commander may continue to process the complaint under these procedures with the concurrence of CGIS, or other law enforcement agency. On the other hand, if CGIS, or other law enforcement agency, does not concur with the simultaneous processing of the complaint, the Commander must either: (1) hold processing the complaint in abeyance until CGIS, or other law enforcement agency, concurs with the complaint proceeding; or (2) inform CGIS, or other law enforcement agency, in writing of the decision to proceed with processing the complaint despite the objection.
4. Follow the procedures outlined in the Workplace Violence and Threatening Behavior, COMDTINST 5370.1 (series) if the harassment complaint involves: (1) any act or attempted act of physical aggression or harm by an individual that occurs at the workplace; or (2) threats, either overt or implied, to commit an act of physical aggression or harm at the workplace.
5. Advise the victim that filing a harassment complaint does not replace, substitute, or satisfy the separate requirements of filing a Discrimination Complaint, negotiated grievance, merit system protection board appeal or other statutory grievance procedure.
6. Respect the confidentiality of individuals reporting harassment or providing information relating to harassment to the extent permitted by law and consistent with good order and discipline. In addition, commanders shall take appropriate measure to prevent reprisals for any reported harassment or information provided during the

investigation of alleged harassment.

7. Immediately conduct an informal investigation, preliminary inquiry or formal investigation as appropriate and in accordance with the Administrative Investigations Manual, COMDTINST M5830.1 (series).
8. If an investigation substantiates harassment has occurred, initiate in appropriate cases, disciplinary or administrative action, that may include action under UCMJ for military personnel or disciplinary action against civilian employees.
9. Report findings and outcomes via their Civil Rights Service Provider to the Director, CRD no later than 30 days from the date the incident was reported. However, if a Commander is required to notify CGIS or another law enforcement agency, then the thirty-day time frame for submission of findings and outcomes is tolled until CGIS or another law enforcement agency determines that the incident does not fall within its purview or five (5) business days have passed since such notification, whichever comes first.
10. Advise complainant of the disposition of the investigation.

Civil Rights Detachments are required to assist commands, employees and military members in complying with the procedures outlined in this instruction. CRSPs are expected to be process experts and act as facilitators to ensure that all harassment complaints are handled in a timely manner. Specifically, CRSPs shall:

1. Notify responsible commanders upon receipt of a harassment complaint while respecting any wishes of anonymity. These reports must be as complete as possible to ensure a full and fair investigation into the alleged harassment.
2. Provide counseling to members or employees on the harassment complaint process and if appropriate the discrimination complaint processes and their differences.
3. If the victim chooses to initiate a discrimination complaint through the civil rights complaints process, the servicing CRSP will conduct pre-complaint counseling in accordance with chapter 4 of this Manual.

Coast Guard Managers and other personnel shall respond to any reports of harassment by putting the person alleging harassment in contact with the appropriate Civil Rights Detachment based on the geographical location of the alleged harassment. Additionally Managers are required to forward any

complaints based on a lack of investigation to the Director, CRD.

The Director, CRD is responsible for coordinating Coast Guard harassment policy and general oversight of the harassment complaint process. In addition, the Director will establish a data collection system for harassment complaints.

e. Defining Hate Incidents

Hate incident is defined as any intentional act (conduct or speech) of intolerance committed against a person, a group of individuals, or property which is motivated, in whole or in part, by the offender's bias against a race, color, religion, sex, national origin, disability, age, or sexual orientation and which is intended to or is more likely than not to have the effect of intimidating others or inciting others to similar conduct.

Examples of hate incidents include the display, presentation, creation or depiction of a noose, a swastika, or any other symbol widely identified with oppression or hatred, irrespective of size, type or how it is displayed or presented. Other symbols, whose display, presentation, creation or depiction would reasonably be construed to encourage oppression or hatred, are also considered to be examples of hate incidents. Hate incidents also include the display, presentation, depiction, or distribution of photographs, images, or other printed or electronic material that is evidence of oppression or hatred, irrespective of size, type or how it is displayed or presented.

Incidents of hatred and prejudice are a vile and divisive part of American history, and unfortunately continue to occur today. The above list of examples is provided only as a sample of acts or expressions that constitute hate incidents.

