

# **THE AMERICAN LEGION**

## **DEPARTMENT OF IDAHO**



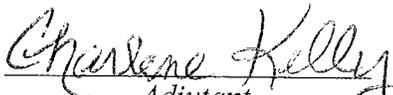
**2026**

### **Policy Against Discrimination, Verbal Assault Harassment, Intimidation, Bullying, and Defamation**

*The Mission of The American Legion, Department of Idaho is to provide service to veterans, their families and their communities.*

*Approve by:*

  
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9 January 2026  
Date

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"The American Legion, Still Serving America"

## **A. Statement of Principles:**

1. Discrimination, intimidation, verbal assault, harassment, intolerance, bigotry, and bullying are incompatible with the values of the American Legion and unacceptable within the Legion community. One way this Department promotes these values is through a nondiscrimination policy that prohibits discrimination on the basis of race, religion, color, sex, age, ancestry, disability, marital status, former rank, and volunteer or employee status.
2. To support our goals of nondiscrimination, tolerance, and civility, this policy against verbal assault, harassment, intimidation, bullying, and defamation aims to inform all American Legion members and their guests that any form of discrimination, verbal assault, harassment, intimidation, bullying, or defamation of others breaches acceptable standards of conduct within this Department. These issues are time-sensitive.
3. Each member of this Department is expected to be understanding and tolerant of others so that all Department members and their guests are free to pursue the personal goals they seek to accomplish within the four pillars of the American Legion in an open environment. They should be able to participate in the free exchange of ideas and share equally in the benefits of their American Legion membership, united by our common goal of working together to achieve these aims. Furthermore, each member of the Department is encouraged to do everything they can to ensure that the American Legion Department of Idaho provides a fair, humane, accepting, and responsible environment for all members.
4. The Department establishes a Constitution, Bylaws, and standards of operation to fulfill its mission. This policy, which prohibits discrimination, verbal assault, harassment, intimidation, bullying, vituperation, and defamation, sets minimum standards. Free speech and open discussion of ideas are core values of the Legion and are fully encouraged, but acts that restrict others' rights and opportunities through violence, intimidation, property destruction, or verbal assault that incites violence or causes undue alarm—even if communicative—are not protected speech and must be condemned. The Department will not tolerate such acts.

## **B. Definitions and Idaho's statutory definitions of Assault and Battery, and Malicious Harassment**

1. Vituperation: prolonged harsh and bitter criticism, abuse, bad-mouthing, berating, blame, castigation, censure, criticism, defamation, insults, libel, obloquy, reprimand, reproach, scolding, slander, tirade, upbraiding, verbal abuse.
  
2. Verbal Abuse: Verbal abuse uses words to harm the person being addressed. It is hard to define and can take many forms. Similarly, the harm it causes is often difficult to measure. The most widely recognized form is name-calling. Verbal abuse may include shouting, insulting, intimidating, threatening, shaming, demeaning, or using derogatory language, among other communication styles. Perpetrators of verbal abuse often misuse their authority and target those in subordinate positions. Victims are frequently told they are to blame for the abuser's actions and may hesitate to take steps to stop the abuse. Verbal abuse can lead to stress, depression, physical health problems, and other harm. The core intent of verbal abuse is control, serving as a way to maintain power over another person. Unlike physical abuse, it leaves no visible injuries like bruises or black eyes. Broken bones may not be present, but damage nonetheless occurs.
  
3. When determining whether someone is being verbally abused by another person, it's important to ask them these questions and see whether these approaches can help stop the abuse.
  - Has this behavior started recently or has it been ongoing?
  - Have they done anything to incite this person without first addressing why he or she is acting out?
  - Have they directly told this person that he or she is making them uncomfortable? If they have not, they should do so immediately.

4. Learn how to use your voice to prevent verbal abuse. Once you recognize that verbal abuse is happening, it is up to the victim to stop it immediately. This is a two-fold approach because it can either stop the abuser or provoke them further. The purpose of using your voice is not to become the aggressor but to end the conflict.
5. You can have them practice these phrases to build confidence in standing up for themselves. "Back off," "Stop it," and "Please leave" are phrases that can be said sharply and abruptly. The more comfortable you are saying these phrases, the easier it will be to say them to a verbal abuser.
6. Bullying: Although there is no legal definition of bullying, it can be described as unwanted behavior from a person or group that is either offensive, intimidating, malicious, or insulting. It is an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

Bullying might:

- Be a regular pattern of behavior or a one-time incident
  - Happen face-to-face, on social media, in emails, or calls
  - Occur at your Post/District/Department meeting or in other Legion-related situations
  - Not always be obvious or noticed by others
7. It's possible that someone might not realize their behavior is bullying. It can still be considered bullying even if they don't recognize it.

Examples of bullying include:

- Constantly criticizing someone's efforts in doing the Legion's work.
- Spreading malicious rumors about someone
- Constantly criticizing someone during meetings or related events
- Intentionally assigning someone a heavier workload than others to hasten their failure.
- Excluding someone from committees, officer roles, social events, or other Legion functions
- Posting humiliating, offensive, or threatening comments or photos on social media

8. Bullying can also occur from staff toward someone in a higher leadership role, such as an Area Vice-Commander. This is sometimes called 'upward bullying' or 'subordinate bullying,' as in the case between a department adjutant and a Post commander. It can be carried out by a single Legion member or a group. It can be difficult for someone in a senior position to recognize that they are being bullied by fellow members. It's crucial to understand the underlying reasons for such behavior. For example, there might be a broader issue with the organization's culture that needs to be identified and addressed.

