



Commandant
United States Coast Guard

US Coast Guard Stop 7907
2703 Martin Luther King Jr Ave SE
Washington, D.C. 20593-7907
Staff Symbol: CG-1331
Phone: (202) 475-5375
Fax: (202) 372-8473

COMDTCHANGENOTE 1600
19 APR 2017

Subj: CH-1 TO THE DISCIPLINE AND CONDUCT, COMDTINST M1600.2

1. PURPOSE. This Commandant Change Notice publishes a change to the Discipline and Conduct, COMDTINST M1600.2.
2. ACTION. All Coast Guard unit commanders, commanding officers, officer-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements must comply with the provisions of this Commandant Change Notice. Internet release is authorized.
3. DIRECTIVES AFFECTED. With the addition of this Commandant Change Notice, Discipline and Conduct, COMDTINST M1600.2, is updated.
4. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to nor does it impose legally-binding requirements on any party outside the Coast Guard
5. MAJOR CHANGES.
 - a. Establish new criteria for Pretrial Confinement previously announced in COMDT COGARD WASHINGTON DC 122006Z JUN 15/ALCOAST 248/15.
 - b. Provide guidance for Interpersonal Relationships in the Coast Guard.
 - c. Expand upon current definition and description of hazing previously announced in COMDT COGARD WASHINGTON DC 110540Z JAN 17/ANC 008/17. Introduce the definition of bullying which has not been previously discussed or codified. Identify key reporting requirements when an allegation of hazing or bullying is made or when hazing and/or bullying is suspected.

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NON-STANDARD DISTRIBUTION:

6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

- a. The development of this Commandant Change Notice and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, and are categorically excluded (CE) under current USCG CE # 1 and 33 from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series).
- b. This Directive will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policies in this Commandant Change Notice must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), Council on Environmental Policy NEPA regulations at 40 CFR Parts 1500-1508, DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates.

7. DISTRUBUTION. No paper distribution will be made of this Manual. An electronic version will be located on the following Commandant (CG-612) web sites. Internet: <http://www.uscg.mil/directives/>, and CGPortal: <https://cgportal2.uscg.mil/library/directives/SitePages/Home.aspx>

8. PROCEDURE. If maintaining a paper library, remove and replace the following pages of the Discipline and Conduct, COMDTINST M1600.2

<u>Remove</u>	<u>Replace</u>
TOC	TOC
Pages 1-1 (Chapter 1.B.) – 1-2 (Chapter 1.B.3)	Pages 1-2a – 1-2b
Pages 1-25 – 1-26	Pages 1-25 – 1-26
Pages 2-1 – 2-16	Pages 2-1 – 2-16
	Pages 3-1 – 3-8

9. RECORDS MANAGEMENT CONSIDERATIONS. This Commandant Change Notice has been evaluated for potential records management impacts. The development of this Commandant Change Notice has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not have any significant or substantial change to existing records management requirements.

10. FORMS/REPORTS. The forms referenced in this Commandant Change Notice are available in USCG Electronic Forms on the Standard Workstation or on the Internet: <http://www.uscg.mil/forms/>; and CG Portal at <https://cgportal2.uscg.mil/library/forms/SitePages/Home.aspx>.

11. REQUESTS FOR CHANGES. Units and individuals may recommend changes via their chain of command using the Coast Guard memorandum to: HQS-PolicyandStandards@uscg.mil.

KURT B. HINRICHS /s/
Rear Admiral, U.S. Coast Guard Reserve
Director of Reserve and Military Personnel

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1.B. Civil Arrest and Conviction

1.B.1. General information

- a. Granting Leave. Article 2.A.17.b of reference (c), Military Assignments and Authorized Absences, COMDTINST M1000.8 (series), covers prohibition from granting leave in connection with arrest by civilian authorities.
 - b. Deductible Time. Reference (d), Coast Guard Pay Manual, COMDTINST M7220.29 (series), covers deductible time due to arrest by civilian authorities.
 - c. Delivering Members to Civilian Authorities. Reference (e), Manual for Courts-Martial, and reference (b), Military Justice Manual, COMDTINST M5810.1 (series), governs delivering Coast Guard members to civilian authorities.
 - d. Reserves. The provisions of this Article apply equally to reservists, regardless of members' reserve status at the time of the civil arrest or conviction.
 - e. Delegation of Requirements. The administrative requirements imposed by this Article and reference (f), Personnel Security and Suitability Program, COMDTINST M5520.12 (series), shall not be delegated to units below the Sector level.
-

1.B.2. Report of Arrest

1.B.2.a. Notification of Civil Arrest

Any Coast Guard member arrested or detained by civil authorities shall immediately advise their commanding officer or officer of the day and state the facts concerning such arrest and detention. Notifications of civil arrest shall be made using Personnel Security Action, Form CG-5588, as required by reference (f), Personnel Security and Suitability Program, COMDTINST M5520.12 (series).

1.B.2.b. Required Reports

When it is anticipated that final action by civil authorities will occur within a few days of the arrest, reference (f), Personnel Security and Suitability Program, COMDTINST M5520.12 (series) authorizes submission of a single report covering the arrest and subsequent action. When final action by the civil authorities will be delayed, an arrest report will be made promptly and followed by a final action report. In prolonged cases, interim reports should be submitted at 30-day intervals as required by reference (f), Personnel Security and Suitability Program, COMDTINST M5520.12 (series).

1.B.2.c. Notification of Next of Kin

- (1) Member Over 21 Years of Age. When an enlisted member is awaiting trial in a civil court and charged with the commission of a felony, the commanding officer should impress upon the member the desirability of informing his or her parents, spouse, or guardian as appropriate, of the circumstances.

- (2) Member Under 21 Years of Age. In those cases where the member is under 21 years of age, and where it appears that the parents, spouse, or guardian will not be otherwise informed of the proceedings, the commanding officer should inform the parents, spouse, or guardian, by letter or other form of communication, of the details considered pertinent and proper under the circumstances.
-

1.B.3. Report of civil conviction

1.B.3.a. Required Reports

All civil convictions shall be reported as required by reference (f), Personnel Security and Suitability Program, COMDTINST M5520.12 (series).

1.B.3.b. Submission of Reports

A copy of the Personnel Security Action, Form CG-5588, used to report any civil conviction shall be submitted to Commander (CG PSC-OPM) or (CG PSC-EPM), as applicable, and (CG PSC-PSD-MR). This form shall be retained in accordance with the Information and Life Cycle Management Manual, COMDTINST M5212.12.