Due to their likelihood to effect or intimidate others, hate incidents require additional notifications and processing over and above other incidents of harassment.

f. Additional Notification & Processing for Hate Incident Procedures

Due to the negative impact of hate incidents and their likelihood to effect or intimidate others, these incidents require supplemental notifications and processing in addition to the procedures set forth above. Specifically:

1. Anyone may report a hate incident using the procedures outlined above for reporting prohibited harassment.
2. Upon becoming aware of any potential hate incidents in their respective areas of responsibility, Commanders or CRSPs must immediately notify the Director, CRD via their chain of command, and be prepared to provide sufficient information to describe the incident, e.g., photographs, informal statements, etc.

3. A commander who becomes aware of a hate incident will electronically report the incident within 48 hours to a CRSP using the memo format shown in Figure 3 at the end of this Section. If operational conditions prevent transmission of a memo report, the report may be sent telephonically or by any other available means as soon as practicable.
4. In order to protect the parties involved and the integrity of these procedures, commanders and CRSPs must limit communication only to those persons who have a need to know.
5. CRSPs will assist unit commanders in determining if a harassment complaint constitutes a hate incident. Additionally, they shall notify unit commanders if they determine that a harassment complaint constitutes a hate incident but has not been reported as such.
6. Commanders will also coordinate access by the victim to the unit's assigned CRSP, Employee Assistance Program or Chaplain, and other appropriate resources. Additionally, Commanders shall continue to follow up via their CRSP as the situation continues to develop.

The CRD will coordinate additional notifications as required and provide general oversight of the hate incident response process.

g. Harassment Prevention

Command climate of prevention is enhanced by a personal commitment to fair and equal treatment of all Coast Guard personnel. Commanders are encouraged to engage in initiatives that increase mutual respect and trust and foster diversity. Specifically Commanders shall:

1. Emphasize upon assuming command, and at least annually thereafter, that harassment violates the Coast Guard's core values and will not be tolerated. Stress that every alleged harassment incident will be taken seriously, and that when appropriate, punitive action will be initiated under the UCMJ or other applicable laws, policies and regulations.
2. Utilize the Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) at least annually to assess the organizations climate.
3. Ensure that all personnel receive the required Equal Employment Opportunity/Equal Opportunity training.
4. Address all alleged harassment in accordance with this Instruction.

**h. Disciplinary
Actions**

The Coast Guard retains the right, where appropriate, to discipline a federal employee who has engaged in discriminatory or retaliatory conduct, up to and including removal.

Reference: For further information regarding No FEAR Act regulations, refer to 5 C.F.R. § 724, as well as other appropriate federal agencies such as, The Office of Personnel Management, the EEOC, and the Office of Special Council, which provide extensive information about federal antidiscrimination and anti-harassment policies.

Sexual Harassment Prevention Policy

Introduction

Sexual harassment is behavior that will not be tolerated in the Coast Guard. In keeping with the Anti-Harassment & Hate Incident Procedures Policy, every individual in the Coast Guard is entitled to be treated fairly with dignity and respect and to be allowed to work in an environment free of unlawful discrimination and harassment.

Sexual harassment harms the individual it is directed toward, erodes unit cohesion, destroys morale, undermines military readiness, and ultimately hampers our ability to conduct Coast Guard missions effectively.

It is prohibited to retaliate against individuals who provide information on incidents of sexual harassment.

This section applies to all Coast Guard civilians, active duty military personnel, both regular and reserve, cadets of the Coast Guard Academy, reserve personnel when performing active or inactive duty for training or engaging in any activity directly related to performance of a Coast Guard duty or function, members of the Coast Guard Auxiliary when under orders or engaged in any activity directly related to the mission of the Auxiliary, and members of other branches of the Armed Forces and the U.S. Public Health Service serving with the Coast Guard.

Reference: For information on Sexual Harassment Prevention (SHP) training, which is included in Civil Rights training, see Chapter 3, Section B, Part 2.

**a. Legal
Background**

Title VII makes sex discrimination in the workplace illegal.

The United States Supreme Court has identified sexual harassment as a clear violation of a person's right to work in an environment free of discrimination.

Although Title VII does not explicitly extend the same protections to the military, it is the Coast Guard policy to apply the same protections to its military workforce.

b. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment.
2. Submission to or rejection of such conduct is used as a basis for employment decisions.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
4. This definition also encompasses unwelcome display or communication of sexually offensive materials.

Sexual harassment can occur in a variety of circumstances, including but not limited to:

1. The victim as well as the harasser may be a woman.
2. The victim does not have to be of the opposite sex.
3. The harasser can be the victim's supervisor, an agent of the employer, another supervisor, a coworker, or a non-employee.
4. The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
5. The conduct of the harasser must be unwelcome.
6. Harassment based on perceived or stated sexual orientation is considered sexual harassment and is prohibited.

