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FM COMDT COGARD WASHINGTON DC  
TO ALCOAST

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ALCOAST 208/14

COMDTNOTE 5800

SUBJ: MILITARY WHISTLEBLOWER PROTECTION

A. Section 1709, National Defense Authorization Act for Fiscal Year 2014, Pub. L. No. 113-66

B. Discipline and Conduct, COMDTINST M1600.2 (series)

1. In order to maintain the integrity of our service, no Coast Guard member should feel threatened because he or she reported criminal activity. The service expects its members to demonstrate moral courage when faced with an adverse situation. Retribution against Coast Guard personnel who report a criminal offense undermines the military justice system and erodes good order and discipline.

2. In accordance with reference (a), Coast Guard personnel shall not retaliate against an alleged victim or other member of the Armed Forces who reports a criminal offense. This prohibition constitutes a lawful general order, is punitive, and is applicable to all Coast Guard personnel without further implementation. A violation by a person subject to the Uniform Code of Military Justice (UCMJ) is punishable as a violation of Article 92, UCMJ.

3. For the purpose of this order, retaliation against a military member is one of the following actions taken because that member, either formally or informally, reported a criminal offense:

A. Taking or threatening to take an unfavorable or adverse personnel action, or withholding or threatening to withhold a favorable personnel action,

B. Ostracism, which is the exclusion from social acceptance, privilege, or friendship with the intent to discourage that individual from reporting a criminal offense or otherwise discourage the due administration of justice, or

C. Maltreatment, which is treatment by peers or by other persons, that, when viewed objectively under all the circumstances, is abusive or otherwise unwarranted, unjustified, and unnecessary for any lawful purpose that is done with the intent to discourage reporting of a criminal offense or otherwise discourage the due administration of justice and that results in physical or mental harm or suffering, or reasonably could have caused physical or mental harm or suffering. Maltreatment does not require a senior-subordinate relationship as is required for maltreatment under Article 93, UCMJ.

3. This order will be incorporated into the next revision of reference (b).

4. ADM P. F. Zukunft, Commandant, sends.

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