1.B.4. Disciplinary Action after Civil Arrest and Trial

1.B.4.a. Coast Guard Policy

- (1) Courts-Martial after Civil Trial. Coast Guard policy is against trial by court-martial for the same act(s) for which a member has already been tried by a state or foreign country; see Article 3.B.4. of reference (b), Military Justice Manual, COMDTINST 5810.1 (series).
- (2) Reserve Specific. Normally, reservists are subject to reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), only while performing inactive or active duty. However, the Coast Guard may impose administrative measures on reservists, regardless of reserve status, for discrediting acts or behavior identified through civilian law enforcement apprehension, arrest, or conviction, or through other evidence. These measures include, but are not limited to performance evaluations, documentation of substance or alcohol abuse, separation and suspension of driving privileges, etc.

1.B.4.b. Performance Evaluations

Actions resulting in a civil court conviction bring discredit upon the Coast Guard and, except for minor traffic violations, shall be reflected in the performance evaluations of both officer and enlisted members. A description of the unacceptable conduct shall be set forth in the performance evaluation rather than merely referencing, without elaboration, the fact of conviction. For example; if a member stabbed a person, the circumstances surrounding the stabbing should be described, not the legal conclusion that the member assaulted a person. The underlying conduct, not merely the fact of conviction, reflects negatively on the Coast Guard.

Medicine and Surgery. The Board is authorized to render only parole determinations for Coast Guard offenders. The Board has no authority to adjudicate Coast Guard clemency cases, but may render advisory recommendations.

1.F.2.x. Parole

Parole, as authorized by 10 U.S.C. § 952, is a form of conditional release from confinement granted to carefully selected individuals who have served a portion of their sentences in confinement and whose release under supervision is considered to be in the best interest of the prisoner, the Service and society. (See Article 1.F.6.e. of this Manual.)

1.F.2.y. Parole Officer

An officer assigned to the Naval brig charged with the investigation, evaluation, and processing of requests for parole and the maintenance of necessary records of parolees.

1.F.2.z. Parolee

A prisoner conditionally released from confinement on parole as defined above.

1.F.2.aa. Parole Violator Term

The unexpired term of a sentence to confinement to be served by a prisoner who has violated parole. This term will be the difference in days between the actual date of release on parole and the full term date of sentence adjusted for good conduct time earned after return to confinement.

1.F.2.bb. Probation

Probation constitutes the set of conditions under which competent authority agrees to suspend execution of a sentence. As such, probation amounts to specification of the reciprocal terms of conduct, performance, and achievement with which an accused must comply to justify continuance of suspension.

1.F.2.cc. Probation Violator Term

The unexpired term of a confinement sentence remaining to be served by a person whose suspension of execution of sentence has been duly vacated. This term will be the difference in days between the actual date of release on probation and the full-term release date of the sentence adjusted for good conduct time earned after return to confinement.

1.F.2.dd. Probation Officer

An officer of the Federal Probation Service who has supervision over a prisoner on parole for the purpose of helping the parolee make a socially acceptable adjustment.

1.F.2.ee. Restoree

A prisoner not sentenced to or scheduled for discharge, and who will be restored to full duty

status upon release from confinement.

1.F.2.ff. Restriction

Moral restraint imposed upon a person by oral or written order of competent authority limiting the person's freedom to a specific area. Restriction may or may not include suspension from duty.

1.F.2.gg. Sentenced Prisoner

A prisoner whose sentence has been ordered into execution following the appropriate level of review. (See rules 1101 and 1113 of reference (e), Manual for Courts-Martial (MCM), United States (current edition).)

1.F.2.hh. Notification of Next of Kin

In cases where a member is to be tried by general court-martial or special court-martial, the commanding officer should impress upon the member the desirability of informing his/her parents, spouse, or guardian, as appropriate, of the circumstances. In those cases where a member is under 21 years of age, the commanding officer, when deemed appropriate, should inform the parents, spouse, or guardian, by letter or other form of communication, of the details considered pertinent and proper under the circumstances.

1.F.3. Pretrial Confinement

1.F.3.a. Policy

Pretrial confinement should be ordered only after careful consideration of and strict compliance with the provisions of Rules of Courts-Martial 304 and 305 of reference (e), Manual for Courts-Martial (MCM), United States (current edition). The decision to order personnel into pretrial confinement is an important decision. A person shall not be retained in confinement solely on the basis of impending administrative discharge proceedings. Confinement pending trial should be ordered only when necessary because it is foreseeable that either the prisoner will not appear at trial or pretrial hearing, or the prisoner will engage in serious criminal misconduct, and that less severe forms of restraint are inadequate.

(1) Article 10, Uniform Code of Military Justice, 10 U.S.C. § 801-946 Restrictions. A person will not be ordered into pretrial confinement without first being informed of the specific wrong of which he or she is accused. Upon confinement, every effort should be exerted either to bring the member to trial without delay or to dismiss the charges and release the

CHAPTER 2 CONDUCT

2.A. Interpersonal Relationships within the Coast Guard

2.A.1. General

2.A.1.a. Coast Guard Values

The Coast Guard attracts and retains highly qualified people with commonly shared values of honor, respect and devotion to duty. These values anchor our cultural and Service norms and serve as a common foundation for our interpersonal relationships within the Coast Guard.

2.A.1.b. Mission Success

We interact, communicate and work together as teams to accomplish our missions. Indeed, mission success depends on cultivating positive, professional relationships among our personnel. An environment of mutual respect and trust inspires teamwork, assures equal treatment, and grants Service members the opportunity to excel.

2.A.1.c. Leadership and Military Discipline

Professional interpersonal relationships always acknowledge military rank and reinforce respect for authority. Good leaders understand the privilege of holding rank requires exercising impartiality and objectivity. Interpersonal relationships which raise even a perception of unfairness undermine good leadership and military discipline.

2.A.1.d. Custom and Tradition

The Coast Guard has relied on custom and tradition to establish boundaries of appropriate behavior in interpersonal relationships. Proper social interaction is encouraged to enhance unit morale and esprit de corps. Proper behavior between seniors and juniors, particularly between officers and enlisted personnel, enhances teamwork and strengthens respect for authority.