The economic costs of sexual harassment are significant. Even more harmful, however, are the negative effects of sexual harassment on productivity and readiness, including increased absenteeism, greater personnel turnover, lower morale, decreased effectiveness, and loss of personal, organizational, and public trust. While not easily quantified, these costs are real and seriously affect the ability of the Coast Guard to accomplish its mission.

c. Categories of

There are two categories of sexual harassment. These categories are not

**Sexual
Harassment**

legal definitions, however they explain the nature of the behaviors that are prohibited.

Tangible employment action sexual harassment is the category in which an agency is strictly liable for the sexual harassment by a supervisor or manager when it results in a personnel action. A tangible employment action must be an official action, such as hiring, firing, promotion or failure to promote, demotion, undesirable assignment, significant change in benefits or pay, or work assignment. In the case of tangible employment action sexual harassment, the Coast Guard is strictly liable for the actions of the supervisor.

Hostile environment sexual harassment encompasses all other situations addressed in the definition of sexual harassment above, whether the offender is a supervisor or a coworker. To meet the definition of a hostile environment, the harassment must be so severe and pervasive that a reasonable person would view the environment as hostile, offensive, or abusive. In this case, the Coast Guard is liable only if it knew of the conduct and failed to take prompt and effective corrective action.

**d. Types of
Sexually
Harassing
Behavior**

Examples of sexual harassment range from overt behaviors, such as inappropriate touching, to more subtle behaviors, such as making suggestive remarks.

Any behavior that relates to sex, is intentional and/or repeated, is unwelcome, and interferes with a person's ability to do their job, or has an adverse effect on their working conditions can be classified as sexually harassing behavior and will not be tolerated in the Coast Guard.

Gender harassment consists of sexist statements and behaviors that convey insulting or degrading attitudes relating to sex or gender. Obscene jokes, offensive graffiti or photographs, or insulting remarks or humor about sex, sexual orientation, or gender are examples of gender harassment. Other examples include repeatedly telling sexual stories that are offensive, whistling, calling, or hooting at someone in a sexual way, making gestures or using body language of a sexual nature which embarrasses or offends, or exposing oneself in a way that makes another embarrassed or uncomfortable for example, mooning.

Seductive behavior is any unwanted, inappropriate, and offensive sexual advance. Unwelcome, persistent requests for dinner, drinks, or dates, repeated unwanted sexual invitations, letters, phone calls, or other invitations, even though the respondent says "no," are examples of seductive behavior. Touching in a way that makes a person feel uncomfortable or making unwanted attempts to stroke, fondle, or kiss a person are also examples of unwanted sexual attention which create an

intimidating, hostile, or offensive environment.

Sexual bribery is the solicitation of sexual activity or other sex related behavior as a basis for a promised reward. Rewards could include for example, a promotion or a raise.

Sexual coercion is coercion of sexual activity or other sexually related behavior by threat of punishment, including threats of termination or demotion, withholding of promotion, or negative performance appraisal. Sexual coercion is classic *quid pro quo* or sex in exchange for a good assignment or faster promotion.

Sexual imposition is an uninvited physical sexual violation or sexual assault, which includes forceful grabbing, feeling, or touching. Sexual imposition is a criminal activity. More information on sexual assault can be found in Coast Guard Military Personnel Manual, COMDTINST M1000.6A (series).

e. Commandant Directive

Every member of the Coast Guard is charge to take prompt and decisive action to prevent and eliminate sexual harassment. This means that all members of the Coast Guard, no matter their rank or position, must constantly be vigilant for signs of sexual harassment and take action to stop it.

CO/OIC and supervisory personnel are directed to be intolerable of sexual harassment at their units and are required to take immediate corrective action when it occurs.

All Coast Guard personnel, both military and civilian, are required to receive Sexual Harassment Prevention training as part of the Civil Rights training upon accession into the Coast Guard, that is, within 90 days to the extent possible, and annually thereafter, in the areas of identification, prevention, resolution, and elimination of sexual harassment. Annual training keeps issues current and requires that leadership be actively involved in the prevention of sexual harassment. Auxiliary members shall receive training as an element of the basic qualification process. Chapter 4 describes this training in detail. SHP training is a substantial part of the Civil Rights training.

f. Responding to Sexual Harassment

When a person experiences sexual harassment, he or she should not ignore the problem or assume it will stop.

