

**The U.S. Coast Guard
Academy Must Take
Additional Steps to Better
Address Allegations of
Race-Based Harassment
and Prevent Such
Harassment on Campus**





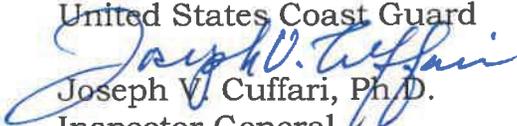
OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

June 3, 2020

MEMORANDUM FOR: The Honorable Admiral Karl L. Schultz
Commandant
United States Coast Guard

FROM: 
Joseph V. Cuffari, Ph.D.
Inspector General

SUBJECT: *The U.S. Coast Guard Academy Must Take
Additional Steps to Better Address Allegations of
Race-Based Harassment and Prevent Such
Harassment on Campus*

For your information is our final report, *The U.S. Coast Guard Academy Must Take Additional Steps to Better Address Allegations of Race-Based Harassment and Prevent Such Harassment on Campus*. We incorporated the formal comments provided by Coast Guard.

The report contains five recommendations aimed at improving how the Coast Guard Academy addresses incidents of race-based harassment. Coast Guard concurred with the recommendations. Based on information provided in the response to the draft report, we consider one recommendation resolved and closed and four recommendations resolved and open. Once your office has fully implemented the open recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendation. The memorandum should be accompanied by evidence showing completion of the agreed-upon corrective actions. Please send your response or closure request to OIGSREFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over DHS. We also will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Jackson Eaton, Acting Assistant Inspector General, Special Reviews and Evaluations, at (202) 981-6000.



DHS OIG HIGHLIGHTS

The U.S. Coast Guard Academy Must Take Additional Steps to Better Address Allegations of Race-Based Harassment and Prevent Such Harassment on Campus

June 3, 2020

Why We Did This Evaluation

Multiple sources have alleged racial harassment at the Academy. We evaluated Coast Guard's handling of race-based harassment incidents to determine whether there were issues jeopardizing the Coast Guard's commitment to broadening its diversity to reflect the population it serves.

What We Recommend

We made five recommendations to ensure the Academy consistently: investigates allegations; appropriately documents disciplinary decisions; includes civil rights staff; and improves training related to race-based or ethnicity-based harassment or hate incidents.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

We identified 16 allegations of race-based harassment involving cadets between 2013 and 2018 that the Coast Guard Academy (the Academy) was aware of and had sufficient information to investigate and address through internal hate and harassment procedures. We identified issues in how the Academy addressed 11 of them. First, in six incidents, the Academy did not thoroughly investigate the allegations and/or did not discipline cadets. In some instances, cadets committed similar misconduct again. The Academy also did not include civil rights staff as required in six instances (including two of the instances noted previously). Therefore, civil rights staff could not properly track these incidents to proactively identify trends and offer the Academy assistance. In addition, in one incident involving potential hate allegations, the Academy did not follow the Coast Guard process for addressing hate incidents. Finally, our review determined race-based harassment is underreported at the Academy for various reasons, including concerns about negative consequences for reporting allegations. Underreporting is especially concerning because our questionnaire results and interviews indicate harassing behaviors continue at the Academy.

Coast Guard Response

Coast Guard concurred with all five recommendations and described corrective actions they have taken and plan to take. We consider one recommendation closed, and the remaining four recommendations resolved and open.



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Abbreviations

AHHI	Anti-Harassment and Hate Incident Policy
CRD	Civil Rights Directorate
CRSP	Civil Rights Service Providers
DEOCS	Defense Equal Opportunity Management Institute
	Organizational Climate Survey
OID	Office of Inclusion and Diversity
OIG	Office of Inspector General



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Introduction

The United States Coast Guard Academy (Academy) prepares young men and women to become leaders of the United States Coast Guard (Coast Guard). Coast Guard leadership has stated it is committed to broadening the diversity of the Coast Guard workforce to be more reflective of the population it serves.¹ In May 2017, then-Commandant of the Coast Guard, Admiral Paul Zukunft, stated its “core values of honor, respect and devotion to duty demand [its] commitment and dedication to a workplace free of discrimination and harassment” and “harassment is incompatible with [its]...values.”² However, in recent years, multiple sources, including Congress, news reports, and a whistleblower, have alleged racial harassment and inadequate responses at the Academy. Specifically, cadets alleged racial slurs, ignorant comments, and instances of disrespect were common on campus, and, when reported to leadership, were not taken seriously.³ Furthermore, in December 2018, our office released a whistleblower retaliation report substantiating allegations of reprisal against a Lieutenant Commander stationed at the Academy.⁴ The complainant alleged she was retaliated against after she complained of discrimination and harassment at the Academy. Appendix C contains further information regarding this whistleblower report.

Background

The Academy’s 4-year, maritime-oriented program includes academic, military, and athletic training. Upon completion of their degrees, Academy cadets become commissioned officers of the Coast Guard and are required to serve on active duty for at least 5 years. As of September 2019, there were 1,069 cadets enrolled at the Academy, with 34 percent of the cadets identifying as minorities.

The Superintendent of the Academy exercises command over the entire Academy, including cadets, faculty, and staff. The Commandant of Cadets oversees the student body (corps of cadets) and employs a staff of Company Officers and Company Chiefs. These officers and chiefs are military personnel

¹ *Diversity and Inclusion Policy Statement*, Admiral Karl Schultz, Commandant, United States Coast Guard, May 30, 2018.

² *Anti-Discrimination and Anti-Harassment Policy Statement*, Admiral Paul Zukunft, Commandant, United States Coast Guard, May 17, 2017.

³ See Julia Bergman, *CGA works to address concerns of minority treatment, retention*, THE DAY, Sept. 2, 2017; *Coast Guard Academy whistleblower speaks up on discrimination, retaliation*, THE DAY, July 27, 2019 (available at <https://www.theday.com>). For summary of Congressional Interest, see Ltr. from Rep. Elijah E. Cummings, Committee on Oversight and Government Reform, and Rep. Bennie G. Thompson, Committee on Homeland Security to Admiral Karl Schultz, Commandant, United States Coast Guard, Aug. 19, 2019.

⁴ Department of Homeland Security Office of Inspector General, *Whistleblower Retaliation Report of Investigation*, Case No. W17-USCG-WPU-16018, Dec. 4, 2018 (OIG WB ROI).
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assigned to the Academy who interact closely with the cadets on a daily basis to oversee cadet performance and development.

Coast Guard policy, which applies to the Academy, defines prohibited harassment as unwelcome conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment on the basis of an individual's protected status, including race, color, religion, national origin, political affiliation, or any other basis protected by law.⁵

Coast Guard policy further states, "the most effective way to limit harassing conduct is to treat it as misconduct."⁶ The Academy addresses harassing misconduct through two related processes, the misconduct process and the anti-harassment process:

- *Misconduct Process.* Through the misconduct process, outlined in the *Regulations of the Corps of Cadets*, the Academy assigns a cadet or staff member to investigate whether an individual committed the alleged harassment. If the investigation substantiates the harassing misconduct, the Academy must initiate appropriate disciplinary action. The *Regulations of the Corps of Cadets* categorizes misconduct from Class I (most serious) to Class III (least serious) offenses. The Academy uses various Class I offenses to cite cadets for harassing misconduct, including:
 - 1230 (Discrimination),
 - 1232 (Conduct: unbecoming Cadet), and
 - 1233 (Judgment: failure to use good judgment).

Cadet disciplinary measures include probation; demerits;⁷ room restriction; marching tours; loss of leave and privileges; suspension from intercollegiate sports, club sports, or activities; and disenrollment.⁸ In addition to or in lieu of discipline, the Academy may require cadets to

⁵ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.a.

⁶ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.

⁷ Demerits document a cadet's failure to abide by applicable regulations and comport himself or herself in the manner expected of a cadet and future officer. See SUPINST M52515.2M, *Regulations of the Corps of Cadets* at 84.

⁸ Cadets disenrolled from the Academy may be required to either: 1) serve as enlisted members in the Coast Guard if considered suitable, or 2) pay back the costs incurred by the Academy for their education. For example, a cadet recently recommended for disenrollment during his last semester at the Academy would have been required to either serve 44 months as an enlisted member or reimburse the Coast Guard \$223,819. See SUPINST 5340.3A, *Obligated Service or Recoupment From Cadets Disenrolled From the Coast Guard Academy* at Encl. 1.



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undergo a 10-week process called “respect remediation,” meant to “identify and correct deficient areas of professionalism and prudent decision-making” that resulted in their misconduct.⁹ The Commandant of Cadets is responsible for the maintenance of good order and discipline within the corps of cadets, and has broad discretion regarding whether, and how severely, to discipline cadets.¹⁰ Specifically, the *Regulations of the Corps of Cadets* states, “Just as the commanding officer of a ship has broad and discretionary powers of discipline, so does the Commandant of Cadets have broad and discretionary powers to discipline Cadets.”¹¹ Coast Guard policy does not require Academy officials to document their basis for disciplinary decisions.

- *Anti-Harassment Process.* The Academy also follows the Coast Guard’s anti-harassment process, outlined in the *Anti-Harassment and Hate Incident Policy (AHHI)* in the Coast Guard *Civil Rights Manual*, which includes provisions to ensure complaints are addressed timely, the complainant is aware of the Academy’s actions to resolve allegations, and Coast Guard civil rights staff have a full picture of the racial climate.¹²

The Civil Rights Directorate (CRD) is responsible for oversight and tracking of harassment complaints in the Coast Guard, including the Academy. Civil Rights Service Providers (CRSP), CRD’s representatives in the field, assist commands and employees in complying with Coast Guard policy and civil rights laws and regulations. At the time of our review, the Academy had two CRSPs responsible for the cadets and staff at the Academy, as well as Coast Guard installations in the rest of Connecticut, New Jersey, and New York.

