



Video: Maltreatment - Overt Behaviors 2024

# Maltreatment - Overt Behaviors: Facilitation Guide



## Overview

This facilitation guide and accompanying video have been developed to assist equal opportunity (EO) and equal employment opportunity (EEO) professionals and practitioners in discussing *Harassment Prevention and Response in the Armed Forces*.

Additional information on how to conduct a facilitation can be found in *The Leader's Conversation* guide available at [deomi.mil](https://deomi.mil).

This guided discussion is focused on the *Maltreatment - Overt Behaviors* video. The video demonstrates potential behaviors one could see or hear in many environments. The facilitator can use the video and guide to discuss the demonstrated problematic behaviors and how the unit members and leaders can prevent, mitigate, or address them. Adherence to this facilitation guide is encouraged to ensure consistency in training delivery.

However, this guide is not all-inclusive and may be expanded based on the facilitator's experience. Throughout this guide, questions are framed to stimulate the facilitator's thoughts on areas to explore and consider in this process and the specific topic. Users should provide a controlled, safe, and non-attributional environment where individuals will be willing to share their perspectives. EO and EEO professionals, practitioners, and leaders can use this event to review and educate their members on policy and acceptable and unacceptable behaviors. Harassing behaviors and forms of retaliation such as maltreatment, are noted as prohibited behaviors in Department of Defense Instruction (DoDI) 1020.03.



## Purpose

The objectives for this discussion:

- Define maltreatment.
- Discuss the video and the behaviors seen within it.
- Grasp how the fear of retaliation, including maltreatment, can affect the individual and the organization.
- Understand the escalation maltreatment behaviors can take if not addressed.
- Discuss maltreatment prevention strategies.

## Preparation

This guide has been developed assuming that users have some basic facilitation skills and understand the facilitation process. Users should also review *The Leader's Conversation* guide for additional parameters, techniques, and information on facilitation (available at [deomi.mil](http://deomi.mil)). *The Leader's Conversation* guide provides areas to consider, including the following:

- Site selection
- Ground rules the facilitation may use
- Question development
- How to conduct the discussion

## Definition

“Maltreatment” under Article 93, Uniform Code of Military Justice (10 U.S.C. § 893), informs the following: Maltreatment occurs when a person subject to the Uniform Code of Military Justice is cruel toward, or oppresses or maltreats, any individual subject to the person’s orders. One form of maltreatment is cruelty toward, oppression of, or maltreatment of an individual subject to one’s orders because that individual did or experienced the following:

- reported a sex-related offense or sexual harassment or is believed to have reported a sex-related offense or sexual harassment;
- was the victim of a sex-related offense or sexual harassment or is believed to have been the victim of a sex-related offense or sexual harassment;
- was reported by another as being the victim of a sex-related offense or sexual harassment or is believed to have been reported by another as being the victim of a sex-related offense or sexual harassment;
- intervened, or attempted to intervene, to prevent or attempt to prevent a sex-related offense or sexual harassment or is believed to have intervened or attempted to intervene to prevent or attempt to prevent a sex-related offense or sexual harassment; or
- has cooperated or is believed to have cooperated in an investigation, has served as a witness, will or may serve as witness, or is believed to have served as a witness, or it is believed that the individual will or may serve as a witness in the future in a criminal or disciplinary proceeding, or in an investigation, including an administrative investigation, involving a sex-related offense or sexual harassment.



**Note:** In the Department of Defense, maltreatment is a behavior that falls under the larger umbrella of retaliation. The military defines retaliation under very specific parameters. However, in a broader sense, many might view that maltreatment could also occur for other reasons. For example, if an individual does not like an individual’s demeanor or personality or even their ‘look,’ the individual might demonstrate behaviors that others could be perceived as maltreatment. Leaders should understand that while maltreatment type behavior may not meet the legal parameters as defined above, the detrimental impacts against individuals can be the same and these negative behaviors should still be addressed.

## What Is Maltreatment?

As described in DoDI 1020.03, maltreatment is a retaliatory behavior in connection with an alleged sex-related offense or sexual harassment, or for performance of duties concerning an alleged sex-related offense or sexual harassment.