2.A.1.e. Officers and Senior Enlisted

By long standing custom and tradition, commissioned officers, including warrant officers, have leadership responsibilities extending across the Service. Likewise, chief petty officers (E-7 to E-9) have a distinct leadership role, particularly within their assigned command. Both provide leadership not just within the direct chain of command, but for a broader spectrum of the Service. Due to these broad leadership responsibilities, relationships involving officers or chief petty officers merit close attention.

2.A.2. Policy

2.A.2.a. Professional Work Environment

Coast Guard policy is to sustain a professional work environment which fosters mutual respect

among all personnel, and in which decisions affecting personnel, in appearance and actuality, are based on sound leadership principles. Commanding Officers, officers-in-charge, and supervisors are expected to provide an environment which enhances positive interaction among all personnel through education, human relations training, and adherence to core values.

2.A.2.b. Positive Social Interaction

Coast Guard policy on interpersonal relationships has been crafted to be as gender-neutral as possible. However, this approach may obscure one important issue: the fundamental principle that interpersonal activities which are appropriate among men or among women are likewise appropriate among men and women. **All members should be provided equal opportunity to participate in positive social interaction opportunities regardless of gender.**

2.A.2.c. Acceptable Personal Relationships

As people work together, different types of relationships arise. Professional relationships sometimes develop into personal relationships. Service custom recognizes that personal relationships are acceptable provided they do not, either in actuality or in appearance:

- (1) Jeopardize the members' impartiality,
- (2) Undermine the respect for authority inherent in a member's rank or position,
- (3) Result in members improperly using the relationship for personal gain or favor, or
- (4) Violate a punitive Article of reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), or
- (5) Violate any lawful order, regulation or policy regarding inappropriate and prohibited relationships, communications, conduct or contact established by competent military authority.**

2.A.2.d. Assessing the Propriety

The great variety of interpersonal relationships precludes listing every specific situation that members and commands may encounter. While some situations are clearly discernible and appropriate action is easily identified, others are more complex and do not lend themselves to simple solutions. Evaluating interpersonal relationships requires sound judgment by all personnel. Factors to consider in assessing the propriety of a relationship include:

- (1) The organizational relationship between the individuals: whether one member can influence another's personnel or disciplinary actions, assignments, benefits or privileges;
- (2) The relative rank and status of the individuals: peers, officer and enlisted, CPO and junior enlisted, supervisor and subordinate, military and civilian, instructor and student; and
- (3) The character of the relationship; e.g., personal, romantic, marital.

- (a) Personal relationship: Non-intimate, non-romantic association between two or more people such as occasional attendance at recreational or entertainment events (movies, ball games, concerts, etc.) or meals. (Does not involve conduct which violates reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended)).
- (b) Romantic relationship: Sexual or amorous relationship. (Does not involve conduct which violates reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended)).
- (c) Unacceptable relationship: Inappropriate and not allowed under Service policy. Resolution normally administrative. Relationship must be terminated or otherwise resolved once recognized.
- (d) Prohibited relationship: Violates reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended). Resolution may be either administrative, punitive, or both as circumstances warrant.

Note: Exhibit 2.A.1 contains a matrix depicting common interpersonal relationships.

2.A.2.e. Violation of Service Policy

A relationship, including marriage, does not violate Service policy unless the relationship or the members' conduct fails to meet the standards set by this section, standards of conduct set by reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), or other regulations.

2.A.2.f. Unacceptable Romantic Relationships

Romantic relationships between members are unacceptable when:

- (1) Members have a supervisor and subordinate relationship (including periodic supervision of duty section or watchstanding personnel), or
- (2) Members are assigned to the same small shore unit (less than 60 members), or
- (3) Members are assigned to the same cutter (see note below), or
- (4) The relationship is between chief petty officers (E-7/8/9) and junior enlisted personnel (E-4 and below), or
- (5) The relationship is manifested in the work environment in a way which disrupts the effective conduct of daily business.

Note: The nature of operations and personnel interactions on cutters and small shore units makes romantic relationships between members assigned to such units the equivalent of relationships in the chain of command and, therefore, unacceptable. This policy applies regardless of rank, grade, or position. This policy applies to Reservists in an active status, whether or not on duty.

2.A.2.g. Prohibited Relationships, Communications, Conduct, and Contact

- (1) Policy. Coast Guard policy prohibits the following relationships, communications, conduct, or contact regardless of rank, grade, or position of the persons involved:
 - (a) Engaging in sexually intimate behavior aboard any Coast Guard vessel, or in any Coast Guard-controlled work place,
 - (b) Romantic relationships outside of marriage between commissioned officers and enlisted personnel. For the purposes of this paragraph, Coast Guard Academy (CGA) cadets and officer candidates (both OCS and ROCI) are considered officers.
 - (c) Personal and romantic relationships between instructors at entry level accession programs and other training commands, and students.
 - (d) **Personal and romantic relationships between recruiters, Academy admission officers, Academy admission partners, or personnel assigned to a Military Entrance Processing Station (MEPS), and family members of students or prospective members. A prospective member is anyone who has a face-to-face meeting with one of the above representatives regarding becoming a member of the Armed Forces, regardless of whether the person eventually becomes a member of the Armed Forces. Individuals are considered prospective members until 365 days have elapsed since their last contact with a representative or upon physically reporting to his or her first duty assignment.**
 - (e) **Romantic relationships between instructors and certain former entry level accession students, as follows:**
 - [1] **Enlisted instructors at enlisted entry level accession programs may not have a romantic relationship with any individual who has graduated from, or who last attended, an entry level accession program within the preceding 365 days. Former enlisted entry level accession program instructors who transfer to a new unit have a continuing duty to abide by this prohibition in regards to those individuals who were enrolled in enlisted accession training while the former instructor was assigned to the respective accession program.**
 - [2] **Officer instructors at officer entry level accession programs may not have a romantic relationship with any individual who has graduated from, or who last attended, an entry level accession program within the preceding 365 days. Former officer entry level accession program instructors who transfer to a new unit have a continuing duty to abide by this prohibition in regards to those individuals who were enrolled in officer accession training while the former instructor was assigned to the respective accession program.**
 - (f) **Romantic relationships between former recruiters who have transferred to a new unit and those prospective members who were engaged in the recruiting process while the former recruiter was assigned to recruiting duties. Individuals are**

considered prospective members until 365 days have elapsed since their last contact with a recruiter.

(2) **Punitive Application.** This provision is a punitive general regulation, applicable to all personnel subject to the Uniform Code of Military Justice without further implementation. A violation of this provision is punishable in accordance with Article 92 of the Uniform Code of Military Justice.

