DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
16TH SPECIAL TROOPS BATTALION
UNIT 27503
APO AE 09139

REPLY TO
ATTENTION OF

AETS-SBH-CO

R: 9 July 2012
20 September 2011
18 August 2011

MEMORANDUM FOR All Personnel Assigned/Attached HHC, 16th Special Troops Battalion Personnel

SUBJECT: Command Policy Letter #4: Fraternization – Relationships between Soldiers of Different Ranks

1. References:

a. AR 600-20, Army Command Policy, 18 March 2008

b. DA PAM 600-35, Relationships Between Soldiers of Different Rank, 21 February 2000.

c. DOD 5500.07-R, Joint Ethics Regulation, 25 March 1996.

2. The provisions of this policy apply to both relationships between Army personnel (Active Duty, National Guard, or Reserve) and between Army personnel and personnel of other military services. This policy is effective immediately, and applies to different <and same> gender relationships.

3. The isolation, common culture, and intense working environment Soldiers experience while serving in the Army increase the potential for inappropriate association between different ranks. An association might not meet the legal definition of fraternization, but may still be inappropriate.

a. Relationships between Soldiers of different rank are prohibited if they:

(1) Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command

(2) Cause actual or perceived partiality or unfairness

(3) Involve, or appear to involve, the improper use of rank or position for personal gain

(4) Are, or are perceived to be, exploitative or coercive in nature

(5) Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission

b. Certain types of personal relationships between officers and enlisted personnel are prohibited. Prohibited relationships include: Ongoing business relationships between officers and enlisted personnel. This prohibition does not apply to landlord/tenant relationships or one-time transactions

such as the sale of an automobile or house, but it does apply to borrowing or lending money, commercial solicitation, and any other type of ongoing financial or business relationship.

(1) Gambling between officers and enlisted personnel

(2) Dating, shared living accommodations other than those directed by operational requirements, and intimate or sexual relationships between officers and enlisted personnel. This prohibition does not apply to marriages that predate the Army policy until 1 March 2000.

4. These prohibitions are not intended to preclude normal team building associations that occur in the context of activities (i.e., community organizations, religious activities, family gatherings, unit based social functions, or athletic teams or events). All military personnel share the responsibility for maintaining professional relationships. However, in any relationship between soldiers of different grade or rank, the senior member is generally in the best position to terminate or limit the extent of the relationship; nevertheless, all members may be held accountable for relationships that violate this policy.

5. Relationships are generally improper if they involve or give the appearance of partiality, preferential treatment, the improper use of rank or position for personal gain, or are prejudicial to good order, discipline or morale. Whether fraternization occurs depends on the situation. Generally, if the action or circumstances would lead a reasonable person to believe that good order and discipline were compromised or was of a nature to bring discredit on the service, then there is a good chance fraternization occurred.

6. All Soldiers must remember that as a member of the HHC, 16th STB, we often work side by side with senior NCOs and Officers. Traditional military customs and courtesies are always required.

7. All leaders must ensure Soldiers understand what types of relationships are inappropriate and allow them the opportunity to end any association that violates this policy. If you believe either fraternization occurred or an improper relationship has developed, I want you to review the references, talk to your chain of command, and contact me through my Open Door Policy. Common sense and strong leadership are key if fraternization is to be avoided.

8. Violation of the fraternization policy may result in disciplinary action under the Uniform Code of Military Justice (UCMJ) Art. 92.

9. The Point of contact for this memorandum is the undersigned at DSN: 469-8029, gerson.s.ramirez.mil@mail.mil.

GERSON S. RAMIREZ
CPT, LG
Commanding