

Discipline Versus Abuse

CAP Officer Basic Course

Introduction

There is a fine line between discipline and abuse. The perceptions of the disciplinarian, the receiver, and an observer can all be different. What one might perceive as simple discipline, another may consider abuse. Maintaining good order and discipline in military organizations is essential; however, discipline in a volunteer organization such as Civil Air Patrol is a sensitive subject which requires that members need to understand how to determine appropriate discipline in a situation, while avoiding areas that may be construed as abuse. At the same time there is a need to recognize that discipline should never cross the line to become abusive. CAP Senior Members, as well as older cadet officers, must set the example, provide guidance to younger cadets, and take positive, relevant disciplinary action when appropriate. When misconduct necessitates discipline, all alternatives should be considered. The leader in charge should remain objective, impartial, and choose an action which will best correct the problem and prevent its recurrence. It is imperative that CAP Senior Members understand what tools are available for discipline, and what actions may be considered too harsh or abusive. This section will deal with explaining Civil Air Patrol's position on abuse within the organization; discuss the differences between discipline and abuse; recognize the forms of abuse that may occur within the unit, group, or wing; and identify the reporting requirements.

1. Explain Civil Air Patrol's position on abuse within the organization.

There is no clear-cut, written Civil Air Patrol directive establishing a specific policy which declares that, "Abuse of any nature, perpetrated by any CAP member, whether senior or cadet, on any other CAP member, whether senior or cadet, will not be tolerated". However, there are a number of CAP publications [1], regulations [2 & 3], pamphlets [4], and course materials [5], which infer that abuse will not be tolerated, saying that cadets will not be subjected to, exposed to, or suffer certain forms of abuse.

With few exceptions, however, most of these materials address the issue of actions against cadets, imply that the abuser is a senior, and ignore the fact that seniors can also be abused by other seniors, and sometimes by cadets. For example, guidance for Legal Officers includes:

Cadet Protection-- Monitoring the implementation of, and assuring compliance with, the policy and procedures for cadet protection set forth in CAPR 52-10, CAP Cadet Protection Program, is potentially the most difficult and sensitive area of activity for the serving legal officer. From a liability and public relations point of view, protection of the cadet member from abuse of any nature must be considered of paramount importance. Notwithstanding that stated priority, the occasion for enormous damage or harm to be worked against an accused requires the highest level of sensitivity and good judgment in handling allegations of cadet abuse. The accused member may easily become the ultimate victim if care is not taken and sensitivity exercised.

Further, **CAPR 52-10, CAP Cadet Protection Policy** states that "CAP is committed to doing everything reasonably possible to combat the "potential for child abuse within our organization....." "CAP members are expected to avoid even the appearance of impropriety involving cadets and report suspected abuse immediately".

The Cadet Protection Program Training (CPPT) program states that CAP cadets deserve a safe and healthy environment. In addition, the following statements are made:

- Sexual Abuse--Cadets will not be subjected to sexual molestation, touching, contact, exposure, suggestions, or other incidents of a sexually oriented nature.
- Physical Abuse--Cadets will not be physically struck or assaulted in any way. Corporal punishment is prohibited.
- Hazing--Cadets will not suffer or be exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful.

Some of the policies that have been adopted specifically to protect cadets from potential abuse, and found in regulations or pamphlets [2 & 3], and [4] are:

- Screening: Senior members and Cadet Sponsor Members must be fingerprinted.
- Training: Prior to working with cadets, senior members, Cadet Sponsor Members and cadets age 18 and older must complete CAP's Cadet Protection Program Training.
- Supervision: Unit commanders will take all reasonable measures necessary to protect cadets from harm while under CAP supervision. Properly trained adult members will be present at all activities involving cadets.

Because adults have intrinsic supervisory authority over cadets, adult members will not date or have intimate romantic relationships with cadets at any time, regardless of the circumstances.

There are no regulations, or any other CAP directives, which address abuse of senior members except perhaps by inference in the regulations on ethics, [6], discrimination [7, 8, & 9], complaints [10], and section 1-4 h in CAPR 52-10—"respect for others".

However, details on what penalties may be exacted against an abuser are much more explicit in the regulations on cadet protection. An accusation of abuse alone will result in suspension of the alleged abuser. As you can imagine physical abuse, sexual abuse and hazing of senior members is not permissible either.

2. Define and distinguish between discipline and abuse.

Discipline may be defined as "training expected to produce a specific type or pattern of behavior; training that produces moral or mental improvement" [11]. To discipline thus means to instruct a person to follow a particular code of conduct, or to adhere to a certain "order." Discipline refers to methods of modeling character and of teaching self-control and acceptable behavior" [Papalia]. More often than not, the phrase 'to discipline' carries a negative connotation. This is because enforcement of order (i.e. ensuring that instructions are carried out) is often regulated through punishment [Douglas].