(3) **Mandatory Processing for Administrative Separation.**

(a) **The following individuals must be processed for discharge:**

[1] **Any entry level accession program instructor who is found to have committed a substantiated violation of Article 2.A.2.g(1)(c) (prohibited personal or romantic relationship with a student). For the purposes of this paragraph, the following definitions apply:**

[a] **Entry level accession programs include, but are not limited to, recruit training, direct entry petty officer training (DEPOT), Officer Candidate School (OCS), Direct Commission Officer (DCO) School, Reserve Officer Candidate Indoctrination (ROCI), NOAA Basic Officer Training Class (BOTC), and the Coast Guard Academy.**

[b] **Instructors include personnel assigned or attached to duty at a facility or school that conducts an entry level accession program, and who exercise authority or control over, or supervise, students enrolled in an entry level accession program.**

[c] **Students include members enrolled in any entry level accession program. Such members are considered students until they report to their first duty assignment (including assignment to subsequent training, such as “A” School).**

[2] **Any member who is found to have committed a substantiated violation of Article 2.A.2.g(1)(d) (prohibited personal or romantic relationship with a prospective member).**

(b) **A violation is substantiated when it results in non-judicial punishment, or a court-martial conviction that does not include a punitive discharge as part of its sentence. A violation may also be substantiated when the member’s Commanding Officer makes a written determination by a preponderance of the evidence that a violation occurred. This written determination will be reviewed and endorsed by the Staff Judge Advocate. Separation processing for officers and enlisted personnel must be in accordance with Articles 1.A.14 or 1.B.17 (as appropriate) of reference (k), Military Separations, COMDTINST M1000.4 (series).**

(c) **Examples. The relationships, communications, conduct, and contact between instructors and entry level accession program students, and between recruiters,**

Academy admission officers, Academy admission partners, or MEPS personnel, and prospective members, must at all times focus solely on mission accomplishment. The following is a non-exclusive list of prohibitions which, if violated, would require discharge processing under Article 2.A.2.g(3)(a) above.

- [1] Making or accepting sexual or romantic advances in any form of communication, including social media. This includes sexual advances towards family members of students or prospective members.**
- [2] Any communications, conduct, or contact of a sexual or romantic nature, including sexual flirtation or innuendo.**
- [3] Use of familiar and romantic terms of address (e.g. beautiful, sweetheart, hon, handsome) when addressing students and prospective members.**
- [4] Visit by a recruiter to the dwelling of a prospective member, for other than official business.**
- [5] Establishing a common household with a student or a prospective member. This does not prohibit shared accommodations for official purposes.**

2.A.2.h. Family Relationships

Service members married to Service members, or otherwise closely related; e.g., parent and child, siblings, etc., must maintain requisite respect and decorum attending the official military relationship between them while either is on duty or in uniform in public. Members married to members or otherwise closely related must not be assigned in the same chain of command.

2.A.3. Examples of Appropriate and Unacceptable Relationships, Conduct, Contact and Communication

2.A.3.a. Acceptable Relationships

Examples of acceptable personal relationships include, but are not limited to:

- (1) Two crewmembers going to an occasional movie, dinner, concert, or other social event.**
- (2) Members jogging or participating in wellness or recreational activities together.**

2.A.3.b. Unacceptable Relationships

Examples of unacceptable relationships include, but are not limited to:

- (1) Supervisors and subordinates in private business together.**
- (2) Supervisors and subordinates in a romantic relationship.**

2.A.3.c. Unacceptable Conduct, Contact and Communication

Examples of unacceptable conduct, contact and communication include, but are not limited to:

- (1) Supervisors and subordinates gambling together.**
 - (2) Giving or receiving gifts, except gifts of nominal value on special occasions.**
 - (3) Changing duty rosters or work schedules to the benefit of one or more members in a relationship when other members of the command are not afforded the same consideration.**
 - (4) When between instructors and entry level accession program students, or between recruiters, Academy admission officers, Academy admission partners, or MEPS personnel, and prospective members:**
 - (a) Soliciting or providing personal information to or from a student or a prospective member, including telephone number, social media profile, email address, or physical address, for other than official business.**
 - (b) Using personal vehicles to transport students or prospective members, for other than official business.**
 - (c) Providing alcohol to a student or a prospective member.**
 - (d) Lending or borrowing money to/from a student or prospective member.**
 - (e) Employing a student or a prospective member for personal services.**
-

2.A.4. Fraternalization

2.A.4.a. Definition

Fraternalization describes the criminal prohibition of certain conduct between officer and enlisted personnel set out in reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended). Interpersonal relationships between officer and enlisted personnel and fraternization are not synonymous. Fraternalization does not apply exclusively to male-female relationships, but a much broader range of inappropriate conduct. (While not an exhaustive listing, see Article 2.A.3. of this Manual.) The elements of the offense of fraternization specified in reference (e), Manual for Courts-Martial (MCM), United States (current edition), are:

- (1) The accused is a commissioned or warrant officer, and**
- (2) The accused officer fraternized on terms of military equality with one or more enlisted members in a certain manner, and**
- (3) The accused knew the person to be an enlisted member, and**

- (4) The association violated the custom of the Service that officers shall not fraternize with enlisted members on terms of military equality, and
- (5) That, under the circumstances, the conduct of the member was prejudicial to good order and discipline in the Armed Forces, or was of a nature to bring discredit upon the Armed Forces.

2.A.4.b. Personal Relationships between Officer and Enlisted

The custom of the Service accepts personal relationships between officer and enlisted personnel if they do not violate the provisions of Article 2.A.2.c. of this Manual. Relationships in conflict with those provisions violate the custom of the Service.

2.A.4.c. Romantic Relationships between Officer and Enlisted

The custom of the Service prohibits romantic relationships outside of marriage between officer and enlisted personnel. This includes such relationships with members of other military services. Officer and enlisted romantic relationships undermine the respect for authority which is essential for the Coast Guard to accomplish its military mission.

2.A.4.d. Marriage between Officer and Enlisted

The custom of the Service accepts officer and enlisted marriages which occur before the officer receives a commission. Lawful marriage between an officer and enlisted service member does not create a presumption of misconduct or fraternization. However, misconduct, including fraternization, is neither excused nor mitigated by subsequent marriage.