Hate incidents are egregious forms of harassment requiring additional oversight and reporting. The *Civil Rights Manual* defines a hate incident as any intentional act (conduct or speech) of intolerance committed against a person, a group of individuals, or property which is motivated, in whole or in part, by the offender’s bias against a protected group and which is intended to or is more likely than not to have the effect of intimidating others or inciting others to similar conduct. Examples include the display, presentation, creation or depiction of a noose, a swastika, or any other symbol widely identified with oppression or hatred.¹³

⁹ SUPINST M5215. 2M, *Regulations of the Corps of Cadets* at 201.

¹⁰ The Superintendent is the last internal appeal of the Commandant of Cadets’ disenrollment decisions. See SUPINST M5215. 2M, *Regulations of the Corps of Cadets* at 267.

¹¹ SUPTINST M5215.2M, *Regulations of the Corps of Cadets* at 84.

¹² COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.

¹³ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.e.



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Although the *Civil Rights Manual* provides processes to address harassment, it also recognizes a need to address conduct that does not meet the legal threshold of harassment. The *Civil Rights Manual* states:

[A] single utterance of an ethnic, sexual, or racial epithet that offends an employee would not be severe enough to constitute unlawful harassment in violation of federal law; however, it is the Coast Guard's view that such conduct is inappropriate and must be stopped.¹⁴

The Academy does not use one single method to track complaints of harassment. If the Academy addresses the allegation through the misconduct process, the information may be stored in investigative files, internal misconduct tracking spreadsheets, good order and discipline notices,¹⁵ or cadet disciplinary records. In addition, as noted earlier, the Academy uses various offense charges to cite cadets for harassing misconduct. If the Academy addresses the allegation through the AHHI process, records of the incident may also be maintained by the local CRSP, and in some cases, CRD.

To identify the full universe of allegations, we requested and reviewed the aforementioned documentation from Academy files and data systems related to all Class I misconduct, and from CRD related to harassment, from 2013 to 2018. We also interviewed cadets and staff for their recollection of instances of harassment and related misconduct that may not have been reported in the Academy's files. We reviewed all incidents to determine whether:

- the nature of the action, regardless of intent, was reasonably tied to race or ethnicity;
- the alleged transgressor and/or the alleged victim was a cadet;
- the allegations were suitable for investigation (i.e., they were specific in time and place and from a credible source such as a witness, a person in a position to know, or official documents); and
- the Academy was aware of the alleged incident.

Using this methodology, we identified 16 relevant hate or harassment-related misconduct allegations involving cadets from 2013 to 2018.¹⁶

¹⁴ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.

¹⁵ Good order and discipline notices are summaries of disciplinary hearings the Academy leadership posts to inform the corps of cadets of the outcome of misconduct proceedings.

¹⁶ Despite our efforts to do so, we cannot be certain we captured all harassing misconduct the Academy was aware of because of its decentralized approach to addressing and documenting these types of incidents. We also recognize these cases do not capture the full scope of incidents cadets may have experienced or observed in this time frame, as some may have gone unreported or undocumented.



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Results of Review

We identified issues in how the Academy addressed 11 of 16 allegations of hate or harassment-related misconduct from 2013 to 2018 (see table 1).

Table 1: Issues identified in 11 harassment and hate incidents at the U.S. Coast Guard Academy between 2013 and 2018

Incident	Type of incident	Insufficient Investigation	Lack of Discipline	Insufficient Civil Rights Oversight
1	Harassment		x	
2	Harassment	x		
3	Harassment	x		
4	Harassment	x		
5	Harassment		x	x
6	Harassment	x	x	x
7	Harassment			x
8	Harassment			x
9	Harassment			x
10	Harassment			x
11	Hate		x	x

Source: OIG analysis of Coast Guard data

First, in 6 of the 11 incidents, the Academy did not investigate thoroughly the allegations and/or did not address substantiated allegations with disciplinary action. In two instances, the cadets who had engaged in the misconduct were repeat offenders. We also identified six incidents (including two noted previously) in which the Academy did not notify civil rights staff of the allegations, as required. Finally, in one incident involving potential hate allegations, the Academy did not follow the Coast Guard process for addressing hate incidents, such as coordination with civil rights staff. As a result, civil rights staff could not ensure the Academy followed procedures, nor could they properly track these incidents to proactively identify and address trends. Lastly, we determined race-based harassment is underreported at the Academy for various reasons, including concerns about negative consequences for the reporting cadet.



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The Academy Did Not Thoroughly Investigate All Harassment Allegations, and Did Not Always Discipline Cadets for Documented Violations of Cadet Regulations

Per Coast Guard policy, commanders must “immediately conduct an informal investigation, preliminary inquiry or formal investigation as appropriate” when they become aware of an allegation of harassment.¹⁷ If an investigation substantiates harassment has occurred, Coast Guard policy requires commanders to initiate appropriate disciplinary action.¹⁸

We identified 16 allegations of harassment-related misconduct involving cadets from 2013 to 2018 that the Academy was aware of and had sufficient information to investigate and address through the misconduct or AHHI procedures. We determined the Academy failed to investigate thoroughly the allegations, and/or did not discipline cadets when investigations documented violations of cadet regulations or Coast Guard policy, in 6 of the 16 instances. In two instances, cadets conducted similar race- or ethnicity-based misconduct again. These six incidents include:

- (1) In April 2016, a third-year cadet (Cadet #1) repeatedly referred to a first-year cadet (Cadet #2) as a “n****” during a conversation. Cadet #2 tried to remove himself from the situation, but Cadet #1 followed him and continued to repeatedly use the epithet. Cadet #2 reported this incident to a professor and also explained cadets used the racial epithet frequently in the barracks. The Academy launched an investigation into the use of the racial epithet in the barracks, during which it substantiated Cadet #1 used the epithet. However, the Academy did not charge Cadet #1 with any offenses, did not discipline him or require him to take respect remediation, and did not note the incident in his official conduct record. In January 2017, Cadet #1 was eventually disenrolled from the Academy after committing another incident of misconduct (see incident 7 on page 11).

Investigative materials from this case contained three additional allegations recent and specific enough for the Academy to investigate at the time. Specifically, cadets alleged the following:

- (2) A fourth-year cadet (Cadet #3), while at the officer on duty desk¹⁹ in the barracks, made a statement that “someone was playing n**** music.”

¹⁷ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.d.

¹⁸ COMDTINST M5350.4C, *Civil Rights Manual*, Ch. 2, Sec. C.1.d.

¹⁹ Officers on duty enforce cadet regulations, track cadets’ whereabouts, enforce study hours, conduct inventory of keys and equipment, and maintain required documentation.



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- (3) A first-year cadet (Cadet #4) told his roommate he would “hate being black” during a conversation with a prospective cadet they were hosting overnight.
- (4) Cadets watched and laughed at a blackface video in a recreational common area in the barracks.

The investigating officer did not pursue these three allegations further. When we asked why these allegations were not addressed as required, the investigating officer said he followed oral instructions not to go on a “witch hunt.”²⁰

- (5) In July 2016, a third-year cadet (Cadet #5) made what he claimed was a joke to an incoming cadet during summer training: “I heard if you go to the Muslim Faith Service, that they teach you how to make bombs.” Several incoming cadets reported the incident to a staff member and the Academy investigated the matter. Cadet #5 was initially charged with two Class I offenses and recommended for disenrollment. He was ultimately retained, however, and did not receive any discipline, though he was made to complete respect remediation.²¹

The investigator later learned Cadet #5 told another third-year cadet (Cadet #6) about the “joke” the day after making it; Cadet #6 did not report Cadet #5 as required by Academy policy.²² When asked about the comment during the investigation, Cadet #6 said he did not think any of the incoming cadets in that group were Muslim and he did not think the incident needed to be reported. Cadet #6 was not charged, disciplined, or given respect remediation for not reporting the “joke.”

- (6) In October 2017, Cadet #6 allegedly wrote the word “Kool Aid” on his omelet station order slip. As a result, when the cadet’s order was ready, cafeteria staff were forced to call out the word to identify to whom it belonged. At the same time, another cadet (Cadet #7) with whom he was dining allegedly said, “put that cotton up” to another cadet (Cadet #8), who had pulled cotton out of his pants. Two fourth-year cadets (Cadet #9 and Cadet #10) observed the incident. Cadet #10 indicated to Cadet #9 that he considered the reference to “Kool Aid” to be a racial stereotype and inappropriate, and Cadet #9 raised their mutual concerns regarding

²⁰ Although the Commandant’s written order directed the investigating officer to pursue information regarding any suspected offenses discovered during the investigation, the Assistant Commandant later orally instructed him (using the term “witch hunt”) to not identify individuals. Based on this oral instruction, the investigating officer ended his investigation.

²¹ The Commandant of Cadets recommended disenrollment. Cadet #5 appealed his disenrollment to the Superintendent, and the Superintendent granted the appeal.

²² All cadets have a military duty to report Class I offenses, including discrimination, they observe or have knowledge of. Failure to do so could result in disciplinary action. See SUPTINST M5215.2M at 231.



