



UNITED STATES MARINE CORPS
HEADQUARTERS AND SERVICE BATTALION
MARINE CORPS BASE QUANTICO
2006 HAWKINS AVENUE
QUANTICO, VA 22134

BnO 5354.1
PAC

OCT 11 2019

Battalion Order 5354.1

From: Commanding Officer, Headquarters and Service Battalion
To: All Hands

Subj: COMMAND POLICY ON PROHIBITED ACTIVITIES AND CONDUCT (PAC) PREVENTION
AND RESPONSE

Ref: (a) MCO 5354.1E ADMIN CH
(b) MCINCRMCBQ Base Order 5354.1E

Encl: (1) Prevention
(2) Response

1. Situation. Harassment (to include sexual harassment), unlawful discrimination, abuse (specifically, hazing; bullying; ostracism; retaliation), wrongful distribution or broadcasting of intimate images, or certain dissident and protest activity (to include supremacist activity) are referred to collectively as Prohibited Activities and Conduct (PAC). Prohibited activities and conduct are fundamentally inconsistent with our core values and ethos, and will not be tolerated. Such conduct undermines morale, trust and unit cohesion, preventing maximum utilization and development of our Marines and Sailors. Such activities also undermine our Nation's trust and confidence in us as a fighting force. This Order implements reference (a) and (b) and outlines requirements for preventing and responding to PAC allegations for personnel under the administrative control (ADCON) of Headquarters and Service Battalion (HQSVB Bn).

2. Cancellation. Battalion Policy Letter 5354.1E dtd 10 August 2018

3. Mission. HQSVB Bn implements reference (a) and (b) utilizing this order and the enclosures in order to prevent and respond to prohibited activities and conduct.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. HQSVB Bn will foster unit cohesion, maintain a high state of military readiness, and focus our Marines and Sailors on mission accomplishment. To do so, we must maintain a climate of dignity, respect and trust, in which all members of this battalion are afforded equal opportunity to achieve their full potential based upon their individual merit, fitness, intellect and ability.

(2) Concept of Operations. Key to maintaining a positive command climate is preventing and responding appropriately to incidents of prohibited activities and conduct. We will:

(a) Ensure personnel assigned to the command foster a climate of dignity, respect, and trust for all.

(b) Use information obtained from both formal and informal climate assessments to make improvements where needed within the command.

(c) Ensure Marines and Sailors of the command are trained on the content of reference (a) annually.

(d) Utilize the chain of command as the primary and preferred channel to ensure the organizational environment is free of PAC. Ensure Marines and Sailors are aware of all available reporting options.

(e) Ensure those Marines and Sailors who make protected communications are protected from reprisal or retaliation.

(f) Facilitate appropriate and responsive support for those Marines and Sailors adversely impacted by PAC.

(g) Document substantiated incident(s) of PAC in the subject member's Official Military Personnel File (OMPF).

b. Tasks

(1) Executive Officer (XO)

(a) Provide oversight of all staff functions, ensuring command compliance with the references.

(b) Oversee the climate assessment process. Ensure all staff members having equities in the climate survey have access to survey results for analysis. Draft the Corrective Action Plan (CAP) to address concerns identified in the climate survey report.

(c) Utilize the Functional Area Checklist published by the Inspector General of the Marine Corps for ensuring command compliance with reference (a).

(d) Maintain overall cognizance for execution of the policies identified within this Order.

(e) Serve as the alternate release authority for OPREP-3 reporting requirements.

(f) Read and familiarize yourself with the references.

(2) S-1/Administration Officer

(a) Ensure an OPREP-3 report is submitted within the required timelines for all PAC allegations received.

(b) Assist the command Equal Opportunity Representative (EOR) and Legal Officer in the generation of all required correspondence related to PAC complaints for signature by the Battalion Commanding Officer.

(c) Ensure all required correspondence related to PAC complaints is forwarded to the servicing MEO office as required by reference (a).

(d) Ensure all substantiated complaints of PAC are documented in the Marine's OMPF via Page 11/6105 entry.

(e) Read and familiarize yourself with the references.

(3) S-3 Officer

(a) Ensure annual PAC training is part of the unit's annual training plan and that all annual training requirements are accomplished. Ensure the training plan enables training conducted in small groups using leader-to-led training methodology facilitated by the command EOR.

(b) Ensure appropriate training codes are documented in the Marine Corps Training Information Management System (MCTIMS).

(c) Read and familiarize yourself with the references.

(4) Equal Opportunity Representative (EOR)

(a) Manage the command's PAC functional area program. Ensure compliance with functional area checklist requirements. Immediately notify the Executive Officer of any areas of non-compliance.