2.A.5. Responsibility

2.A.5.a. Primary Responsibility

All personnel are responsible for avoiding unacceptable or prohibited relationships. Primary responsibility rests with the senior member. Seniors throughout the chain of command shall attend to their associations and ensure they support the chain of command, good order and discipline.

2.A.5.b. Early Resolution

Personnel finding themselves involved in or contemplating unacceptable relationships should report the situation and seek early resolution from their supervisor, commanding officer, officer in charge, command enlisted advisor, or Coast Guard chaplain. Any potential conflict with Coast Guard policy should be addressed promptly. Commands are expected to assist members in understanding Coast Guard policy requirements and resolving conflicts. Bringing an unacceptable relationship to early Command attention will increase the opportunity for early, positive resolution.

2.A.5.c. Commanding Officer Responsibility

Reference (j), United States Coast Guard Regulations 1992, COMDTINST M5000.3 (series) specifically charge commanding officers and officers-in-charge with responsibility for their command's safety, efficiency, discipline, and well-being. They should take prompt, appropriate action to resolve conduct which does not comply with the provisions of this section.

2.A.5.d. Academy and Training Center Staff

Interpersonal relationships involving Academy and Training Center staff and students are particularly susceptible to abuse by the senior member. The Superintendent of the Academy and commanding officers of training commands may issue local directives further restricting or prohibiting such relationships as they deem appropriate. The Superintendent of the Academy may issue supplemental regulations addressing the unique concerns of cadet relationships, including when cadets are in training situations aboard other Coast Guard units, and when a personal relationship between Academy personnel and a cadet may be acceptable (e.g. the Academy sponsor program or social engagements that are commensurate with customary and acceptable wardroom interactions) notwithstanding Articles 2.A.2.g(1)(c), 2.A.2.g(3), and 2.A.3.c(4).

2.A.5.e. Violation by Commanding Officer

If a member's superior or immediate commanding officer is the subject of a report of misconduct under this Article, procedures outlined in Section 9-2-2 of reference (j), United States Coast Guard Regulations 1992, COMDTINST M5000.3 (series), (Oppression or Other Misconduct by a Superior) shall be followed.

2.A.6. Resolving Unacceptable Relationships

2.A.6.a. General

Avoiding unacceptable personal relationships is in the best interest of all concerned. Training, counseling, and administrative actions help prevent unacceptable personal relationships or minimize detrimental effects when unacceptable relationships develop. Prompt resolution at the lowest level possible is desirable.

2.A.6.b. Training

Avoiding unacceptable and prohibited interpersonal relationships requires that personnel clearly understand Coast Guard policy and its application. The unit training program is an ideal forum to accomplish this. Training on "FRATERNIZATION AND INTERPERSONAL RELATIONSHIPS" shall be conducted at all officer and enlisted accession points and at resident training courses; e.g., leadership school, "A" and "C" Schools, etc. Training at other units is strongly encouraged.

2.A.6.c. Counseling

Early counseling often can resolve potential concerns about the characteristics of a relationship and appropriate actions to ensure the relationship develops in a manner consistent with Service custom. Counseling may be informal or more formal, including written documentation by

Administrative Remarks, Form CG-3307, entry or an Administrative Letter of Censure. (See Article 2.E.4. of this Manual.) Counseling may include a direct order to terminate a relationship.

2.A.6.d. Personnel Reassignment

Members may request or a command may recommend reassignment of a member involved in a questionable relationship. However, reassignment is not a preferred option. The Coast Guard is not obligated to reassign personnel due to members' desires or based solely on a relationship. When reassignment is not an option, members may be directed to end a relationship.

2.A.6.e. Evaluations

When members do not respond favorably to counseling, comments and marks in officer and enlisted evaluations may be appropriate.

2.A.6.f. Other Administrative Actions

As warranted, commands may recommend separation, removal or withdrawal of advancement recommendations, appointment to another status, or promotions. See reference (k), Military Separations, COMDTINST M1000.4 (series), for additional administrative actions which may be considered.

2.A.6.g. Disciplinary Action

Non-judicial punishment or courts-martial may address fraternization or other unlawful or prohibited relationships or conduct.

2.A.7. Action

Commanding officers and officers in charge are responsible for ensuring that all members of their commands are familiar with these provisions.

Exhibit 2.A.1. Interpersonal Relationships

Organizational Relationship	Character of Relationship				
	Personal	Romantic			Married/Family
Separate Units	1-4 A	1-2 A	3 U	4 P	1-4 A
Same Large Shore Unit or Co- Located Units	1-4 A	1-2 A	3 U	4 P	1-4 A
Same Chain of Command, Same Afloat Unit, Small Shore Unit	1-4 A	1-2 U	3 U	4 P	1-4 U (for assignment purposes)

Legend:**Member Status:**

1. Peers: (Very similar in rank or position, e.g., officers; CPOs; POs; non-rated personnel; etc.)
2. Military and Civilian CG employee
3. CPO and Junior Enlisted (E-4 and below)
4. Officer (including cadets and officer candidates) and Enlisted

Character of Relationship:

- Personal:** Non-intimate, non-romantic associations between two or more people, e.g. occasional attendance at recreational or entertainment events (movies, ball games, concerts, etc.) or meals. (Does not include conduct which constitutes fraternization.)
- Romantic:** Sexual or amorous relationship. (Does not include conduct which violates reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended).)
- Married/Family:** Service members married to service member, or otherwise closely related; e.g., parent and child, or siblings, etc.

Service Policy:

- A = Acceptable:** Permissible provided conduct meets Service standards.
(See Article 2.A.2.c. of this Manual.)
- U = Unacceptable:** Inappropriate; not allowed under Service policy. Relationship must be terminated or otherwise resolved once recognized. Resolution is normally administrative.
- P = Prohibited:** The relationship violates reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended).

2.B. Discrimination

2.B.1. General

2.B.1.a. Definition

The Coast Guard is committed to maintaining a work environment free from unlawful discriminatory practices and inappropriate behavior. For the purpose of this section, illegal discrimination is any intentional action or omission that results in the adverse treatment of a person because of that person's race, color, religion, national origin, disability, handicap, age or gender, including sexual harassment or intentional actions or omissions in reprisal.