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the incident to Academy officials. According to the preliminary inquiry, the investigator was unable to extract complete statements from the accused cadets. Although the investigator believed the cadets were being untruthful and recommended them for further investigative proceedings to extract truthful statements, the Academy did not do so. Instead, the Academy held an informal meeting between the accused cadets and Cadet #9, who reported the behavior. The accused cadets were neither charged nor disciplined.

We asked Academy officials why these incidents were not investigated further, and why cadets proven to have violated regulations were not disciplined. With respect to incidents (2) through (4), the Academy “[acknowledged] that multiple instances of inappropriate comments and terms” occurred, but did not explain why no further investigations were conducted into these inappropriate comments and terms. When asked why Cadets #6 through #8 were not disciplined, the Academy stated the Assistant Commandant of Cadets determined informal counseling was appropriate. The Commandant of Cadets has discretion to make cadet disciplinary decisions, and at the time of our review, Academy officials were not required to document their bases for investigative or disciplinary decisions. Therefore, we do not evaluate any specific disciplinary decision.

Nevertheless, by not thoroughly investigating or consistently disciplining cadets for this misconduct, the Academy missed opportunities to: (1) demonstrate to cadets their behavior was unacceptable, (2) prevent repeat misconduct, and (3) show cadets reporting harassment that the Academy takes these reports seriously.

Headquarters and Academy Civil Rights Professionals Did Not Oversee and Track All Academy Harassment and Hate Investigations

The Academy did not consistently notify civil rights staff as required when investigating allegations of misconduct that could involve harassment. The Academy also did not consistently involve civil rights staff in hate investigations. Without being notified, civil rights professionals at the Academy and Coast Guard headquarters could not sufficiently oversee or assist the Academy in addressing harassment.

Civil Rights Staff Were Not Informed of the Academy’s Response to Misconduct That Potentially Involved Harassment

The AHHI process runs in parallel to the misconduct process and includes additional steps specific to harassment allegations. According to the AHHI policy, upon receiving a harassment complaint, Coast Guard commanders, including those at the Academy, are required to take certain actions, including:



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- notifying the CRSP; and
- reporting the findings and outcomes to the CRSP or Director of CRD within 30 days from the date the incident was reported.

These additional steps allow the CRSP to ensure the command is complying with procedures, and allow CRD to track the harassment complaint, as required.²³ Such steps also allow the CRSP to advise the command whether a harassment complaint may actually constitute a hate incident.

We identified six instances in which the Academy investigated allegations of misconduct involving race- or ethnicity-based hate or harassment, but did not fully involve civil rights staff as required. These cases were not part of CRD's documentation on harassment incidents at the Academy and the CRSP did not have oversight of these cases. These involved two of the incidents described previously (i.e., (5) and (6)), as well as the following four incidents:

- (7) In January 2017, Cadet #1 (described on page 7 in incident (1)) and two other fourth-year cadets (Cadets #10 and #11) were having a conversation during which they remarked that many Asian American cadets were moving into rooms near theirs. Cadet #1 then used an ethnic slur, proposing signs at a water fountain near their dorm rooms banning Asian American cadets from using it. A Company Officer overheard the comment and later brought Cadet #1 into his office to discuss the incident. Cadet #1 eventually admitted to making the statement and knowing what the slur meant. The day after the incident, Cadet #10 approached the Company Officer to justify the use of the slur, saying terms like this were acceptable. Cadet #1 was eventually disenrolled from the Academy for this misconduct. Cadets #10 and #11 were each found in violation of a Class II offense — failure to demonstrate proper leadership — for participating in a conversation of a discriminatory nature. They each received 2 weeks of room restriction and 30 demerits.
- (8) In February 2016, a group of fourth-year engineering students was working on an engineering project. One of the cadets (Cadet #12) emailed a project update document to the project sponsor, a Coast Guard lieutenant not assigned to the Academy. Upon opening the update document, the lieutenant observed “sup n***” written in the progress notes. The lieutenant admonished Cadet #12 by email, and the cadets' advisors notified the head of the engineering department. The Academic Dean requested a preliminary inquiry during which neither

²³ COMDTINST M5350.4C, *Civil Rights Manual*, at 2-C.5 – 2-C.6.
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Cadet #12 nor his teammates admitted to writing the epithet. Cadet #12 suggested someone “played a prank” on him and wrote the epithet in the document while his workstation was unlocked. The investigator outlined multiple concerns, including that the epithet was being used casually. During the inquiry, Cadet #12 tried to distinguish the difference between “the soft ‘a’ and the hard ‘r’” when using the epithet. The investigator stated, “If [the cadet’s] views mirror those of the Corps of Cadets, significant training is required.”

The preliminary inquiry was forwarded to the Commandant of Cadets, who ordered a standard investigation. The investigation did not uncover additional information. Cadet #12 was found in violation of a Class I offense (failure to use good judgment); he received 50 demerits and was recommended for disenrollment, but was ultimately retained at the Academy.²⁴ The other cadets were not disciplined. In its explanation to cadets on the outcome of this incident, the Academy stated, “One of the main takeaways from this case is that it is always important to maintain positive control of documents, either electronic or physical. Leaving a workstation unlocked can lead [to] many problems, some with dire consequences. It is also important to note that racism is not acceptable in any form and will be met with severe consequences.”²⁵

- (9) In the Fall of 2016, Academy leadership tasked Company Officers and Chiefs with communicating major takeaways to cadets regarding the April 2016 investigation into the use of the racial epithet “n****r” (incident (1) described previously). Academy leadership wanted to provide guidance that using the epithet, even when not meant to be hateful or when used between friends, created an intimidating, offensive, or hostile work environment and was a violation of Academy policy. However, one Company Officer used the epithet in the very briefing intended to communicate to cadets that they should not use that word. The Assistant Commandant of Cadets learned about the incident and during the inquiry into this incident, the Company Officer said he used the epithet as part of a “shock and awe” approach. The Company Officer was counseled and given training.
- (10) In October 2017, a second-year cadet (Cadet #13) was providing a tour of the Academy to prospective students and their families. At one point during the tour, Cadet #13 referred to the USCG EAGLE, a ship used for training, as a “slave ship.” One family was offended and reported the incident to the staff member who had invited them. The Academy investigated the incident; Cadet #13 was ultimately found in violation of

²⁴ An Academy official subsequently asked the Superintendent not to disenroll Cadet #12.

²⁵ Good Order and Discipline Notice at 4 (Dates of coverage: April 1-30, 2016).



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a Class II offense (Conduct: unbecoming a cadet), and received 30 demerits and room restriction for 2 weeks.

Our review of documentation indicated only one of these incidents — all of which involved potential race- or ethnicity-based harassment — had been referred to the CRSP, as required.²⁶ In no instance did the command notify the CRD within 30 days of finalized findings and outcomes. We asked Academy officials why civil rights staff were not made aware of these incidents; the Academy provided no answer and instead forwarded our question to CRD. We reviewed these cases with CRD staff, who confirmed the six cases should have been reported to them. A CRD official further explained that their inability to see the full range of incidents at the Academy would prevent them from identifying “red flags” and proactively assisting commands with their racial climate. Because CRD was not aware of these cases, none of these incidents was included in CRD’s data. We only found these cases through interviews and by reviewing internal conduct trackers, investigative documents, and good order and discipline notices.

Civil Rights Staff Were Not Fully Involved in Addressing Potential Hate Incidents

Hate incidents are egregious forms of harassment and have the potential not only to intimidate, but to incite others to behave similarly. The *Civil Rights Manual* describes specific actions Coast Guard officials must take when encountering a hate incident, which are in addition to the harassment procedures described in the previous section. They include, among others:

- *Upon becoming aware of any potential hate incidents in their respective areas of responsibility, Commanders or CRSPs must immediately notify the Director, CRD via their chain of command, and be prepared to provide sufficient information to describe the incident, e.g., photographs, informal statements, etc.*
- *A commander who becomes aware of a hate incident will electronically report the incident within 48 hours to a CSRP....*
- *CRSPs will assist unit commanders in determining if a harassment complaint constitutes a hate incident. Additionally, they shall notify*

²⁶ During the preliminary inquiry for incident (8), the head of the engineering department stated he contacted the CRSP to discuss the incident. However, the CRSP stated the Academy did not notify him of any of these incidents.



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unit commanders if they determine that a harassment complaint constitutes a hate incident but has not been reported as such.

- *...Commanders shall continue to follow up via their CRSP as the situation continues to develop.²⁷*

Of the two potential hate incidents the Academy addressed during the time period we reviewed, one did not involve civil rights staff as fully as required. Specifically:

- (11) In April 2017, the Academy investigated an incident when two second-year cadets (Cadet #14 and Cadet #15) posed in front of a confederate flag and posted the picture on Cadet #14's social media. In his profile picture, Cadet #14 is wearing a Coast Guard uniform. Later in the evening, a classmate approached Cadet #14 and advised him to take down the post because it could be offensive; the cadet did so. By then, other cadets had already seen the post and ultimately reported the incident. During the Academy's investigation of the incident, Cadet #14 said he intended to "make a joke" by taking the picture with the confederate flag in the background.

The Academy investigated the social media posting under AHHI as a hate incident. However, the command did not report it to the Director of CRD immediately; did not report the incident to the CRSP within 48 hours; and did not follow up with the CRSP as it developed further information, as required by procedures for hate incidents. Furthermore, per harassment procedures, the command was required to provide the findings and outcomes of the investigation to the Director of CRD through the CRSP within 30 days, which it did not do. Therefore, this incident was not part of the CRD tracking database for AHHI hate incidents. In addition, because the CRSP was not fully involved, the command proceeded without the benefit of the CRSP's expertise in the harassment process.