Examples of these actions include.

- Showing continued disrespect.
- Refusing to finish tasks.
- Spreading rumors.
- Constantly undermining someone's authority.
- Actions taken to make someone appear incompetent or unable to fulfill their responsibilities.

### **C. Prohibited Conduct**

1. Any of the following acts, even if they are communicative, are prohibited.
  - a. Use of force against any member of the Legion or their property, or against anyone on Legion premises, including threats of physical abuse.
  - b. Theft of or intentional damage to Legion property, or property in the possession of or owned by a Legion member.
  - c. Bullying, intimidation, and harassment: when a person intentionally bullies, intimidates, or harasses another by:
    - (1) Making, or causing to be made, a communication or communications (including through electronic and social media) anonymously or at extremely inconvenient hours, or in offensively coarse language, or in any other manner likely to cause annoyance or alarm; or

- (2) Subjecting another person to striking, kicking, shoving, or other offensive touching, or threatening to commit such acts; or
- (3) Engaging in any other course of conduct that is alarming or repeatedly committing acts intended to alarm or seriously annoy another person, such that the behavior substantially disrupts or interferes with the Legion's orderly operation or the rights of other members to participate in or benefit from their membership or volunteer work.

d. Defamation is legally defined as the unprivileged oral, written, or electronic publication of a false statement of fact that exposes the person it concerns to hatred, contempt, or ridicule, subjects that person to loss of goodwill and confidence from others, or harms that person's reputation enough to deter others from associating with them.

Defamation is considered a violation of the good order of the Legion.

#### **D. Policy Investigation and Enforcement**

1. Most complaints can and should be resolved informally at the Post. Other complaints may require more formal procedures. All complaints shall be handled confidentially. Complainants are encouraged to report incidents, even if they do not wish to pursue the matter further.
2. Members, volunteers, or guests who believe they have been victims of verbal assault, intimidation, bullying, harassment, or defamation should report these incidents to the Post Commander or any Legion officer as soon as possible. If it is the Commander, report the issue to the Judge Advocate and the Adjutant.
3. When the Post is informed of an incident at an event, the parties should be approached, this policy reviewed, and the inappropriate actions stopped. The Department's Internal Affairs Committee can be contacted for assistance if needed.
4. If disciplinary action is required, it should be taken in accordance with the Post's Constitution and By-Laws. See the American Legion Officer's Guide for current procedures.

5. For incidents of assault, the offense should be reported to the appropriate authorities.
6. When a Department Officer commits the offense, the Department's Internal Affairs Committee should be contacted. Their role is to review and advise the Department Executive Committee on all plans to improve the handling of issues related to the Department's conduct and its relations with the Districts and Posts.
7. The Internal Affairs Committee will determine whether an investigation is necessary. If an investigation is warranted, an independent Incident Review Committee, composed of five (5) Legion members in good standing who are not current officers where the incident occurred, will conduct the review. These members will be appointed by the Department Commander and approved by the Department Executive Committee. If one or more members are unavailable to investigate and review a complaint, the Department Commander will immediately appoint replacements.
8. This committee will thoroughly review and become familiar with the Post/District/Department policies, Idaho statutes, and codes referenced in this document. The committee is tasked with investigating any complaints it receives. All members and officers are expected to fully support this work. The committee will promptly investigate, report its findings, and provide recommendations to the Department Judge Advocate, who will inform the Department Commander and the Department Executive Committee to review the findings and take appropriate action.

# References

2025 American Legion Officer's Guide and Manual of Ceremonies, *PRACTICE AND PROCEDURE IN THE EXPULSION OR SUSPENSION OF A MEMBER OF THE AMERICAN LEGION*, pg. 143

## Idaho STATUTE:

- A. Idaho Code prohibits Discrimination on the basis of Race, Sexual Orientation, Religion, National Origin, Color, Disability, and Age (40+) in employment, including hiring, firing, recruitment, promotion, pay, and benefits, and all other terms and conditions of employment.
  - a. TITLE 67, CHAPTER 59 of the Idaho Code
  - b. TITLE 44, CHAPTER 17 of the Idaho Code.
- c. TITLE 18, CHAPTER 9 of the Idaho Code: Assault and Battery: 18-901. Assault defined. An assault is:
  - (a) an unlawful attempt, coupled with apparent ability, to commit a violent injury on the person of another; or
  - (b) an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.
- d. TITLE 18, CHAPTER 79 of the Idaho Code: Malicious Harassment: 18-7902. Malicious harassment defined -- Prohibited. It shall be unlawful for any person, maliciously and with the specific intent to intimidate or harass another person because of that person's race, color, religion, ancestry, or national origin, to:
  - (a) Cause physical injury to another person; or
  - (b) Damage, destroy, or deface any real or personal property of another person; or
  - (c) Threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur. For purposes of this section, "deface" shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious, or ethnic terrorism on the property of another person without his or her permission.