2.B.1.b. Policy

- (1) Accountability. The Coast Guard must hold persons accountable for illegal discriminatory conduct and track those persons through the personnel records system. Laws and regulations prohibiting illegal discrimination may be enforced through administrative or disciplinary action under both military and civilian personnel systems.
- (2) Disciplinary or Administrative Action. Disciplinary or administrative action shall be taken only where the discriminatory conduct is intentional. Although law and policy prohibit intentional and unintentional discrimination, only those persons who discriminate intentionally are included within the scope of this Section. If the discriminatory conduct is unintentional, disciplinary and administrative action is inappropriate and unjustified. However, counseling would be appropriate to draw attention to the discriminatory impact of the unintentional conduct or the application of a policy.

2.B.1.c. Prohibitions

Illegal discrimination in the Coast Guard is prohibited. No individual in the Coast Guard shall:

- (1) Engage in illegal discriminatory conduct as defined in Article 2.B.1.a. of this Manual;
- (2) Take reprisal action against a person who raises an allegation or discrimination, who assists another in raising an allegation or who provides information related to an alleged incident of discrimination; or
- (3) While in a supervisory or command position, condone or ignore discrimination of which he or she has knowledge or of which he or she should reasonably have knowledge.

2.B.1.d. Violation of Provisions

The prohibitions in Article 2.B.1.c. above are punitive general and regulatory orders and apply to all military personnel individually. A violation of these provisions by military personnel is punishable under reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended).

2.B.1.e. Allegation Awareness

When area commanders, district commanders, commanding officers, officers-in-charge, chiefs of Headquarters offices and special staff divisions, become aware of allegations of illegal discriminatory conduct of personnel under their command, they shall investigate the basis for those allegations. Upon determining that illegal discrimination probably occurred; i.e., more probable than not, they shall initiate administrative or disciplinary action or formal disciplinary action as appropriate. In determining whether informal action or formal disciplinary action is appropriate, they must evaluate the severity of the alleged conduct with the reliability and veracity of the evidence presented.

2.B.2. Sexual Harassment**2.B.2.a. Policy**

All acts of sexual harassment are degrading to the offended individual and detrimental to the military profession.

2.B.2.b. Administrative and Criminal Sanctions

Commanding officers and officers in charge have a responsibility to look into all allegations of sexual harassment and to take prompt and effective action. They must be aware of all courses of action available to them to deal with sexual harassment allegations. They generally fall into three categories - discrimination complaint processes, administrative processes, and reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), provisions. These actions are not mutually exclusive and two or all three of them may be pursued simultaneously. The actions taken by a command in a particular case will depend upon the severity of the conduct, the state of the evidence, the limits of the commander's authority, and other such factors. Specific questions regarding prosecuting offenders should be addressed to the command's servicing legal office.

- (1) Sexual Harassment. Reference (1), Coast Guard Civil Rights Manual, COMDTINST M5350.4 (series), establishes the sexual harassment prevention system for the Coast Guard. It is intended to provide a single point of focus for the Coast Guard's efforts to prevent sexual harassment.
- (2) Sexual Discrimination. Reference (1), Coast Guard Civil Rights Manual, COMDTINST M5350.4 (series), provides detailed information on processing complaints of discrimination based upon gender. The primary purpose of the process is to ensure the complainant obtains an appropriate remedy or redress for any wrong he or she may have suffered.
- (3) Administrative Action. Prompt, appropriate administrative action should be taken simultaneously with discrimination complaint processes, with respect to sexual harassment offenders, when a command has sufficient information to reasonably believe an incident has occurred. It is not necessary to await the completion of the procedures set forth in the above paragraph. Commands have a wide variety of actions available which include but are not limited to informal or formal counseling, evaluation in performance reports, and formal performance reviews, which could lead to separation.

(4) Criminal Offense. Specific acts of sexual harassment may amount to criminal offenses punishable under various provisions of reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended). A review of the UCMJ and reference (e), Manual for Courts-Martial (MCM), United States (current edition) reveals numerous provisions well suited for prosecution of sexual harassment amounting to criminal conduct. Sexual harassment is a specifically listed example of conduct amenable to prosecution under Article 93 of reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801-946 (as amended), (Cruelty and maltreatment). However, considering the wide range of conduct that could be characterized as sexual harassment, the following article of reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), have provisions suitable for prosecuting sexual harassment cases depending on the facts of the case:

UCMJ	
Article 78	Accessory after the Fact
Article 80	Attempt to Commit an Offense
Article 81	Conspiracy
Article 89	Disrespect to a Superior Commissioned Officer
Article 90	Assaulting a Superior Commissioned Officer
Article 91	Insubordinate Conduct toward a Warrant Officer, Noncommissioned Officer, or Petty Officer
Article 92	Failure to Obey an Order or Regulation
Article 93	Cruelty and Maltreatment
Article 120	Rape and Carnal Knowledge
Article 125	Sodomy
Article 127	Extortion
Article 128	Assault
Article 133	Conduct Unbecoming an Officer
Article 134	Twelve Specifications, including: Indecent Acts, Assault, Exposure or Language; Communicating a Threat; Depositing or Causing to be Deposited Obscene Matters in the Mail; Disorderly Conduct; Fraternization; Misprision of a Serious Offense; and Soliciting Another to Commit an Offense

2.C. Reserved

The Hazing policy has moved to Chapter 3 of this manual

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CHAPTER 3 HAZING AND BULLYING

3.A. Policy

3.A.1. Application and Scope

This policy applies to all personnel at all times, on or off duty, at sea or ashore, on or off base. Any violation, attempted violation, or solicitation of another to violate this policy may subject involved members to appropriate administrative and/or disciplinary action.

3.A.1.a. General

Hazing and bullying erodes mission readiness and will not be tolerated. A healthy work environment is free from conduct that unreasonably interferes with an individual's work performance, or creates an intimidating, offensive, or hostile work environment. According to national leading research, bullying on the job occurs four times more often than sexual harassment or racial discrimination. Treating each other with dignity and respect is an essential element of a healthy work environment, workforce resiliency, morale, diversity & inclusion, retention, and mission effectiveness. There are many time-honored traditions in our service, but hazing and bullying are not among them and have no place in the Coast Guard. Hazing and bullying are unacceptable and are prohibited in all circumstances and environments, including off-duty or in "unofficial" unit functions and settings. Hazing and bullying can be conducted through the use of electronic devices or communications, and by other means, as well as in person. Early reporting of perceived abuse allows commands to quickly address and correct a problem before it has the opportunity to become more severe. This policy specifically addresses conduct of military members

3.A.1.b. Hazing

Subjecting an individual military member to harassment or ridicule for the purposes of "inclusion" is prohibited and will not be tolerated. No service member may engage in hazing or consent to being hazed. Its prevention is an all-hands responsibility. Under Article 4.1.15 of reference (j), United States Coast Guard Regulations 1992, COMDTINST M5000.3 (series), a commanding officer must "prohibit unit introductory initiations or hazing of personnel."