Ultimately, the command found hate to be unsubstantiated. However, the command made no finding on whether the posting constituted harassment, which is required even if the allegation of hate is not substantiated.²⁸ In his report, the investigator stated the cadet should have been aware the photo he posted could have the effect of "intimidating or offending people" who followed his Instagram activity — this language mirrors the Coast Guard's own language for the definition of prohibited harassment. The investigator concluded the cadet should

²⁷ COMDTINST M5350.4C, *Civil Rights Manual* at 2-C.6.

²⁸ COMDTINST M5350.4C, *Civil Rights Manual* at 2-C.5.



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be disciplined; however, the Academy did not discipline any of the cadets involved.

In May 2019, the Coast Guard updated its *Civil Rights Manual* to require commands to articulate, in writing, the basis for the determination of whether harassment or hate occurred, and the evidence reviewed to reach the determination, in its reports of findings and outcomes to the CRSP.²⁹ The updated *Civil Rights Manual* also emphasizes that, when hate is not substantiated, the command must consider whether the incident could be considered harassment and whether it should be investigated as such. The *Civil Rights Manual* further emphasizes that, while commands retain decision authority on whether a hate incident occurred and the appropriate response, they must consult the CRSP as well as legal counsel.³⁰ Given the issues we identified with the Academy's handling of several harassment and hate incidents, as well as these recent updates and clarifications to Coast Guard policy, additional training for Academy staff and cadets on how to respond to these types of allegations could ensure the new policies are known and enhance the Academy's ability to better address such incidents in the future.

Race-Based Harassment Is Underreported at the Academy, in Part Because of Concerns about Negative Consequences

In December 2018, we sent a questionnaire to 1,072 cadets; 122 cadets responded.³¹ Respondents indicated they were aware of certain harassing behaviors occurring at the Academy. Although cadets indicated in the questionnaire that they are aware of how to report race-based harassment, they may not do so for various reasons, the most troubling of which is fear of negative consequences.

Cadets Responding to Our Questionnaire Indicated They Understand How to Report Harassment, But May Not Do So Out of Fear of Negative Consequences

All cadets have a military duty to report Class I offenses, including discrimination, they observe or have knowledge of.³² To understand cadets' experiences with racial or ethnicity-based harassment, including their comfort with reporting such behavior, we sent a questionnaire to the entire corps of cadets.

²⁹ COMDTINST M5350.4D, *Civil Rights Manual* at 3-12.i (harassment incidents); and COMDTINST M5350.4D, *Civil Rights Manual* at 3-15.b (hate incidents).

³⁰ COMDTINST M5350.4D, *Civil Rights Manual* at 3-15.c.

³¹ The full results of our questionnaire are included as appendix D to this report. The survey results included in the report represent the experiences and observations of those who responded only, and not of the entire student body.

³² SUPTINST M5215.2M at 231.



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More than 80 percent of the 122 respondents stated they understood how to report race-based harassment at the Academy. However, of the cadets who provided details on their likelihood to report harassing behavior, only 59 percent said they would report it through designated channels. The main influences listed by cadets as affecting whether they would report include:

- the seriousness of the action, as well as the offender’s intent or overall character;
- their ability to address the problem on their own; and
- their assessment of whether they would be negatively affected by the reporting.

Academy policy encourages cadets to try resolving issues themselves, and this policy may result in the reporting influences described in the first two bullets. However, one-third (36 of 108)³³ of the cadets who responded to a question about reporting said their decision to report harassment would be influenced by whether they believed they would be negatively affected by reporting. Similarly, our interviews with cadets and former cadets identified concerns about negative consequences. For example, two individuals we interviewed told us they experienced negative consequences after participating in investigations into potential harassing misconduct. One of the individuals said, after taking part in the investigation of a fellow cadet of the same race, an officer at the Academy counseled the cadet to “support” others of the same race. This cadet also reported facing repercussions and being ostracized for reporting harassment, even after graduation from the Academy. Other cadets we interviewed said cadets know how to report, but will not because of the potential for backlash from the cadet community.

At the Time of Our Review, Race-Based Harassing Behaviors Were Still Occurring at the Academy

Underreporting is especially concerning because, based on our questionnaire results and interviews with cadets and Academy officials, harassing behaviors continue. During our interviews with cadets, they described offensive comments of which they were aware. They explained that, at least on some occasions, they understood the comments were not intended to be offensive. Cadets provided the following examples of behavior or language they had experienced or witnessed:

- cadets called African American cadets “sensitive” because they called out a white cadet for addressing them by saying “what’s up my n***”;

³³ Cadets were not required to answer all questions. Furthermore, some questions were not presented to cadets depending on their prior responses.



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- cadets asked an African American cadet, “Why do you talk so white for a black person”;
- cadets asked Hispanic cadets about drugs and Pablo Escobar;
- cadets heard Company Officers calling each other by slurs in a “friendly” way, such as “chapo”; and
- an African American cadet said a white cadet was feeling “extra white” that day because he was listening to sea shanties.³⁴

Questionnaire responses provide further evidence that these types of behavior continue to occur at the Academy. In the survey, we provided cadets with a list of harassing behaviors and asked whether they were directly or indirectly aware of these behaviors while attending the Academy. Of the 84 cadets who chose to respond to this question, 68 cadets (81 percent of respondents) stated they were aware of the harassing behaviors, including:

- jokes;
- stereotyping;
- microaggressions;
- demeaning comments;
- derogatory epithets or slurs; and
- retaliation for reporting or complaining about derogatory behaviors.

Other surveys also indicate potentially harassing behavior occurs at the Academy. The Academy participates in the Defense Equal Opportunity Management Institute Organizational Climate Survey (DEOCS), a survey used across the Department of Defense to assess organizational effectiveness, equal opportunity, and sexual assault response and prevention.³⁵ We compared cadet DEOCS results from 2017 and 2018 and observed worsening results in race/ethnicity climate-related topics. For example, the percent of cadets who said racial slurs, comments, or jokes were not used on campus *decreased* more than 35 percent between 2017 and 2018. Similarly, an increased percentage of respondents, regardless of race, reported experiencing disparate treatment based on race or ethnicity. Moreover, both the 2017 and 2018 survey results indicate that more than 70 percent of perceived disparate treatment based on race, gender, sexual orientation, or religion goes unreported at the Academy.

³⁴ A sea shanty is a type of work song once commonly sung to accompany labor on board large merchant sailing vessels from at least the 15th century through the first half of the 20th century (such as “Blow the Man Down” and “Drunken Sailor”).

³⁵ At the Academy, DEOCS is administered within 180 days of a new Superintendent assuming command and annually thereafter.



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Although cadets do receive basic equal opportunity training, they do not receive mandatory training on recognizing when they commit harassing behaviors themselves. Those limited number of cadets who receive this type of training receive respect remediation, which is meant to challenge cadets to reflect on their own backgrounds and perceptions. However, respect remediation is not administered proactively to cadets; instead, it is used as a corrective tool *after* a cadet commits an offense that is reported and investigated.

Recommendations

We recommend the Superintendent of the Coast Guard Academy:

Recommendation 1: To the extent feasible, investigate all incidents involving race- or ethnicity-based harassment, documenting investigative actions taken in response to such incidents, including the basis for decisions not to investigate a particular incident.

Recommendation 2: Require the reasons for disciplinary decisions be documented in writing, including the decision not to take disciplinary action, after each investigation of a race- or ethnicity-based harassment incident.

Recommendation 3: Ensure appropriate notification is given to civil rights staff of all alleged misconduct when the nature of the misconduct, regardless of intent, could reasonably relate to race or ethnicity.

Recommendation 4: Provide mandatory training for Academy personnel and cadets involved in investigating incidents of harassment or hate on applicable policies and procedures regarding how to properly handle these incidents.

Recommendation 5: Provide mandatory training to cadets on how to recognize and avoid harassing behaviors.

Management Comments and OIG Analysis

Appendix B contains a copy of Coast Guard's management response in its entirety. We also received technical comments and incorporated them in the report where appropriate. We consider one recommendation closed, and the remaining four recommendations resolved and open. A summary of Coast Guard's responses and our analysis follows.

Coast Guard concurred with all five recommendations, but expressed four specific concerns with the report. The Coast Guard's concerns, as well as our response, are described below.