The *Department of Defense Retaliation and Response Strategy Implementation Plan* describes a form of maltreatment as cruel or oppressive treatment toward another because of reporting, attempting to report, intervening, or cooperating in a sexual harassment report.

An example of maltreatment can look like the following:

- A Service member experiences sexual harassment from a supervisor and confides in a peer that they want to report the behavior. The peer then goes to that supervisor to let them know this Service member is going to report them. The supervisor then does the following:
  - degrades this Service member in public settings;
  - gives extra duty assignments to the member outside of the workday;
  - incorporates “corrective training” into the member’s daily routine.

## Strategies to Prevent Maltreatment

The following strategies can be employed in order to help prevent and identify when maltreatment is occurring.

- Develop retaliation prevention plans tailored to specific incidents, which can include the following:
  - Counsel those involved on expectations and appropriate or inappropriate actions and treatment.
- Be aware of incidents that could lead to retaliatory behaviors.
- Conduct unit training on what maltreatment is, why it occurs, and how it can be manifested.
- Develop trust with subordinates so that they will seek help when needed.
- Ensure Service members know where they can go to report maltreatment.

Notes:



## Process

Before the participants' arrival, determine and prepare the setting for the guided discussion. Ensure the video is prepared to view (direct from the Cultural Portal at: <https://www.deomi.mil/Center-of-Excellence-Portal/Harassment-Prevention-and-Response/#maltreatment>) or may be predownloaded.

## Video Description

### Maltreatment Overt Behaviors

**FOR FACILITATOR USE ONLY:** The video opens with a male Service member discussing something he witnessed during a physical training session. He noticed another male Service member talking to a female getting “a little too friendly” and that she seemed uncomfortable. He jumped in and told him to knock it off. He said that the Service member became hotheaded but then seemed to cool down. Later, he found out the offender had complained to the Commanding Officer. Apparently, the commanding officer took the offender's side. Later on, the bystander who had intervened had a troublesome interaction with the Commanding Officer. First, the Commanding Officer denied leave he had requested and told him he would be working a double shift instead. Then, he shoved him into a door and stormed out of the room.

### Video Participants

- **Target:** Male Service member
- **Perpetrator:** The Commanding Officer and the male Service member who spoke to the female
- **Bystanders:** None



## Directions

1. Introduce yourself.
2. Validate: explain the purpose or objective of the discussion/training.
3. Set expectations and establish ground rules.
4. Introduce the topic (using the notes you created based on the topic).
5. Explain what maltreatment entails.
6. Provide the handout (if used) to the participants.
7. **Read instructions:** You are about to watch a video that is made for awareness purposes only.
8. **Read instructions:** Answer the questions in your handout individually after watching the video. Then later, we will share your answers with the group.
9. Show the video.
10. Have participants answer the handout questions (5–10 minutes). Please encourage them to use critical thinking as they view the questions.
11. Lead a discussion based on the questions used.

## Facilitator Notes

*Suggestions:* Display the questions on a bulletin board, butcher paper, or PowerPoint, or prepare them in a handout. Explain to the participants that they will need a pen and paper (or handout) to answer the questions you will use during the guided discussion. **The anticipated responses (ARs) after each question can assist the EO professional in identifying potential discussion points.**

*\*Facilitator Note:* The facilitator should be prepared to discuss the questions (or similar questions) with the participants.

*\*Give students ample time to answer the questions.*

## Reflection Questions

*Think about questions you may wish to ask the participants.*

Question and AR:

Question and AR:



## Facilitator- Developed Questions

Below are potential questions and ARs for use in guiding the discussion. Before the session, the facilitator should review them and may develop their own. The provided handout matches the questions provided below. If you modify or add additional questions, modify the handout accordingly.

**\*Facilitator Note:** The facilitator should be prepared to discuss the questions (or similar questions) with the participants.

- What did you observe in the video?

**AR:** In the video, a male Service member talks about stepping in when he noticed a male peer making a female peer uncomfortable. He intervened by telling the offender to stop. The offender got upset initially but then calmed down. Later, the Service member found out that the offender complained to their Commanding Officer, who sided with the offender. The Service member recounts a confrontation with the Officer, who refused his leave, made him work a double shift, and physically pushed him into a door before leaving the room. Some may say he oppressed the Service member based on his actions.