3.A.1.c. Bullying

Subjecting an individual military member to harassment or ridicule for the purposes of "exclusion" is prohibited and will not be tolerated. No service member may engage bullying. Its prevention is an all-hands responsibility.

3.A.1.d. Prevention

Hazing and bullying serve no useful purpose and are contrary to our core values of honor, respect, and devotion to duty and have no place in our organization. The demeaning, abusive activities associated with hazing and bullying inhibit performance, debase personal

dignity, and can result in serious injury. To prevent hazing and bullying, we must be aware of what constitutes hazing and bullying and understand these activities' negative impact. Our success as an organization depends on the positive and productive attitude and performance of our people. A healthy, positive, professional work environment is essential to enable all our personnel to contribute to mission success.

3.A.1.e. Initiations

Some units have condoned hazing incidents at initiations as innocent jests without intent to harm. Although some observers may consider such actions or verbal harassment humorous, they often create a real fear in the victims' minds. Further, they undermine the very morale and esprit de corps they purport to advance.

3.A.1.f. Investigations and Administrative/Disciplinary Action

The Coast Guard has no place for dehumanizing treatment. Commands must investigate any hazing or bullying incident and initiate appropriate administrative or disciplinary action against the perpetrators and those in the chain of command who are determined to have tacitly condoned such practices, either by inaction or neglecting to investigate reported incidents.

3.A.1.g. Sexual Assault

Incidents of hazing or bullying that may involve allegations of sexual assault must be addressed in accordance with the Sexual Assault Prevention and Response (SAPR) Program, COMDTINST M1754.10 (series). In all cases, appropriate reporting and investigative protocols must be followed and support and care must be provided to complainants and victims.

3.A.1.h. Discrimination

Hazing or bullying may involve allegations of unlawful discrimination and/or harassment. Reports that refer to allegations based on an individual's protected status, which includes race, color, religion, sex (including gender identity, sexual harassment, pregnancy, and sexual orientation), national origin, age, disability, genetic information, marital status, parental status, political affiliation, retaliation or any other basis protected by law, must be addressed in accordance with the Coast Guard Civil Rights Manual, COMDTINST M5350.4 (series).

3.B. Definitions

3.B.1. Definition of Hazing

Hazing is any conduct through which a military member or members, or any other persons physically or psychologically injure or create a risk of physical or psychological injury to one or more military members for the purpose of: initiation into, admission into, affiliation with, change in status or position within, or as a condition for continued membership in any military or DHS civilian organization.

Specifically, hazing is any conduct in which a military member without proper authority causes another military member(s) to suffer or be exposed to any cruel, abusive, humiliating, oppressive, demeaning, or harmful activity, regardless of the perpetrator's and recipient's Service or rank. Soliciting or coercing another to conduct such activity also constitutes hazing. Hazing need not involve physical contact among or between members; it can be verbal or psychological in nature. Activities meeting these criteria constitute impermissible hazing even if there is actual or implied consent to the acts. Hazing can include, among other things, the following activities:

- (1) Playing abusive or mean-spirited tricks intended to ridicule, humiliate, or ostracize,**
- (2) Throwing personnel over the side from a ship or pier,**
- (3) Tacking on crows or other devices by forcibly applying them to a member's clothes or body,**
- (4) Forcing or encouraging the consumption of substances not normally prepared or suitable for consumption,**
- (5) Group wrestling matches targeting a particular member,**
- (6) Encouraging a member to consume excessive amounts of alcohol or requiring the consumption of alcohol in any amount,**
- (7) Subjecting to excessive or abusive use of water,**
- (8) Forcibly cutting or shaving hair,**
- (9) Branding, tattooing, or painting another,**
- (10) Coercing or encouraging another member to fully or partially disrobe,**
- (11) Taping, tying, or otherwise restraining a member's arms, legs, or mouth,**
- (12) Handcuffing or otherwise securing a member to a fixed object or another member(s),**
- (13) Using law enforcement restraints or techniques on another member in other than an official capacity or a bona fide training session,**
- (14) Placing or pouring foreign substances or liquids on another member,**
- (15) Touching in an offensive manner,**
- (16) Striking, or slapping another member,**
- (17) Threatening or offering violence or bodily harm to another, or**

- (18) Oral or written berating of another for the purpose of belittling or humiliating.

3.B.3. Definition of Bullying

Bullying is abusive conduct by a military member or members which harms a military member or any other persons, either physically or psychologically, without a proper military or other governmental purpose and with intent to exclude the member. Bullying is threatening, humiliating, or intimidating. Bullying can also be work interference, undermining performance, or verbal abuse. Individuals are often targeted because they may be perceived to be weak, different, or pose a threat to the bully. Bullying may also be described as psychological abuse, psychological harassment, 'status-blind' harassment, and mobbing. It often involves an imbalance of power between the aggressor and the victim. Bullying includes, but is not limited to:

- (1) Physically striking another in any manner or threatening to do the same,
- (2) Intimidating,
- (3) Teasing,
- (4) Taunting,
- (5) Oral or written berating of another for the purpose of belittling or humiliating,
- (6) Encouraging another to engage in illegal, harmful, demeaning or dangerous acts,
- (7) Playing abusive or malicious tricks; branding, handcuffing, duct taping, tattooing, shaving, greasing, or painting,
- (8) Subjecting to excessive or abusive use of water,
- (9) The forced consumption of food, alcohol, drugs, or any other substance, or
- (10) Degrading or damaging the person or his or her property or reputation.

3.B.3.a. Implied Consent

Personnel often attempt to disassociate their activities from “hazing” by stressing the voluntary nature of participation. Even genuinely voluntary participation can cause detrimental consequences. Often apparently willing participation is actually prompted by subtle compulsion, peer pressure, or a bid for acceptance and is not truly voluntary at all. As indicated in the definition of hazing, actual or implied consent does not eliminate the perpetrator’s culpability. Personnel knowingly and voluntarily submitting to hazing may be held accountable as well.

3.B.3.b. Initiation Ceremonies

- (1) **General. Hazing typically occurs in connection with unofficial, impromptu, unsupervised “initiations” or other informal rites of passage. The personnel involved**

often view these activities as an amusing way to “let off steam,” enhance unit morale, or bond with their peers and profess no intent to cause harm. However, these ceremonies are often demeaning or abusive and can result in physical injury to the participants. (See Article 1.K. of this Manual.)