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1. First, Coast Guard disputed the characterization of the CRSP as having oversight of harassment complaints, and stated the CRSP's role regarding AHHI claims is "limited to civil rights policy guidance and tracking timeliness of command actions." This description minimizes the importance of the CRSP in the Coast Guard's own written policies in ensuring the Academy complies with harassment procedures. The *Civil Rights Manual* states "CRD is responsible for coordinating Coast Guard harassment policy and general oversight of the harassment complaint process...." The CRSP provides this guidance and oversight in the field. Furthermore, the *Civil Rights Manual* states "Civil Rights Detachments are **required** [*emphasis added*] to assist commands, employees, and military members in complying with the[se] procedures...CRSPs are process experts and act as facilitators to ensure that all harassment complaints are handled in a timely manner." These excerpts from Coast Guard's own policy establish the clear role the CRSP and CRD play in providing oversight and ensuring policy compliance.
2. Second, Coast Guard was concerned the draft report did not discuss the role the Office of Inclusion and Diversity (OID) plays in advising the Superintendent on disciplinary issues. Specifically, Coast Guard said the office provides oversight of diversity and inclusion programs at the Academy, recommendations regarding potential disciplinary action against cadets, and advice to the Superintendent on racial climate issues. While accurate, OID's role is not relevant to the Academy's compliance with its policies on addressing harassment incidents. The applicable Coast Guard policy does not include OID as part of the required AHHI process.
3. Third, Coast Guard stated the report was not explicit about the questionnaire's response rate, and infers corps-wide conclusions based on responses from a small number of cadets. This is not accurate; the report specifically describes feedback as coming from those who chose to participate only. For example, the report states "Cadets responding to our questionnaire indicated they understand how to report harassment, but may not so do out of fear of negative consequences." The report also includes the number of respondents throughout this section and in appendix D, which contains the full results and specific response rates for each question. The report does not extrapolate any result to the entire student body. However, we added clarifying language in the body of the report to reinforce this.
4. Finally, Coast Guard raised questions about the criteria underlying conclusions the draft report purportedly reaches regarding the thoroughness of some investigations and the appropriateness of



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particular disciplinary actions. In assessing whether an investigation was sufficiently thorough, we relied on the following criteria: 1) whether an investigation occurred at all, and 2) whether investigators were permitted to explore all relevant topics and leads in conducting their investigations. These criteria were not met in the instances where we call into question the thoroughness of the investigation. Regarding disciplinary action, contrary to Coast Guard's assertion, the report does not pass judgment on the appropriateness of particular disciplinary actions; it simply points out whether cadets were disciplined, and if so, what the disciplinary actions were.

A summary of Coast Guard's responses to the recommendations and our analysis follows.

Coast Guard Response to Recommendation 1: Coast Guard concurred with the recommendation. Coast Guard requires commanding officers to investigate all incidents involving race- or ethnicity-based harassment. A May 2019 update to the *Civil Rights Manual* now also requires commanding officers to "articulate, in writing, the basis for the determination of whether harassment and/or bullying occurred, and the evidence reviewed to reach the determination."

OIG Analysis: We consider this action responsive to the intent of the recommendation, which is resolved and closed. We note that although commanding officers have always been required to investigate all incidents involving race- or ethnicity-based harassment, this was not always done. It is our expectation that a written explanation of investigative actions taken in response to harassing misconduct will improve accountability in this area.

Coast Guard Response to Recommendation 2: Coast Guard concurred with the recommendation. Coast Guard referenced the May 2019 updated policy requiring documentation of investigative actions taken in response to harassment, as well as a subsequent update requiring the memorandum documenting these actions be provided to the next level in the chain of command. Coast Guard is in the process of updating its policies to require written documentation of the reasons for no administrative or disciplinary action in cases where harassment is substantiated. Coast Guard anticipates completion by December 31, 2020.

OIG Analysis: We consider this action responsive to the intent of the recommendation, which is resolved and open. We anticipate closing this recommendation when we receive the updated policy requiring written documentation of the reasons for no administrative or disciplinary action in cases where harassment is substantiated.



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Coast Guard Response to Recommendation 3: Coast Guard concurred with the recommendation. Coast Guard policy already requires commanding officers to notify the local CRSP upon notification of a complaint of prohibited harassment. Coast Guard is also updating training courses for anti-harassment and hate incident investigations for Commanding Officers, Officers in Charge, and individuals assigned as Investigating Officers. Coast Guard asked for the recommendation to be considered resolved and closed.

OIG Analysis: We consider this action partially responsive to our recommendation, which is resolved and open. Our concern remains that commands are incorrectly identifying which cases should prompt anti-harassment and hate procedures. We anticipate closing the recommendation when the Academy has a process to inform the CRSP of alleged misconduct that could reasonably relate to race or ethnicity early enough so cases are properly identified and the anti-harassment and hate processes are implemented consistently.

Coast Guard Response to Recommendation 4: Coast Guard concurred with the recommendation. Coast Guard is considering ways to improve and update investigator training, and to provide investigators the necessary tools to ensure they appropriately investigate incidents. Coast Guard anticipates completion by December 31, 2020.

OIG Analysis: We consider this action responsive to our recommendation, which is resolved and open. We anticipate closing this recommendation when we receive documentation of the updated training and the process by which this training will be provided to individuals involved in investigating harassment or hate incidents.

Coast Guard Response to Recommendation 5: Coast Guard concurred with the recommendation. Coast Guard provides civil rights awareness training; sexual assault awareness and prevention training; initial core values training; and, if needed, core values remediation training. Cadets also receive Bystander Intervention training at various points during the 200-week training program, which empowers cadets to intervene if they see, among other problematic behaviors, sexual harassment.

OIG Analysis: We consider this action responsive to our recommendation, which is resolved and open. The intent of the recommendation is to increase cadets' awareness of offensive and inappropriate behavior regarding race and ethnicity. The documentation provided does not show training material that is preventative in nature. We will close this recommendation when we receive documentation of mandatory training for cadets that teaches them to recognize when they or their peers commit harassing behaviors.



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Appendix A

Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

We reviewed whether the Academy has effective processes for reporting, investigating, and taking corrective action in response to allegations of race- or ethnicity-based harassment.

Review of Harassment Allegations

As described in the body of the report, the Academy uses two channels to address potential misconduct that could involve discrimination or harassment. We requested information from several sources to identify possible incidents of harassment or discrimination at the Academy from 2013 to 2018. Specifically we requested and reviewed:

- documentation for all harassment and discrimination cases;
- a list of all harassment and discrimination complaints;
- the Academy's conduct tracker, which catalogs all Class I investigations, for all years in our scope; and
- Good Order and Discipline Notices published by the Academy.

We interviewed past and present Academy leadership, including the Superintendent, the Commandant of Cadets, the Assistant Commandant of Cadets, the Regimental Officer, legal counsel, and staff, including Company Officers and Chiefs. We also spoke with cadets involved in diversity and inclusion efforts on campus. We asked most of these interviewees if they were aware of any possible harassment incidents.

Cadet Survey

We administered a questionnaire to all 1,072 cadets at the Academy, providing them an opportunity to describe:

- their knowledge of and adherence to procedures and processes in place to respond to harassment or discrimination based on race or ethnicity;
- the Academy's climate, i.e., the prevailing effect of conditions relating to race and ethnicity on cadet life, activities, and education at the Academy; and
- their experiences with racial or ethnicity-based harassment and discrimination.



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We asked cadets to focus on incidents during their time as a cadet at the Academy, including both on and off campus. The full results of our questionnaire are included as appendix D.

We conducted this review under the authority of the *Inspector General Act of 1978*, as amended, and according to the *Quality Standards for Inspection and Evaluation* issued by the Council of the Inspectors General on Integrity and Efficiency.



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Appendix B
Coast Guard Comments to the Draft Report

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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7500
10 APR 2020

MEMORANDUM

From: T. G. Allan Jr., RDML
COMDT (CG-8)

T. G. Allan Jr.
RDML
10 APR 2020

Reply to: Audit Liaison
Attn of: CDR I. L. Callander
(202) 372-3535

To: Joseph V. Cuffari, Ph.D.
Inspector General

Subj: DHS OIG DRAFT REPORT: "THE U.S. COAST GUARD ACADEMY MUST TAKE ADDITIONAL STEPS TO BETTER ADDRESS ALLEGATIONS OF RACE-BASED HARASSMENT AND PREVENT SUCH HARASSMENT ON CAMPUS"

Ref: (a) OIG Project No. 18-100-ISP-USCG

1. Thank you for the opportunity to comment on this draft report. The Coast Guard (USCG) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.
2. Since the announcement of OIG's review in June 2018, the Office of the Judge Advocate General and Chief Counsel, together with the Civil Rights Directorate, have implemented new interim policy governing the investigative process and redefining the criteria and process for Anti-Harassment/Hate Incidents (AHHI) reporting and investigations. These already effective policy changes were issued through service-wide communications and will also be incorporated within the text of the relevant policy manuals once those manuals are re-published.
3. The draft report contained five recommendations, with which USCG concurs. Attached find our detailed response to each recommendation. Technical comments, reflecting significant concerns with several aspects of the report, were previously submitted under a separate cover for OIG's consideration.
4. We appreciate OIG's efforts to recommend areas where the Coast Guard Academy can also align with the constructive recommendations provided by the "Righting the Ship" majority staff report released December 2019 by the House Committee on Oversight and Reform and the House Committee on Homeland Security. To date, an interdisciplinary working group, comprised of senior staff leadership, has been drafting updates to policies, developing training resources, and updating job aids and reference guides for field commanders to address deficiencies and further support effective personnel policies and the positive environment that cultivate, foster, and underpin a ready workforce.
5. The USCG remains concerned about the draft report's characterization of the role of the Civil Rights Service Provider (CRSP) as the entity responsible for "oversight" of harassment complaints. Rather, the CRSP's role as it relates to AHHI claims is limited to civil rights policy guidance and tracking timeliness of command actions. Additionally, the draft report does not fully acknowledge the unique role of the Office of Inclusion and Diversity, which provides oversight of diversity and inclusion programs at the Academy, recommendations regarding potential disciplinary action against cadets, and advice to the Superintendent on racial climate issues. The draft report also infers Corps of Cadets wide conclusions based upon responses to a survey and interviews with a



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SUBJ: DHS OIG DRAFT REPORT: "THE U.S. COAST GUARD ACADEMY MUST TAKE ADDITIONAL STEPS TO BETTER ADDRESS ALLEGATIONS OF RACE-BASED HARASSMENT AND PREVENT SUCH HARASSMENT ON CAMPUS" 7500
10 APR 2020

small percentage of cadets without acknowledgement that the summary statistics presented may or may not be a representative sample of the surveyed population. Finally, the draft report makes clear that the OIG believes that the Academy did not thoroughly investigate harassment allegations and did not adequately discipline cadets for violating Coast Guard policies. The standard for investigations and discipline against which the OIG is judging the Academy is not stated; without this information the USCG will not be able to best leverage this report to improve its processes.