(b) Serve as survey administrator for the command's DEOMI Organizational Climate Survey (DEOCS).

(c) On a random basis conduct visual inspection of all unit workspaces to ensure no inappropriate or offensive materials are present. Document results on a memorandum for the record and submit to the XO for signature.

(d) Conduct periodic observations to informally assess the command climate. Report any concerns to the XO immediately.

(e) Develop and maintain the command's PAC policy. Command policy will be certified by the commander within 90 days of assumption of command.

(f) Develop and maintain desktop procedures.

(g) Ensure new join personnel receive awareness training.

(h) Provide annual training using approved training material. Provide monthly updates to Command Post leadership on training completion percentages.

(i) Develop and maintain relationship with servicing MEO office. Serve as HQSVC Bn's liaison to the MEO office for sharing of information and case updates, as required.

(j) Ensure timely submission of required reports.

(k) Generate, in coordination with the S-1 and Legal Officer, any required correspondence related to PAC complaints for signature by the battalion commander. Ensure all required correspondence is prepared, executed and served in a timely manner in accordance with reference (a).

(l) Maintain a complete case file for each PAC case in accordance with reference (a), SECNAVINST 5210.1 w/Ch. 1, and JAGINST 5800.7F. Case files will include all PAC related correspondence, any corresponding PI/CI with endorsements, as well as all Page 11/6105 entries.

(m) Provide monthly case updates to the battalion leadership.

(n) Conduct follow-up interviews with complainants and subjects to ensure reprisal acts are not occurring. Ensure follow-up interviews are documented and made part of the official case file.

(o) Read and familiarize yourself with the references.

(5) Legal Officer

(a) Upon acceptance of a complaint by the Commanding Officer, HQSVC Bn, solicit an investigating officer (IO) from the respective Company to which the complainant is assigned.

(b) Draft an IO appointment letter convening an appropriate inquiry.

(c) Provide administrative assistance to the IO and refer the IO to the servicing Staff Judge Advocate (SJA) and Equal Opportunity Advisor (EOA) for legal advice and guidance.

(d) Forward the completed investigation to the servicing SJA for legal sufficiency review and the servicing EOA for a compliance review.

(e) Generate, in coordination with the S-1 and EOR any required correspondence related to PAC complaints for signature by the battalion commander. Ensure all required correspondence is prepared, executed and served in a timely manner in accordance with reference (a).

(f) Read and familiarize yourself with the references.

(6) VWAP Coordinator. Ensure victims and witnesses involved in PAC allegations are advised of advocacy services and issue the DD Form 2701, as required.

(7) Unit Force Preservation Council. Screen and monitor personnel involved in PAC allegations for high risk stress related reactions.

(8) Subordinate Companies

(a) Upon receipt of a PAC allegation, immediately:

1. Refer the complainant to the EOR.

2. Ensure the safety and support of the complainant.

3. Report the allegation to the Battalion Commander and make appropriate recommendations for immediate actions (e.g., issuance of an MPO, transfer in duty assignment, transfer in billeting assignment, etc.).

(b) Coordinate with the S-1, EOR and Legal Officer to ensure they have appropriate information to prepare OPREP-3 report and other required correspondence.

(c) Within 48 hours of the Battalion Commander's acceptance of a PAC complaint, obtain a nomination for an IO from the respective supported organization and provide the name of the nominee to the Legal Officer.

(d) Read and familiarize yourself with the references.

d. Coordinating Instructions

(1) All SNCOs and Officers under the ADCON of HQSVC Bn will read and familiarize themselves with the references.

(2) Each fiscal year, all Marines under the ADCON of HQSVC Bn will attend annual PAC training.

(3) Civilian supervisors of Marines and Sailors under the ADCON of HQSVC Bn need to be aware of the contents of reference (a) and this order.

(4) Recommendations concerning this policy are invited and will be submitted to the commander via the Executive Officer or HQSVC Bn EOR.

(5) Records created as a result of this Order shall be managed according to National Archives and Records Administration (NARA) approved dispositions to ensure proper maintenance, use, accessibility, and preservation, regardless of format or medium.

5. Administration and Logistics. This Order shall be reviewed and reissued within 90 days of assumption of command. Interim changes will be incorporated as necessary.

6. Command and Signal. This Order is applicable to all Marines, Sailors, and other Armed Forces personnel under the ADCON of HQSVC Bn, unless otherwise agreed to by Memorandums of Agreements between the Commanding Officer, HQSVC Bn and the leadership of supported organizations.