What is discipline? First, discipline is not punishment, although punishment is a type of discipline. In fact, punishment is probably the type of discipline many experienced in childhood. Punishment often involves unpleasant, possibly even painful, consequences for misbehaviors or failure to perform a task to a superior's satisfaction. It can be physical ("give me 20 pushups") or psychological, as in shaming and name-calling. These types of actions are neither positive nor appropriate discipline, but fall into the hazing category, which is considered abuse. In the end, the inappropriate use of discipline does not result in effective, long term behavior modification.

More positive types of discipline teach self-control and confidence. Appropriate actions focus on present and future behavior, teach which behaviors are okay and what is not okay. Discipline helps cadets learn self-control and take responsibility for their own behavior. Positive discipline shows them what they did wrong, gives them ownership of the problem,

and gives them ways to solve the problem. Positive reinforcement is about preventing misbehavior by praising the desirable behavior. People tend to function better under these circumstances. Humans, generally, want to know that they are doing a good job. It is important to praise children/cadets when they do the right thing because they will be more likely to repeat it again in the future.

So, in what instances, and how, should discipline be applied to a cadet in CAP? If the primary purpose of discipline is training to create an improved behavior pattern, or conversely to correct an unacceptable behavior or attitude, then the answer to what instances it should be applied, is: ALL and ALWAYS. That is, when a transgression has occurred, and as soon as possible after it is discovered. The second part of that question, the how, is more involved and to some extent will depend on the unacceptable behavior.

Regardless of the severity of the unacceptable behavior, any discipline should be done in private, be positive, and appropriate to the offense. If, for example, a cadet is heard to make a derogatory comment to or about a senior, an appropriate discipline might include instructions by the commander for the offender to not only apologize, but an assignment to prepare and deliver a short briefing to the unit's cadets on why such an action is not acceptable citing CAPR 52-16, paragraph 1-4 h Respect for Others:

"CAP cadets require an environment of mutual respect and courtesy to learn and grow as leaders. Accordingly, CAP cadets must treat each other and their senior member leaders with common courtesy and respect. CAP cadets will not intentionally insult or mock other members, and will not use racial, cultural, or ethnic slurs at any time."

For a senior member, discipline might include correcting and resubmitting improperly filled out paperwork or being required to fly with a CFI until they can demonstrate safe procedures.

A second example of unacceptable cadet behavior would be a cadet leaving a mess in the latrine at an encampment. Appropriate discipline would be to have the offending cadet clean up the mess, and perhaps given an assignment to make a five minute presentation to explain to other cadets why leaving a mess could be a health or safety hazard. In either of these examples, having the cadet do pushups, or cleaning the latrine floor with a toothbrush (as was often done in the past) would be inappropriate discipline, and could be considered abusive.

A second example for a senior member might be withholding a rating in a specialty track until they can routinely perform a required duty related activity correctly and without supervision. The delay may cause a delay in an award and promotion but is appropriate because it improves the performance of the member.

Which leads us to the following: **Abuse** is defined "to use wrongly or improperly; a corrupt practice or custom; maltreatment of an individual". (Webster) While the focus of this lesson is abuse of cadets, consider that abuse also applies to misuse of power or position as a CAP member against any CAP member, senior or cadet. [6]

3. Identify the forms of abuse that may occur within the unit, group, or wing.

Abuse can be sexual, physical, emotional, verbal, or a combination of any or all of those. Sexual abuse is any type of sexual contact between an adult and anyone younger than 18, or between a significantly older child/cadet and a younger child/cadet. With CAP cadets ranging in age from 12 to 21, this age difference presents a challenge as the needs of young cadets, cadets in puberty, and cadets entering adulthood can vary greatly.

Physical abuse is often the most easily detected form of abuse. It may be any kind of hitting, shaking, burning, pinching, choking, throwing, biting, beating, and other actions that cause physical injury, leave marks, or produce significant physical pain.

Emotional abuse can be difficult to identify because there may not be physical signs. Emotional abuse happens when yelling and anger go too far or when an individual is constantly criticized, threatened, or dismissed until their self-esteem and feelings of self-worth are damaged. Emotional abuse can hurt and cause damage just as physical abuse does.

For the purpose of this lesson and CAP policy, abuse is defined in three categories: sexual abuse, physical abuse and hazing. [2 & 4]

- Sexual abuse is defined as sexual molestation, touching, contact, exposure, suggestions, or other incidents of a sexually oriented nature. Cadets will not be subjected to sexual molestation, touching, contact, exposure, suggestions, or other incidents of a sexually oriented nature.
- Physical abuse is defined as any conduct whereby someone physically strikes or assaults another in any way. Cadets will not be physically struck, hazed, or assaulted in any way.
- Hazing is defined as any conduct whereby someone causes another to suffer or to be exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator.

Examples of hazing include using exercise as punishment or assigning remedial training that does not fit the deficiency (such as making a cadet do pushups for having poorly shined shoes or having a senior member fall in with cadets because they are habitually late). According to the Air Force Judge Advocate General, physical contact is not necessary – verbal or psychological abuse will suffice. Soliciting or encouraging another to engage in such activity is also considered hazing. Hazing may be an actual or implied act. It may be verbal or psychological.