6. If you have any questions, my point of contact is CDR Ian Callander who can be reached at 202-372-3535.

#

Enclosure: USCG Response to OIG Draft Report Recommendations on Allegations of Racial Discrimination and Inadequate Action at the United States Coast Guard Academy



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THE U.S. COAST GUARD ACADEMY MUST TAKE ADDITIONAL STEPS TO BETTER ADDRESS ALLEGATIONS OF RACE-BASED HARASSMENT AND PREVENT SUCH HARASSMENT ON CAMPUS OIG Project No. 18-100-ISP-USCG

Recommendation 1: To the extent feasible, investigate all incidents involving race- or ethnicity-based harassment, documenting investigative actions taken in response to such incidents, including the basis for decisions not to investigate a particular incident.

Response: Concur. By policy, the USCG requires commanding officers to investigate all incidents involving race- or ethnicity-based harassment. The U.S. Coast Guard Civil Rights Manual, COMDTINST M5350.4D, dictates how Coast Guard Commanding Officers and Officers-in-Charge (CO/OIC), including those at the Coast Guard Academy, must respond to complaints of prohibited harassment. Specifically, it requires that CO/OICs:

- Acknowledge the receipt of a complaint of prohibited harassment and ensure the safety of the aggrieved party;
- Notify the local CRSP of the report;
- Notify the Coast Guard Investigative Service (CGIS), if criminal behavior is suspected (e.g., workplace violence, threatening behavior, felony-level misconduct);
- Advise the aggrieved party that filing the harassment complaint does not replace the Equal Employment Opportunity or Equal Opportunity complaint process, negotiated grievance procedures, Equal Employment Opportunity Commission or Merit Systems Protection Board appeal, or other statutory grievance procedure;
- Respect the confidentiality of individuals reporting harassment and take appropriate measures to prevent reprisals;
- If CGIS does not initiate a criminal investigation, immediately conduct an informal investigation, preliminary inquiry, or formal investigation in accordance with Administrative Investigations Manual COMDTINST M5830.1A;
- Articulate, in writing, the basis for the determination of whether harassment and/or bullying occurred, and the evidence reviewed to reach the determination [note that this requirement went into effect after 2018, the period of review of this report, via Administrative Change Notice (ACN) 012/19];
- If an investigation substantiates prohibited harassment, initiate disciplinary action applicable to the category of employee (e.g., the Uniform Code of Military Justice for military member and Human Resources procedures for civilian employees);
- Report the findings and outcomes via Final Action Memorandum through the local CRSP no later than 30 days from the date the incident was reported; and
- Notify the aggrieved party of the disposition of the investigation and whether corrective action was taken without disclosing the specific nature of any adverse employment action.

USCG policy requires COs/OICs to investigate all allegations of race or ethnicity-based harassment. The scope of each investigation is determined by the severity of the allegation alleged. Additionally, the Commanding Officer and Officer in Charge, and other leadership formal training course syllabi are being adjusted to place further emphasis on Civil Rights and Anti-Harassment and Hate Incident policies and procedures. We request the OIG consider this recommendation resolved and closed as implemented.

Recommendation 2: Require the reasons for disciplinary decisions be documented in writing, including the decision not to take disciplinary action, after each investigation of a race- or ethnicity-based harassment incident.

Enclosure (1)



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Response: Concur. COMDTINST M5350.4D requires CO/OICs to document the reasons for findings and outcomes in response to harassment and bullying complaints and articulate, in writing, the basis for the determination of whether prohibited behavior occurred, and the evidence reviewed to reach that determination. If prohibited behavior is substantiated by the documented investigation, then the command will pursue appropriate disciplinary or administrative action, as determined based on the circumstances. If harassment or bullying is not substantiated by the documented investigation, then no administrative or disciplinary action is taken. In all cases, appropriate notifications are made to all parties concerned regarding the results of the investigation. This manual also requires the CO/OICs to forward that memorandum to the next superior commander in their chain (see ACN 012/19). Should the superior commander have questions or concerns about the commander's actions, he or she may discuss the matter with the subordinate commander or withhold the case to his or her level for appropriate action.

As part of the USCG's response to the House Committees on Oversight and Reform Committee on Homeland Security "Righting the Ship" report, the Coast Guard is in the process of updating COMDTINST M5350.4D to require commanders to provide the investigative report to the superior commander as well, in addition to the findings and outcomes memo. As part of this process, the Coast Guard will require the final action authority to document in writing their decision to take no administrative or disciplinary action in cases where the final action authority substantiates that harassment or bullying occurred. Estimated Completion Date (ECD): December 31, 2020.

Recommendation 3: Ensure appropriate notification is given to civil rights staff of all alleged misconduct when the nature of the misconduct, regardless of intent, could reasonably relate to race or ethnicity.

Response: Concur. COMDTINST M5350.4D already requires CO/OICs to notify the local CRSP and/or the Regional Director having jurisdiction over the complainant's geographical location upon receipt of notification of a complaint of prohibited harassment. Updates to training courses and resources for Anti-Harassment and Hate Incident investigations and job aids are underway for Commanding Officers, Officers in Charge, and individuals assigned as the Investigating Officer. We request the OIG consider this recommendation resolved and closed as implemented.

Recommendation 4: Provide mandatory training for Academy personnel and cadets involved in investigating incidents of harassment or hate on applicable policies and procedures regarding how to properly handle these incidents.

Response: Concur. The USCG is committed to ensuring that Investigating Officers have appropriate training to investigate reported incidents of harassment or hate. As part of the USCG's response to the joint committee majority report issued by House Committee on Oversight and Reform and the House Committee on Homeland Security report in December 2019, the USCG convened a working group to review the majority's recommendations and to implement them to the maximum extent practicable, consistent with operational demands and logistical constraints of the Service. At the Commandant's direction, this working group is considering ways to improve and update investigator training, and to provide investigators the necessary tools to ensure that they appropriately investigate those incidents to which they are assigned. ECD: December 31, 2020.

Enclosure (1)



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Recommendation 5: Provide mandatory training to cadets on how to recognize and avoid harassing behaviors.

Response: Concur. The Coast Guard Academy provides several categories of mandatory training intended to help cadets learn and live the Coast Guard Core Values of honor, respect, and devotion to duty. These include Coast Guard (1) civil rights awareness training; (2) sexual assault awareness and prevention training; (3) initial core values training, and, if needed; (4) core values remediation training. Cadets also receive Bystander Intervention training at various points during the 200-week training program, which empowers cadets to intervene if they see, among other problematic behaviors, sexual harassment.

Cadets receive Civil Rights Awareness Training in accordance with COMDTINST M5350.4D, which requires the training to be conducted at the Academy within 120 calendar days of accession and provides information to cadets on the discrimination complaint process, contact information for the local CRSP, and employees' rights and responsibilities during the EEO/EO complaint process. We will continue to emphasize at Civil Rights Training that harassing behaviors are counter to the Coast Guard's Core Value of Respect and is not tolerated, and all allegations of such behaviors are taken seriously and acted upon swiftly.

We request the OIG consider this recommendation resolved and closed as implemented.

Enclosure (1)



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Appendix C
DHS OIG’s Previous Whistleblower Retaliation Report

In December 2018, our office released a whistleblower retaliation report regarding alleged reprisal against a Lieutenant Commander stationed at the Academy.³⁶ Our office’s investigation substantiated the Lieutenant Commander’s claim that she was retaliated against after making discrimination and harassment complaints against her superiors. While this report and the whistleblower retaliation report generally address two different discrimination processes (the Coast Guard Academy’s internal discrimination process and the Military Equal Opportunity discrimination process, respectively), we found similar issues in both, as described in the following paragraphs.

Lack of Thorough Investigations

Pages 8–10 of this report contain examples of harassment allegations that were not investigated thoroughly. For example, the report describes one allegation in which a cadet used a racially insensitive term for his breakfast order. After a preliminary inquiry, the investigator recommended further investigative proceedings to obtain complete statements from the subjects, but the Academy did not do so.

The whistleblower retaliation report describes a similar example in which, after a preliminary inquiry, an Academy official recommended a full administrative investigation of the complainant’s allegation. Instead, the Academy conducted a general climate and culture investigation, which was relatively superficial and did not address the complainant’s particular situation.

Lack of Documentation

Pages 8–10 of this report describes incidents in which cadets were not disciplined, including cases when the investigator recommended further action, but we could not determine why because Academy policy does not require Coast Guard officials to document their basis for disciplinary decisions.

The whistleblower retaliation report found similar issues, in that while the *Civil Rights Manual* requires commanders to report “findings and outcomes” to CRD for harassment complaints, it does not specify any level of detail for the reasons for these findings and outcomes. The report stated, “[There] should be some written record explaining the basis for a commanding officer’s conclusion, particularly where it appears inconsistent with an investigator’s findings,” and recommended the Secretary direct the Coast Guard require commanding officers document in writing the reasons for their determinations, both when substantiating and unsubstantiating allegations.