- (2) **Traditional Ceremonies.** Traditional service initiation ceremonies, including Chief’s Initiations and equator, international dateline, and Arctic and Antarctic Circle crossings, are authorized, provided commands comply with governing directives when conducting such ceremonies. However, commanding officers must ensure these events do not include harassment of any kind that contains character degradation, sexual overtones, bodily harm or otherwise uncivilized behavior. Innocuous practical jokes, such as fetching “relative bearing grease” or “prop wash” do not constitute hazing as long as they are not intended to and actually do not humiliate, ridicule, or ostracize. Even otherwise innocuous jokes that are pervasive, repeated frequently, or disproportionately targeted toward selected individual(s) can cross the line and constitute impermissible hazing.
- (3) **Miscellaneous.** Also excluded from the definition of hazing are command-authorized or operational evolutions, training in preparation for these evolutions, administrative corrective measures including extra military instruction administered in accordance with reference (b), Military Justice Manual, COMDTINST M5810.1 (series), command-authorized physical training or athletic events, and command-authorized competitions or contests. Commands should conduct these activities appropriately with proper command sanction and oversight, preserving proper chain of command roles at all times.

3.C. Responsibilities

3.C.1. Commanders

- (1) Unit commanding officers and all supervisors are responsible for ensuring they administer their units in an environment of professionalism and mutual respect that does not tolerate hazing or bullying of individuals or groups.
- (2) Commanding officers and supervisor may not by act, word, deed, or omission condone or ignore hazing or bullying if they know or reasonably should know hazing or bullying is occurring or has occurred.
- (3) Commanding officers who receive complaints or information about hazing or bullying must investigate and take prompt, effective action. Unit commanding officers and supervisors must ensure reports of hazing or bullying are promptly and fully investigated and appropriately resolve verified instances of hazing. Those within the chain of command who violate this policy by overtly condoning hazing or bullying, failing to investigate reports of hazing or bullying, or implicitly approving it through inaction when they know or reasonably should know such activity is occurring or has occurred must be held properly accountable.
- (4) If hazing and/or bullying is suspected or an allegation is hazing or bullying has been

made, commands must report the following items (if known) via memo format through their operational chain of command to Commandant (CG-133) and inform their servicing legal office and/or Civil Rights or Coast Guard Investigative Service (CGIS) if applicable:

- (a) General nature of the alleged hazing or bullying incident (physical, psychological, verbal, technological, a combination thereof, individual or group, etc),
 - (b) Location of the hazing or bullying incident (on-duty, off-duty, etc),
 - (c) Duty status of both the complainant and alleged offender at the time of the alleged hazing or bullying (training, temporary duty, present for duty, leave, etc.),
 - (d) Description of the act(s) of hazing or bullying complained of or alleged,
 - (e) Demographics regarding both the complainant and alleged offender (as to each, their gender, grade, and race),
 - (f) Relationship between the complainant and alleged offender (superior, co-worker, subordinate, etc.),
 - (g) Description of the act(s) of hazing or bullying substantiated,
 - (h) Adjudication and disposition of any substantiated allegation (by whom and at what level of the organization the allegation was investigated, by whom and at what level of the organization the allegation was adjudicated, and the disposition of the allegation, including: no action, non-judicial punishment, discharge in lieu of court martial or other adverse action, adverse administrative action, court-martial, etc.)
- (5) Commanding officers are responsible for ensuring traditional observances and legitimate “initiation ceremonies” enjoy the full involvement and sponsorship of the command to ensure impermissible hazing does not occur.
- (6) Commanders must incorporate hazing awareness training into the annual unit training schedule.

3.C.2. Office of Military Personnel, Commandant (CG-133)

Utilizing the information in Article 3.A.3.a. above, Commandant (CG-133) must report the following information to the Director of Reserve and Military Personnel, Commandant (CG-13) on an annual basis:

- (1) Number of substantiated and number of unsubstantiated reports or allegations of hazing,
- (2) Number of substantiated and number of unsubstantiated reports or allegations of bullying.

3.C.3. Coast Guard Personnel

- (1) Every member must ensure hazing and bullying does not occur in any form at any level.
- (2) Every military member must inform the appropriate authorities of each suspected violation of this policy.
- (3) Victims of actual or attempted hazing and/or bullying and witnesses to these activities must report it to the appropriate level of the chain of command.

3.C.4. Training Centers

- (1) Incorporate hazing and bullying awareness training into existing recruit, officer and leadership training curriculums for all new personnel. Incorporate hazing and bullying awareness training into the Prospective Commanding Officer/Executive Officer Course and the Officer-in-Charge/Executive Petty Officer Course.
 - (2) Incorporate hazing and bullying awareness training into the Officer-in-Charge/Executive Petty Officer Course, and the Officer and Senior Petty Officer Leadership and Management Courses, etc.
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3.D. Penalties**3.D.1. General**

While the Uniform Code of Military Justice (UCMJ) does not specifically address hazing or bullying in the punitive articles, hazing and bullying can, in some cases, serve as the underlying cause in cases of alleged/reported misconduct, including sexual assault and sexual harassment. Similarly, not all cases that may involve hazing or bullying rise to the level of Coast Guard Investigative Service involvement or courts martial. Thus, commands must be familiar with the definitions and reporting requirements described in this policy even if an alleged/reported incident does not extend beyond the unit.

3.D.2. Command Response to Hazing and Bullying

In dealing with hazing and bullying, commands have a wide variety of procedures available, depending on an incident's specific circumstances. One function of command, and a challenge to its leadership capabilities, is to fit the appropriate command response to each particular situation. Available remedies range from counseling to administrative discharge proceedings.

3.D.3. Punitive Application

While this statement of policy does not qualify as a punitive general order, specific hazing and bullying acts and hazing or bullying incidents are punishable under various provisions of reference (a), Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended), specifically:

Article 92	Prohibits disobeying orders and regulations and dereliction of duty.
Article 93	Prohibits cruelty and maltreatment of a person subject to another's orders. This offense includes sexual harassment.
Article 128	Prohibits assault.
Article 134	Prohibits any conduct prejudicial to good order and discipline, including indecent language and acts. Any other degrading, humiliating, oppressive, etc., conduct could fall under this Article.