

INFORMATION PAPER

Subj: SEXUAL HARASSMENT AND EQUAL OPPORTUNITY SUMMARY FOR DEFENSE
ADVISORY COMMITTEE ON WOMEN IN THE SERVICES (DACOWITS) SEPTEMBER
QUARTERLY BUSINESS MEETING

1. Purpose. To provide DACOWITS with information and an update regarding the Marine Corps Sexual Harassment and Equal Opportunity Policies for the September Quarterly Business Meeting. (RFI #9)

2. Background

The Marine Corps is committed to maintaining a culture of dignity, respect, and trust. We will ensure that we cultivate an environment free from unlawful discrimination and harassment. An environment free from prohibited behaviors is critical to mission accomplishment, unit cohesion, and military readiness.

Discriminating behaviors and harassment practices are counterproductive and unacceptable. Unlawful discrimination and harassment undermines morale, reduces combat readiness, and prevents maximum utilization and development of the Marine Corps' most vital asset, its people. The policy of the Marine Corps is to provide equality of treatment and the opportunity for all Marines to achieve their full potential based solely upon individual merit, fitness, and ability.

3. Key Points/ Requested Information

Question 1. 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.

The Marine Corps orders on sexual harassment and equal opportunity are currently being updated. The policy will contain an unequivocal statement that sexual harassment, and other prohibited behaviors (e.g. hazing, bullying) will not be tolerated in any way, whether in person or online. The policy also provides a clear description of prohibited conduct, and consequences for engaging in such behaviors.

Since March, 2017 the Commandant of the Marine Corps (CMC) has released several White Letters addressing the use of social media by Marines.

ALMAR 008-17 explicitly states that Marines abusing social media or inappropriate speech that takes place online may violate Navy and Marine Corps orders. This misconduct may be punishable under Article

80 (attempts), Article 81 (conspiracy), Article 92 (violation of a lawful general order), Article 93 (cruelty and mal treatment), Article 117 (provoking speech and gestures), Article 124 (maiming), Article 127 (extortion, quid pro quo), Article 128 (assault), Article 133 (conduct unbecoming an officer and gentleman) and Article 134 (drunk and disorderly conduct, and/or solicitation, indecent acts/language) of the Uniform Code of Military Justice (UCMJ).

ALMAR 008-17 further states:

"Marines must never engage in commentary or publish content on social networking platforms or through other forms of communication that harm good order and discipline or that bring discredit upon themselves, their unit, or the Marine Corps. In other words, Marines should think twice before engaging in questionable online activities, and must avoid actions online that threaten the morale, operational readiness and security, or public standing of their units, or that compromise our core values. Such commentary and content includes that which is defamatory, threatening, harassing, or which discriminates based on race, color, sex, gender, age, religion, national origin, sexual orientation or other protected criteria."

CMC White Letter 2-17 required mandatory counseling entry, via page 11, confirming that all Marines read and understand ALMAR 008-17. These messages communicate to all levels of Marine Corps leadership that the use of social media to degrade, humiliate, and disrespect others is inconsistent with our core values and will not be tolerated.

Question 2. 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.

MCO P5354.1D W/Ch1 states that "Marine Corps personnel will receive at a minimum one hour of annual training that details the Marine Corps EO policy; the effects of discrimination or sexual harassment on the individual Marine, the unit, and how discrimination undermines morale and mission accomplishment; and the proper use of the Informal Resolution System (IRS)." MCO P5354.1D W/Ch1 also outlines progressive EO training at; Command-Sponsored Corporal's Course, Sergeant's Course, Career Course, Advanced Course, Officer Candidates School and the Basic School. MARADMIN 168/17, provided the "Leader's Handbook and Discussion Guide" as a tool for Officers, SNCOs, and NCOs to discuss, social media misconduct as it relates to gender discrimination/harassment and mandatory reporting requirements for possible social media misconduct (which includes NCIS/CID reporting and OPREP-3/SIT notification to HQMC).

CMC White Letter 1-17 mandated that Commanders and senior enlisted leaders educate their Marines on "online sexual harassment, threats of violence, and other misconduct as we would address any other form of misconduct or destructive behavior." This White Letter also directed victims to be educated on "the resources available to them, including: Chain of Command and Small Unit Leadership, Chaplains, Victim Legal Counsel, Uniform Victim Advocates, Equal Opportunity Advisors, Sexual Assault Prevention and Response Victim Advocates and Sexual Assault Support Lines."

Question 3. 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.

The Marine Corps fully supports the content of the Human Goals Charter signed by all of the Service Secretaries and Joint Chief (last signed 28 April 2014).

Question 4. 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.

The Marine Corps has MCO P5354.1D and MCO 1752.5B that emphasize sexual harassment and sexual assault are unacceptable and will not be tolerated.

The CMC has published ALMAR 008-17 (Social Media Guidance - Unofficial Internet Posts), White Letter 1-17 (Recent Conduct On Social Media), White Letter 2-17(Social Media Guidance - Mandatory Counseling Requirement), MARADMIN 168/17(Social Media Misconduct Leaders Handbook and Discussion Guide), in addition to conducting briefs at numerous Post and Stations across the Marine Corps, in order to emphasize that prohibited behaviors will not be tolerated in the United States Marine Corps. CMC White Letter 2-17 required mandatory counseling entry, via page 11, confirming that all Marines read and understand ALMAR 008-17.

Question 5. The Services should provide the same attention to preventing and responding to sexual harassment as they do to preventing and responding to sexual assault.

The cornerstone of a successful sexual harassment policy is the consistent and demonstrated commitment of senior leaders to create and maintain a culture of respect in which harassment is not tolerated. The eradication of sexual harassment and other inappropriate behaviors remains a top priority of the Marine Corps.

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