³⁶ Department of Homeland Security Office of Inspector General, “Whistleblower Retaliation Report of Investigation,” Case Number: W17-USCG-WPU-16018, December 4, 2018
www.oig.dhs.gov



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Retaliation

Page 16 of this report describes how one-third of questionnaire respondents reported their decision to report harassing behaviors would be influenced by their assessment of whether they would be negatively affected by the reporting. The report also describes how individuals at the Academy told us they experienced negative consequences after participating in the harassment process.

Similarly, the whistleblower retaliation report substantiated the complainant's claim that she was retaliated against on the basis of her discrimination and harassment complaints, and that the Coast Guard subjected the complainant to additional harassment and retaliatory actions after she filed the complaints.



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Appendix D Questionnaire Results

Of the 1,072 cadets who received the questionnaire, 122 cadets responded.³⁷ In some instances, we directed individuals to different questions based on their responses. In other instances, cadets may have chosen not to respond to certain questions. We indicate, where possible, when the total number of respondents was less than 122. Due to rounding, the sum of percents included in the following tables may not total 100 percent for all questions.

Policies and Processes

In this part of the questionnaire, we asked cadets about their knowledge of processes to respond to, and remedy, discriminatory or harassing behaviors, as well as their potential responses if faced with these behaviors.

Question	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Prefer not to answer
I understand what constitutes race and/or ethnicity-based <i>discrimination</i> according to Academy policy	0	4 3%	4 3%	67 55%	46 38%	1 1%
I understand what constitutes race and/or ethnicity-based <i>harassment</i> according to Academy policy	0	7 6%	9 7%	61 50%	44 36%	1 1%
I understand what actions and speech are permissible while <i>on campus</i>	3 2%	6 5%	4 3%	59 48%	49 40%	1 1%
I understand what actions and speech are permissible while <i>off campus</i>	4 3%	6 5%	6 5%	60 49%	45 37%	1 1%
I understand how to report race and/or ethnicity-based <i>discrimination</i> at the Academy	3 2%	9 7%	12 10%	55 45%	42 34%	1 1%
I understand how to report race and/or ethnicity-based <i>harassment</i> at the Academy	3 2%	8 7%	10 8%	59 48%	41 34%	1 1%

³⁷ We collected demographic information from respondents, including class year, race, and ethnicity. We do not publish these results because the small number of responses reduces the anonymity of minority respondents.



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I would most likely report the disparate treatment on the basis of race and/or ethnicity to:³⁸

Reporting channel (120 respondents)	# of respondents	% of respondents
Office of Superintendent	8	7
Commandant of Cadets	12	10
Company Officers or Company Chiefs	66	55
Cadet Training	9	8
Academy Office of Civil Rights	46	38
Academy Staff Judge Advocate or other Coast Guard Attorney	7	6
Coast Guard Civil Rights Directorate	24	20
Office of Diversity and Inclusion	61	51
Inclusive Excellence Council (IEC)	8	7
Leadership and Diversity Advisory Council (LDAC)	13	11
Diversity Peer Educators	54	45
Diversity Council presidents and staff advisors	36	30
Professors	32	27
Company leaders	67	56
Fellow cadets	62	52
Another person/entity not listed: <ul style="list-style-type: none"> • Family • Close friends • Chaplains • Mentors • Media 	5	4

Question (116 respondents)	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Prefer not to answer
If I feel I am being subjected to treatment different from other cadets on the basis of my race/ethnicity, I would report it through designated channels	9 8%	19 16%	18 16%	45 39%	23 20%	2 2%

If I *experienced* this treatment, the primary influences on my decision whether to report it would be:³⁹

Primary influence (108 respondents)	# of respondents	% of respondents
My uncertainty over how to report	10	9
The amount of effort it takes to report	23	21
The likelihood my complaint would be taken seriously	31	29
The offender's overall character	37	34

³⁸ Cadets were asked to select all that apply; totals may exceed 100 percent of respondents.

³⁹ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.



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Primary influence (108 respondents)	# of respondents	% of respondents
The seriousness of the action	76	70
The offender's intent	69	64
The fairness of the potential punishment in comparison to the action	31	29
My ability to address the problem on my own	58	54
My assessment of whether I will be negatively affected by using the process	36	33
My assessment of whether my leadership will support my decision	11	10
The likelihood that someone else will report	7	6
Whether the action took place off campus and/or off-duty	9	8
The likelihood that a person in authority already knows about the action	11	10
Other factor(s) not listed above: <ul style="list-style-type: none"> • <i>Lack of diversity in staff and faculty</i> • <i>No representation in the individuals to report misconduct to</i> • <i>The Academy's past leniency in discipline in response to race-based misconduct</i> 	2	2

Question (112 respondents)	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Prefer not to answer
If I <i>witnessed</i> a cadet being treated differently from other cadets on the basis of their race/ethnicity, I would report it through designated channels	1 1%	7 6%	16 14%	52 46%	35 31%	1 1%

If I *witnessed* this treatment, the primary influences on my decision whether to report it would be:⁴⁰

Primary influence (109 respondents)	# of respondents	% of respondents
My uncertainty over how to report	9	8
The amount of effort it takes to report	14	13
The likelihood my complaint would be taken seriously	25	23
The offender's overall character	31	28
The seriousness of the action	79	72
The offender's intent	60	55
The fairness of the potential punishment in comparison to the action	31	28
My ability to address the problem on my own	58	53
My assessment of whether I will be negatively affected by using the process	18	17
My assessment of whether my leadership will support my decision	16	15
The likelihood that someone else will report	22	20
Whether the action took place off campus and/or off-duty	8	7
The likelihood that a person in authority already knows about the action	9	8

⁴⁰ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.
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Primary influence (109 respondents)	# of respondents	% of respondents
Other factor(s) not listed above: <ul style="list-style-type: none"> • <i>The desire of the victim to report the incident</i> • <i>My own understanding of what constitutes disparate treatment</i> • <i>My own lack of understanding from a cultural aspect why the victim believed they were treated differently</i> 	5	5

Question (107 respondents)	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Prefer not to answer
If I <i>became aware</i> of a cadet being treated differently from other cadets on the basis of their race/ethnicity, I would report it through designated channels	1 1%	10 9%	19 18%	43 40%	32 30%	2 2%

If I *became aware* of this treatment, the primary influences on my decision whether to report it would be:⁴¹

Primary influence (100 respondents)	# of respondents	% of respondents
My uncertainty over how to report	3	3
The amount of effort it takes to report	16	16
The likelihood my complaint would be taken seriously	21	21
The offender's overall character	35	35
The seriousness of the action	71	71
The offender's intent	53	53
The fairness of the potential punishment in comparison to the action	22	22
My ability to address the problem on my own	49	49
My assessment of whether I will be negatively affected by using the process	12	12
My assessment of whether my leadership will support my decision	14	14
The likelihood that someone else will report	23	23
Whether the action took place off campus and/or off-duty	7	7
The likelihood that a person in authority already knows about the action	18	18
Other factor(s) not listed above	1	1

⁴¹ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.
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General Climate

In this part of the questionnaire, we asked cadets to answer using a broad perspective regarding the Academy’s climate, i.e., the prevailing effect of conditions relating to race and ethnicity in cadet life, activities, and education at the Academy.

Question (106 respondents)	Positively	Not at all	Negatively	Prefer not to answer
The Academy’s climate relating to race and ethnicity impacts my academic work	25 24%	67 63%	9 8%	5 5%
The Academy’s climate relating to race and ethnicity impacts my preparation to become an officer in the United States Coast Guard	48 45%	39 37%	15 14%	4 4%
The Academy’s climate relating to race and ethnicity impacts my extracurricular or social activities	31 29%	62 58%	10 9%	3 3%
The Academy’s climate relating to race and ethnicity impacts my opinion about the Academy	35 33%	32 30%	29 27%	10 9%

Question (102 respondents)	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Prefer not to answer
My fellow cadets help maintain an inclusive racial and ethnic climate	3 3%	8 8%	15 15%	43 42%	31 30%	2 2%
The faculty and staff help maintain an inclusive racial and ethnic climate	1 1%	3 3%	18 18%	40 39%	38 37%	2 2%
The company command structure helps maintain an inclusive racial and ethnic climate	4 4%	7 7%	19 19%	36 35%	34 33%	2 2%
The Academy’s overall climate relating to race and ethnicity has improved <i>since I arrived on campus</i>	6 6%	17 17%	46 45%	17 17%	13 13%	3 3%
I do not see any issues with the climate at the Academy	15 15%	25 25%	14 14%	26 25%	20 20%	2 2%
I believe the media has accurately represented these issues at the Academy	36 35%	26 25%	20 20%	11 11%	6 6%	3 3%
I believe I can engage my fellow cadets in conversations on issues related to race or ethnicity without suffering consequences	11 11%	13 13%	17 17%	35 34%	25 25%	1 1%
My fellow cadets are culturally sensitive	6 6%	15 15%	21 21%	35 34%	24 24%	1 1%
I believe all cadets have the same experience at the Academy regardless of their race or ethnicity	22 22%	30 29%	20 20%	12 12%	16 16%	2 2%



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We presented a list of behaviors that, if present, may affect the climate at the Academy. We asked cadets to select any behavior they were directly or indirectly aware of *while attending the Academy*, regardless of whether the communication or activity was directed at them personally.⁴²

We further explained selecting a behavior means they have seen it happen or are aware of it happening to a cadet they knew personally. Not selecting a behavior does not mean they believe it never happens. We also asked them not to include behaviors they only know about through media reports.