E. J. DANIELSON

PREVENTION

1. General. The organizational climate is the responsibility of the commander. The achievement of a positive command climate is not dependent solely on the commander. All members of the command must treat one another with dignity and respect. There are three major components to the command's prevention strategy: leadership support, command climate, and training.

2. Leadership Support. Supervisors and leaders will cultivate a climate of dignity, respect, and trust. They will set the example by modeling and incorporating such behaviors into their daily practices. They will engage in clear communication of expectations and provide transparency within the bounds of privacy to assure their subordinates that the Marine Corps values will be upheld. In addition, supervisors and leaders will encourage reporting of alleged prohibited activities and conduct. They will inspire confidence by responding to complaints alleging prohibited conduct with impartiality, fairness, and urgency.

3. Climate Assessment. This command is committed to taking those deliberate actions to eradicate prohibited conduct from our ranks. Addressing the problem involves understanding the factors that influence it. With this in mind, the command will proactively monitor command climate both formally and informally through the use of surveys and engaged leadership. We will use these efforts to obtain greater knowledge; ultimately resulting in more effective policies and prevention efforts to eliminate prohibited conduct.

a. Timeline. HQSVC Bn and their supported organizations will conduct command climate assessments as prescribe by reference (a) and as agreed to in their respective Memorandums of Agreements (MOAs). The annual assessment will be completed within one year of the end date of the last DEOCS survey.

b. Assessment Tool. For the purposes of this policy, the DEOCS will be the only survey used. The UIC M30007 will be used for all DEOCS reports for the HQSVC Bn Command Post. Assessments will be ordered using sub-unit break outs to inform subordinate commanders of their sub-climate.

c. Corrective Action Plan (CAP). The Executive Officer and designated staff will develop a CAP to address areas of concern identified in the DEOCS report. All climate factors identified in the report as below service average will be addressed in the CAP. Once approved, the commander will brief the CAP to the Commander, Marine Corps Base Quantico. Format for CAP will be in accordance with reference (a).

d. Command Debrief. To the extent practicable, members of the command will be debriefed on the results of the assessment and intended corrective actions within 30 days of receiving the results.

4. Training. All unit personnel shall become well versed in the content of this policy and maintain a command climate that fosters dignity and respect for all.

a. Training will be conducted by the EOR using only approved training materials.

b. Training will be tailored to the command and audience.

c. Training will be recorded in MCTIMS.

RESPONSE

1. Immediate Actions. Upon official notification from the EOA office that an allegation has been received against a member of this command, HQSVC Bn will initiate the following actions in accordance with reference (a). All investigations will be conducted in accordance with JAGINST 5800.7F.

a. Within three working days, initiate a preliminary inquiry (PI) or command investigation (CI) into the allegation. If the commander determines, and the complainant agrees, to resolve the complaint through informal resolution, the commander will not make a determination of substantiated or unsubstantiated and will only report that the complaint has been resolved using informal resolution.

b. Inform the alleged offender that they are the subject of a complaint, the general nature (e.g. hazing, bullying, etc.) of the allegation against them, and that an IO will be conducting a PI/CI into the alleged violation.

c. Ensure the safety of the complainant. If the complainant and the alleged offender are coworkers or the alleged offender is the supervisor, consider temporarily reassigning without prejudice either party until the conclusion of the investigation (preferably the alleged offender in an effort to not re-victimize the victim). If reassignment is not appropriate, closely monitor the situation to ensure reprisal actions do not occur.

d. Ensure PAC complaints, except those related to sexual harassment, are investigated and resolved within 30 calendar days (14 calendar days for sexual harassment).

e. Ensure the PI/CI receives a legal sufficiency and EOA compliance review before the Battalion Commander reviews and makes a disposition decision.

f. Ensure a mandatory Page 11/6105 entry is made in the OMPF of any service member against whom a PAC allegation is substantiated by the Battalion Commander.

f. Ensure both subject and complainant are notified of the disposition decision within three duty days of the Battalion Commander's decision.

g. Within five duty days of completion of the PI/CI and reviews, forward a final written report containing the results of the investigation, as well as any action taken or intended actions to the GCMCA.

2. Reprisal Prevention and Response. Personnel that have engaged in the complaint process shall be protected against reprisal. Personnel are encouraged to inform leadership of any actions real or perceived as reprisal. Any member who reprises against a member for filing a complaint will be subject to appropriate disciplinary action under the UCMJ.

3. Privacy Act. All complaints and reports are sensitive in nature and will be handled in accordance with the Privacy Act of 1974.

4. Records Management. Records created as a result of this Order shall be managed according to NARA approved dispositions.