The job of a senior member or older cadet, as a leader of cadets, is to help cadets develop good qualities like self-discipline and teamwork, as well as being alert to potential or suspected cases of abuse. Leaders fall into the “hazing trap” when their training methods harm the very youth they are intended to benefit, or conversely, when their approach is so soft that the training goals are not met. Like the proverb: “For want of a nail...the kingdom was lost”, the consequences of allowing hazing to occur within a unit can be disastrous: morale will go down; accused abusers will be suspended (thereby decreasing the number of individuals who can work with cadets); cadets may quit; the commander may be relieved; and the unit may fail and perhaps lose its charter.

Thus it is important that unit commanders take all reasonable measures necessary to protect members from harm while under CAP supervision. When dealing with suspected cases of abuse, or when cadet abuse is alleged and/or verified, the commander must suspend the member from all CAP activities, make immediate notification, and take appropriate personnel actions in accordance with the provisions in CAPR 52-10.

4. Identify the reporting requirements [2]

Senior members, cadets, and parents/guardians should immediately report incidents of observed or suspected abuse to the unit commander or commander at the next higher level of command. Whenever a commander has received a report of abuse, suspects that abuse has occurred or may occur, or believes there is an appearance of impropriety in the nature of

cadet abuse by a member of CAP, the commander will immediately suspend the member from CAP and will report the abuse.

Members, parents and guardians should also immediately report incidents of observed or suspected abuse to the unit commander or commander at the next higher level of command.
[4]

Reporting Process

The reporting process will depend on which type of abuse is involved. Commanders will initiate appropriate personnel actions when they determine there is cause to separate any member (cadet or senior) from contact with cadets. Personnel actions involving sexual abuse cases must be coordinated in advance with the General Counsel. The personnel action will depend on the nature and seriousness of the incident. Available options include suspended status (CAPR 35-1, Assignment and Duty Status) or membership termination (CAPR 35-3, Membership Termination).

- Sexual Abuse. The unit commander will immediately notify the wing commander who will immediately notify the wing legal officer, and the General Counsel (at 877-227-9142 x 234) during business hours or the National Operations Center (NOC) at 888-211-1812 after hours, weekends, and holidays) or the Executive Director (at 334-834-2236). No investigation will be conducted nor statements taken until specifically directed by the General Counsel. The General Counsel will notify the region commander, the National Commander, other appropriate officials, and state agencies as required.
- Physical Abuse. The unit commander will immediately notify the wing commander who will immediately notify the region commander, the wing legal officer, and the General Counsel. The wing commander will consult with the wing legal officer before directing an investigation or administrative action. In cases where physical injuries are involved, follow the notification and reporting procedures in CAPR 62-2, Mishap Reporting and Investigation. Members who have observed or believe they have been subject to physical abuse may file a complaint in accordance with CAPR 123-2, Complaints.
- Hazing. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Hazing, as defined in this policy, is considered a form of physical abuse and the reporting procedures for physical abuse must be followed.
- Reporting to State Agency. There may be a mandatory requirement to report certain types of physical, sexual or emotional abuse to a designated state agency. Requirements vary from state to state. Members having knowledge of abuse must follow reporting requirements under their state's laws. Your wing legal officer can help you to know what laws apply.

Lesson Summary and Closure

CAP views abuse allegations seriously and will fulfill its statutory obligations to contact appropriate child protection and law enforcement agencies for investigation and prosecution. CAP will impose severe disciplinary action on its members if these allegations prove true, which may include membership termination. Commanders must be sensitive to the potential for cadet abuse and carry out the policies and procedures set forth in CAPR 52-10. Commanders must always be alert to situations of potential abuse of cadet members. Those leaders, who are concerned about the human needs of their fellow members, build teamwork, help others with their problems, and provide emotional support, are likely to dodge falling into the "Hazing trap".

This section of the CAP Officer Basic Course has provided material on the position of CAP with regard to abuse of cadets; identified the forms of abuse that might occur within all levels of CAP; and covered the procedures for reporting suspected, alleged, or actual incidents of abuse. Further, that portion on definitions of both discipline and abuse will provide the reader with some basic ideas of what constitutes discipline and what is abuse, and point out how thin the line is between the two. In all situations using good judgment is the key when applying discipline and creating an environment free of abuse.

Works Cited

CAP Legal Officers Handbook, 1995

CAPR 52-10 CAP Cadet Protection Policy

CAPR 52-16 Cadet Program Management

CPPT Student Guide

Unit Commander's Course, Hazing section

CAPR 35-10 Ethics Policy

Civil Air Patrol Constitution and Bylaws, Article VII—Discrimination Prohibited

CAPR 36-1 CAP Non-discrimination Program (Reprisal)

CAPR 36-2 Complaints under Non-discrimination Policy

CAPR 123-2 Complaints

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Papalia, D. E.; Wendkos-Olds, S.; Duskin-Feldman, R. (2006), *A Child's World: Infancy Through Adolescence* (10th ed.), New York: McGraw-Hill.

Douglas, Murray A.; Strauss (2007), "Discipline by Parents and Child Psychopathology", in Felthous, A.; Sass, H., *International Handbook of Psychopathology and the Law*, New York: Wiley, pp. 1-2.

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