Behavior (78 respondents selected at least one choice)	# of respondents	% of respondents
Jokes about a certain race/ethnicity	57	73
Demeaning comments about a certain race/ethnicity	31	40
Stereotyping based on race/ethnicity	48	62
Microaggressions toward people of a certain race or ethnicity (i.e., everyday verbal, nonverbal, and environmental slights, snubs or insults, whether intentional or unintentional, that communicate negative messages about people of a certain race or ethnicity)	37	47
Derogatory epithets or slurs used to describe an individual or group of individuals belonging to a certain race/ethnicity	13	17
Derogatory epithets or slurs related to a certain race/ethnicity used in the context of reciting or describing popular media, e.g., music or film	17	22
Excluding a cadet from a beneficial action/activity because of his or her race/ethnicity ⁴³	6	8
Targeting a cadet for a detrimental action/activity because of his or her race/ethnicity	9	12
Retaliation for reporting or complaining about derogatory behaviors toward a race/ethnicity	16	21
Pressure, including threats, to not report derogatory behaviors toward a race/ethnicity	5	6
Other type of communication or activity that is not listed above: <ul style="list-style-type: none"> • <i>Being questioned why they would report a classmate</i> 	3	4

Question (98 respondents)	Never – I am not aware of these types of behaviors	Once or twice per year	Three or four times per year	Five or six times per year	More than six times per year	Prefer not to answer
How often have you been aware of the behaviors described in the previous question <i>while attending the Academy</i> ?	16 16%	28 29%	19 19%	9 9%	12 12%	14 14%

⁴² Cadets were asked to select all that apply; totals may exceed 100 percent of respondents.

⁴³ One respondent stated white cadets, especially males, have fewer opportunities than minority cadets. The respondent stated the Academy has implemented programs to support minority students that creates inequality to the detriment of white cadets, such as mentorship and the ability to form affinity councils.



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Experiences and Observations

In this part of the questionnaire, we asked cadets about discriminatory behaviors they personally experienced or may have been aware of as a cadet while at the Academy.

Question (98 respondents)	Agree	Disagree	Prefer not to answer
Since I arrived on campus, I believe I have been discriminated against on the basis of my race or ethnicity	16 16%	72 74%	10 10%

Those who agreed were directed to the following questions:

Question (16 respondents)	Once or twice per year	Three or four times per year	Five or six times per year	More than six times per year	Prefer not to answer
How often do you believe you have been discriminated against on the basis of your race or ethnicity?	7 44%	5 31%	1 6%	1 6%	2 13%

Question (16 respondents)	I reported them all	I reported only some of them	I did not report any of them	Prefer not to answer
Which best describes your reporting of the discriminatory incident(s)?	0 0%	2 13%	13 81%	1 6%

Those who reported some of the incidents were directed to the following series of questions:

When I chose to report the discriminatory incident(s), I reported it to:⁴⁴

Reporting channel (2 respondents)	# of respondents	% of respondents
Office of Superintendent		
Commandant of Cadets		
Company Officers or Company Chiefs		
Cadet Training		
Academy Office of Civil Rights		
Academy Staff Judge Advocate or other Coast Guard Attorney		
Coast Guard Civil Rights Directorate		
Office of Diversity and Inclusion	1	50
Inclusive Excellence Council (IEC)		
Leadership and Diversity Advisory Council (LDAC)		
Diversity Peer Educators		
Diversity Council presidents and staff advisors		
Professors		

⁴⁴ Cadets were asked to select all that apply; totals may exceed 100 percent of respondents.



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Reporting channel (2 respondents)	# of respondents	% of respondents
Company leaders	1	50
Fellow cadets	1	50
Another person/entity not listed		

What was the outcome of your report?

- *Allegation was taken forward and addressed; individuals were disciplined*
- *Individual collecting the report questioned why the individual was reporting; delayed feedback on any responsive actions*

The primary reason(s) that I did not report all the discriminatory incidents at that time were:⁴⁵

Primary influence (2 respondents)	# of respondents	% of respondents
I did not realize I was being discriminated against at that time	1	50
My uncertainty over how to report		
The likelihood my complaint would be taken seriously	2	100
The amount of effort it would have taken to report	1	50
The offender's overall character		
The seriousness of the action	1	50
The offender's intent		
The fairness of the potential punishment in comparison to the action	1	50
My ability to address the problem on my own		
I was concerned about confidentiality		
I believed reporting would negatively affect my studies at the Academy		
I believed reporting would negatively affect my career in the Coast Guard	1	50
I did not believe leadership would support my decision	1	50
The likelihood that someone else would report		
Whether the action took place off campus and/or off-duty		
The likelihood that a person in authority already knew about the action		
Other factor(s) not listed above [Drop Down]		
I do not know how to answer this question		

⁴⁵ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.
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Those who reported none of the incidents were directed to the following question:

The primary reason(s) I did not report being discriminated against *at that time* were:⁴⁶

Primary influence (13 respondents)	# of respondents	% of respondents
I did not realize I was being discriminated against at that time	2	15
My uncertainty over how to report	1	8
The likelihood my complaint would be taken seriously	7	54
The amount of effort it would have taken to report	3	23
The offender's overall character	2	15
The seriousness of the action	3	23
The offender's intent	2	15
The fairness of the potential punishment in comparison to the action	1	8
My ability to address the problem on my own	1	8
I was concerned about confidentiality	4	31
I believed reporting would negatively affect my studies at the Academy	4	31
I believed reporting would negatively affect my career in the Coast Guard	6	46
I did not believe leadership would support my decision	6	46
The likelihood that someone else would report		
Whether the action took place off campus and/or off-duty		
The likelihood that a person in authority already knew about the action		
Other factor(s) not listed above: <ul style="list-style-type: none"> • I did not think the media or command would consider the behavior discrimination because it was toward a white cadet • It was not a big deal; I had tough skin and moved on 	2	15

In this part of the questionnaire, we asked cadets about discriminatory or harassing behaviors they personally experienced or may have been aware of as a cadet while at the Academy.

Question (98 respondents)	Agree	Disagree	Prefer not to answer
Since I arrived on campus, I believe that I have been harassed on the basis of my race or ethnicity	8 8%	84 86%	6 6%

Those who agreed were directed to the following questions:

Question (8 respondents)	Once or twice per year	Three or four times per year	Five or six times per year	More than six times per year	Prefer not to answer
How often do you believe you have been harassed on the basis of your race or ethnicity?	5 63%	2 25%	0	0	1 13%

⁴⁶ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.
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Question	I reported them all	I reported only some of them	I did not report any of them	Prefer not to answer
Which best describes your reporting of the harassment incident(s)?	0	1 13%	5 63%	2 25%

Those who reported some of the incidents were directed to the following series of questions:

When I chose to report the harassment, I reported it to:⁴⁷

Reporting channel (1 respondent)	# of respondents	% of respondents
Office of Superintendent		
Commandant of Cadets		
Company Officers or Company Chiefs		
Cadet Training		
Academy Office of Civil Rights		
Academy Staff Judge Advocate or other Coast Guard Attorney		
Coast Guard Civil Rights Directorate		
Office of Diversity and Inclusion		
Inclusive Excellence Council (IEC)		
Leadership and Diversity Advisory Council (LDAC)		
Diversity Peer Educators		
Diversity Council presidents and staff advisors		
Professors		
Company leaders		
Fellow cadets	1	100
Another person/entity not listed		

What was the outcome of your report?

- *Allegation was elevated and addressed; individuals were disciplined*

The primary reason(s) *at that time* that I did not report all the harassment incidents were:⁴⁸

Primary influence	# of respondents	% of respondents
I did not realize I was being harassed at that time	1	100
My uncertainty over how to report		
The likelihood my complaint would be taken seriously	1	100
The amount of effort it would have taken to report	1	100
The offender's overall character		
The seriousness of the action		
The offender's intent		

⁴⁷ Cadets were asked to select all that apply; totals may exceed 100 percent of respondents.

⁴⁸ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.



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Primary influence	# of respondents	% of respondents
The fairness of the potential punishment in comparison to the action		
My ability to address the problem on my own		
I was concerned about confidentiality		
I believed reporting would negatively affect my studies at the Academy	1	100
I believed reporting would negatively affect my career in the Coast Guard	1	100
I did not believe leadership would support my decision		
The likelihood that someone else would report		
Whether the action took place off campus and/or off-duty		
The likelihood that a person in authority already knew about the action		
Other factor(s) not listed above [Drop Down]		
I do not know how to answer this question		

Those who reported none of the incidents were directed to the following question:

The primary reason(s) I did not report being harassed *at that time* were:⁴⁹

Primary influence (5 respondents)	# of respondents	% of respondents
I did not realize I was being harassed at that time	2	40
My uncertainty over how to report		
The likelihood my complaint would be taken seriously	2	40
The amount of effort it would have taken to report	1	20
The offender's overall character	1	20
The seriousness of the action	2	40
The offender's intent	1	20
The fairness of the potential punishment in comparison to the action		
My ability to address the problem on my own		
I was concerned about confidentiality	2	40
I believed reporting would negatively affect my studies at the Academy	1	20
I believed reporting would negatively affect my career in the Coast Guard	1	20
I did not believe leadership would support my decision	2	40
The likelihood that someone else would report		
Whether the action took place off campus and/or off-duty		
The likelihood that a person in authority already knew about the action		
Other factor(s) not listed above		
I do not know how to answer this question		

⁴⁹ Cadets were asked to select up to five choices; totals may exceed 100 percent of respondents.
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Appendix E
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