Harassment usually intensifies when it is ignored because the lack of corrective action is seen as acceptance or encouragement.

If you think you are being sexually harassed on the job:

1. Tell the harasser that the behavior is unwelcome and must cease immediately.
2. Report such behavior immediately to the supervisor or to an official at a higher level.
3. Seek advice on how to deal with the situation from your local Civil Rights Office.

g. Documenting Sexual Harassment

It is important to document any experience of harassing behavior, including:

1. Dates, times and locations in which events occurred.
2. Witnesses to the harassment.
3. Specific recollection of comments or behavior.

h. Reporting Sexual Harassment

Sexual harassment is a serious issue and every supervisor and commander has an obligation to take action when they are made aware of a problem.

When sexual harassment has occurred or is taking place, the first step to take is to confront the harasser unless the situation is so severe that it is dangerous or unreasonable to do so.

If the harassment continues or is severe enough to warrant immediate command attention the person experiencing the harassment should discuss the subject with a supervisor or CO/OIC in private. If the supervisor is the harasser, the harassment will be reported to the CO/OIC. If the CO/OIC is the harasser, then the report should be given to the official at the next higher level in the chain of command.

If the behavior continues despite confronting the harasser and discussing it with the supervisor, an individual has the right to file a complaint if it is perceived that the problem is not being addressed properly or in a timely manner.

At any point, individuals experiencing harassment or retaliation may contact their servicing Civil Rights Service Provider for advice and guidance.

i. Acts of Reprisal

Acts of reprisal are illegal. If anyone feels that they are being retaliated against for attempting to stop harassment, they may also file a complaint regarding the retaliation issue. See Chapter 4 for details on the process of filing complaints.

j. Responsibilities of Supervisors and CO/OIC

CO/OIC, managers, and supervisors should be sure that their conduct sets an example and is not such that they may be vulnerable to claims of sexual harassment. They should also take affirmative steps to ensure that employees are not involved in harassment by communicating agency policies on harassment.

When subordinates inform supervisors or commanders of sexual harassment within their chain of command, the supervisor or commander is required to take immediate action by:

1. Inquiring into the facts involved.
2. Taking appropriate steps to end the harassment.
3. Determining whether disciplinary action is warranted for the harasser.
4. Notifying the chain of command.

All levels of leadership, from the leading seaman to top management, need to maintain accountability for the behavior of their subordinates. Leaders and supervisors who fail to recognize acts of sexual harassment and take appropriate action are not performing the responsibilities and duties of their position. Leadership must be completely knowledgeable of sexual harassment prevention policies and must take appropriate administrative and/or disciplinary action once harassment is reported. CO/OIC should ensure that all unit personnel receive SHP training each year (see Chapter 3, Section B, Part 2).

U.S. Department of
Homeland Security

United States
Coast Guard



MEMORANDUM

From: Unit Commander, CG Unit

Reply to LT J. Coastie
Attn of: (202) 372-4500

To: CG-00H
Thru: CRSP

Subj: HATE INCIDENT REPORT

Ref: Anti-Harassment & Hate Incident Procedures,
U. S. Coast Guard Civil Rights Manual, COMDTINST M5350.4(Series)

1. Date, Time and Location of Incident. What day did the incident occur? What time? Where did the incident occur? Were there multiple or repeated incidents?

2. Bias Motivation and Description of Incident. Specify which of the legally protected statuses the report is based on, i.e., race, religion, national origin, disability or sexual orientation. Also provide a preliminary description of the incident. This report should be filed within 48 hours of the complaint and should not be delayed for additional investigation. Units are not required to complete extensive investigation prior to reporting and are encouraged to follow up as more information becomes available.

3. Action Taken by Command to investigate and Secure Evidence. Identify immediate and future command actions. If there is any evidence to support a claim it should be included with this or follow up reports. Evidence can include photographs, emails, etc.

4. Does this incident represent a local hate or bias motivated incident trend? Is there media or Congressional Interest? Is there media attention at the national or local level? Has the unit been contacted by any reporters or congressional staff?

Units are encouraged to email this report as soon as possible. If email is not available, the report may be sent via phone, fax or other means as operations permit. The report should not be delayed to collect additional evidence or conduct further investigation.

#

Copies provided: Provide copies to chain of command.

Enclosures: If there are any photos or other items to attach please note here.

Sample Hate Incident Reporting Memorandum

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