

MILITARY DEPARTMENT
OFFICE OF THE ADJUTANT GENERAL
9800 Goethe Road - P.O. Box 269101
Sacramento, California 95826-9101



CAAG

12 April 2012

MEMORANDUM FOR Servicemembers and Employees of the California Military Department

SUBJECT: Policy Memorandum 2012-09: Hazing

1. The California Military Department has been and continues to be a values-based organization where everyone is encouraged to do what is right by treating others with dignity and respect. Hazing is fundamentally in opposition to our values and is prohibited.
2. Hazing is defined as any conduct whereby one military member or employee, regardless of Service or rank, unnecessarily causes another military member or employee, regardless of Service or rank, to suffer or be exposed to an activity that is cruel, abusive, oppressive, or harmful. Hazing includes, but is not limited, to any form of initiation "rite of passage" or congratulatory act that involves: physically striking another in order to inflict pain; piercing another's skin in any manner; forcing or requiring the consumption of excessive amounts of food, alcohol, drugs, or other substances; or encouraging another to engage in illegal, harmful, demeaning or dangerous acts. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature.
3. When authorized by the chain of command and not unnecessarily cruel, abusive, oppressive, or harmful, the following activities do not constitute hazing: The physical and mental hardships associated with operations or operational training; administrative corrective measures, including verbal reprimands and a reasonable number of repetitions of authorized physical exercises; extra military instruction or training; physical training (PT), remedial PT, and other similar activities.
4. Hazing is not limited to superior-subordinate relationships. It may occur between peers or may involve actions directed towards senior military personnel by those junior in rank or grade to them (for example, a training instructor hazing a student who is superior in rank). Hazing may also happen in day-to-day military settings. It is prohibited in all cases, to include off-duty or "unofficial" celebrations or unit functions. Express or implied consent to hazing is not a defense to violation of this policy.
5. Command Responsibilities. Enforcement of this policy is a responsibility of commanders at all levels. Commanders will devote particular attention to graduation or advancement ceremonies as well as other occasions or settings that might put personnel at risk for voluntary or involuntary hazing. These situations will be supervised properly, respectful of all participants, perpetuate the best of the traditions that the California Military Department embraces, and leave all participants and spectators feeling proud to be a member of or associated with the California Military Department.

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6. Command Options. This paragraph is punitive with regards to Servicemembers. Violators of this policy may be subject to prosecution under the UCMJ as incorporated into California law. Civilian employees who violate this policy may also be subject to adverse action or discipline in accordance with applicable laws and regulations.

7. Commanders and supervisors should seek the advice and counsel of their legal advisor when taking actions pursuant to this policy. Point of contact for this memorandum is the Office of the Staff Judge Advocate, available at (916) 854-3505.

A handwritten signature in black ink, appearing to read "David S. Baldwin", with a long, sweeping flourish extending to the right.

DAVID S. BALDWIN
Major General
The Adjutant General