

THE IMPACTS OF SOCIAL MEDIA AND ONLINE SEXUAL HARASSMENT ON SERVICE MEMBERS

In 2015, DACOWITS began a new line of study, the impact of social media on Service members. The study was prompted by the Committee's 2014 installation visits and from concerns surrounding social media use and online bullying and harassment.

The Committee requests a written response from the Military Services on the status of five 2015 DACOWITS' recommendations:

DACOWITS: "The Services should revise their definition of sexual harassment and any regulations pertaining to the use of social media to clarify that conduct or speech that takes place wholly online can itself constitute sexual harassment."

CG Response: Coast Guard policy does clarify that conduct or speech (written or oral) in any media can be considered sexual harassment and individuals will be held accountable. The Coast Guard consistently and traditionally has patterned its complaint process for its military members, to the extent possible, after those established under Federal Sector Law for civilians. The Coast Guard does not tolerate behaviors of prohibited harassment, including sexual harassment; and as such, the CG has policies prohibiting unlawful discrimination as defined by federal sector law. This law already includes all forms (through media and online) of sexual harassment as unlawful and therefore prohibited.

Additional Information about the CG Policy: The Anti-Harassment and Hate Incident Procedures Policy (AHHI), outlined in the Coast Guard Civil Rights Manual, COMDTINST M5350.4C, prohibits unwelcome conduct in many forms, including the circulation or posting of written or graphic materials. The Coast Guard's AHHI policy requires unit commanders to, within an established timeframe, examine all reports of prohibited harassment and, if substantiated, directs them to initiate appropriate disciplinary actions. Depending on the results of fact finding, the Coast Guard uses the full range of administrative and UCMJ punishments for violations. Actions could include administrative measures for prohibited harassment up to and including a UCMJ violation. 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 the UCMJ or civil rights laws and regulations.

In addition, the Coast Guard External Affairs Manual, COMDTINST M5700.13, specifically outlines accountability for personal use of social media. The policy states that even when off duty, and on a personal site or blog, Coast Guard personnel are subject to the Uniform Code of Military Justice, and employees are subject to administrative or legal action if they violate policy or security regulations.

DACOWITS: "The Services should revise and implement sexual harassment training that addresses online harassment, anonymity, and the consequences of online behavior both on- and off-duty."

CG Response: The Coast Guard's Sexual Harassment Prevention training is undergoing review at present. We intend to include guidance specifically addressing online behavior that occurs on and off duty. The training currently outlines the prohibition of sexually harassing behaviors both on and off-duty, and anonymous reporting using the Anti-Harassment and Hate Incident Procedures Policy (AHHI), COMDTINST M5350.C, Ch 2.C.

DACOWITS: The Service Secretaries and Joint Chiefs of Staff should communicate a united, passionate, and powerful message to the Armed Forces that sexual harassment and sexual assault are not part of our military culture.

CG Response: The Secretary of Homeland Security and the Coast Guard Commandant closely partner with the Joint Chiefs and the other Service Secretaries on these issues and welcome opportunities to work in unison in the future. The Coast Guard's leadership has already issued strong statements to that effect. Eradicating sexual assault is one of the Coast Guard Commandant's priorities and his commitment to "driving sexual assault from our ranks" was included in his 2014 Commandant's Directive, and highlighted in his State of the Coast Guard addresses. The Commandant and his senior leaders often champion various sexual assault awareness and prevention activities (e.g., the Vice Commandant kicked off the first session of the new Coast Guard Bystander Intervention Training (CG BIT) during Sexual Assault Awareness and Prevention Month (SAAPM) in April). The Commandant's message of sexual assault not being acceptable or fitting within the CG core values is also often supported through various blogs and videos available on the CG Portal. Commandant SAPR policy is clear in stating that the service seeks to eliminate sexual assault by providing a culture of prevention, education and training, response capability, victim support, reporting procedures, and accountability to enhance the safety and well-being of all members.

In addition to the Service's emphasis on sexual assault prevention and response, sexual harassment prevention and response are repeatedly discussed and emphasized as instrumental to the CG core values during mandatory annual sexual harassment prevention training, tri-annual Civil Rights Awareness training, and the Commandant's annual Anti-Discrimination and Anti-Harassment policy statement.

DACOWITS: The Service Chiefs should send verbal and written communications to Service members emphasizing that sexual harassment and sexual assault are unacceptable and will not be tolerated. The message should embrace aggressive accountability of sexual harassment and sexual assault offenders, and those who were knowledgeable of the attacks and did nothing.

CG Response: The Commandant annually disseminates a strong anti-harassment policy statement and requires prominent posting physically at every installation and online. The annual release of the Coast Guard Anti-Discrimination and Anti-Harassment Policy statement is published through numerous media to all levels of the service including public messages to All Hands, internal bulletins, blog posts, and direct communications through operational and administrative leadership networks.

Additionally, to promote transparency, Good Order and Discipline data for the last ten years is disseminated to the field through message traffic and available to all members at:

<https://www.uscg.mil/legal/> or internally on CGPortal at:
<https://cg.portal.uscg.mil/units/cg0946/Military%20Justice/1>

This is a compilation of the disciplinary and administrative actions taken when Coast Guard military and civilian employees fail to uphold the high ethical, moral, and professional standards shared in the Coast Guard. An ALCOAST message announces the posting of each new quarter's Good Order and Discipline data.

DACOWITS: The Services should provide the same attention to preventing and responding to sexual harassment as they do to preventing and responding to sexual assault.

CG Response: The Coast Guard takes allegations of both sexual assault and sexual harassment seriously. As previously outlined, the Coast Guard takes a proactive approach toward harassment, including sexual harassment, by having a strong Anti-Harassment and Hate Incident Procedures Policy (AHHI) that require prompt responses and treat all harassment as misconduct, even if it does not rise to the level of harassment actionable under the UCMJ or civil rights laws and regulations. This early and immediate intervention allows units commanders to take swift actions to conduct an inquiry, make a determination, and when substantiated, hold personnel accountable. Potential victims or witnesses may report sexually harassing behaviors either directly to their command or to a Civil Rights Service Provider (CRSP) within the Civil Rights Directorate. Each command must report the findings and outcomes of their inquiry to the Civil Rights Directorate and advise the reporting party of the disposition of the case. The AHHI policy has been successful in correcting behaviors of sexual harassment at the earliest opportunity and stopping the behaviors from continuing.

The websites below are provided for additional reference.

CG SAPR webpage - www.dcms.uscg.mil/sapr

CG Civil Rights webpage – <http://www.uscg.mil/civilrights>