- Based on the behavior shown in the scenario, can this be perceived as maltreatment?

**AR:** According to the Department of Defense Retaliation and Response Strategy Implementation Plan, maltreatment includes mistreating someone because they intervened to prevent a sex-related offense or sexual harassment. In this case, a bystander intervened in a potential case of sexual harassment, and it seems like the Commanding Officer retaliated and potentially oppressed him by denying leave, assigning extra work, and resorting to violence.

- What are the risk or protective factors that may come into play in this scenario?

**AR:** Risk factors:

- The Commanding Officer's tolerance and acceptance of sexual harassment behaviors.
- The Commanding Officer may be predisposed to engage in maltreatment and violence.
- The hierarchy indifference in power between the Commanding Officer and the victim. If the Commanding Officer wishes to maintain the status quo of the climate, he can use his power to do so.

Protective factors:

- Supportive friends who offer advice or assistance in such situations.
- An organizational stance that takes all allegations of sexual harassment and resulting maltreatment seriously and will not tolerate them.
- A zero-tolerance policy towards sexual harassment and other unwanted behaviors, creating an environment where such actions are not acceptable, and perpetrators are held accountable.

- As a leader, what can you do to encourage Service members to report?

**AR:** As a leader, you can lead by example within the unit by ensuring that all Service members understand that sexual harassment complaints are treated seriously regardless of gender or rank. Provide education on intervention strategies, like discreetly removing someone from a troubling situation. Remain vigilant for any maltreatment resulting from reporting or bystander intervention. Foster an environment where bystanders feel empowered to intervene and individuals feel safe reporting sexual harassment without fear of reprisal.



## Lead the Discussion

Open the discussion by asking volunteers to share their responses with the group based on the questions used. As you do so, keep in mind:

### General Considerations

- Ensure all participants have an opportunity to share their thoughts.
- Encourage open communication among participants.
- When applicable, ask clarifying questions.
- Use anticipated responses to help the group when needed.
- Avoid “why” and closed-ended questions.
- Remind participants of the ground rules when necessary.
- Remember to let participants know that you are listening.
- Take notes for your summary and conclusion.
- Paraphrase when participants are unclear with their answers/assist them in reaching the objectives.
- Let the discussion be fluid with little to no disruptions or corrections.

### Examples of Other Questions That Can Be Asked

- In your own words, how would you describe maltreatment?

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- What are some ways your organization can support individuals who report harassment?
- Where can a Service member go to report sexual harassment?
- As a leader, what behaviors can you show to create an environment where others feel open to report harassment?

## Close the Session

**\*Facilitator Note:** During the conclusion, paraphrase participant comments to show that they were heard. The provided conclusion is an example on how to close out the guided discussion.

End your discussion by restating the objectives covered at the beginning and provide closing comments.

### Summary:

Restate the initial objectives:

- Define maltreatment.
- Discuss the video and the behaviors seen within it.
- Grasp how the fear of retaliation, including maltreatment, can affect the individual and the organization.
- Understand the escalation maltreatment behaviors can take if not addressed.
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### Potential Closing Comments

In the scenario, the Commanding Officer chose not to enforce a zero-tolerance policy for sexual harassment. Instead, he used his position of power to retaliate against and oppress the bystander that came forward. An individual's sex and/or rank should have no bearing on the appropriateness or inappropriateness of the behavior toward them. Corrective actions should occur based on enforcing Department of Defense policy and not based on a commander's own perspective.

If allowed to continue, offenders will continue to engage in harassing behaviors, making life more difficult for their targets. In turn, this can escalate and foster a variety of negative organizational climate changes, such as a lack of trust in leadership, low unit cohesion, and low morale. In addition, identifying inappropriate behaviors and intervening early are crucial to developing a cohesive and professional environment.





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## Handout

# Video: Maltreatment - Overt Behaviors

1. What did you observe in the video?
2. Based on the behavior shown in the scenario, can the comments be perceived as maltreatment?
3. What are the risk and protective factors that may come into play in this scenario?
4. As a leader, what can you do to encourage Service members to report?