

Sign Up for the Military and Want to Get Out?

Fact sheet prepared by Ya Ya Network (Youth Activists - Youth Allies) - (212) 239-0022 info@yayanetwork.org

Most people join the military on the Delayed Entry Program (“DEP” or sometimes referred to in the Army with its Army name “Future Soldiers Training Program” or “FSTP”). Basically it means you sign up now and go later. “Later” can be anywhere from a day to a maximum twelve months after signing the initial enlistment agreement. *To be clear:* There is NO penalty for withdrawing from the DEP. People who change their minds about joining the military are under NO obligation to report to active duty.

However, one of the most common forms of serious recruiter misconduct is threatening young people who have joined the DEP and then change their minds about enlisting. Recruiters are under a huge amount of pressure to sign up enough recruits. If they don't make their quota they are punished, harassed and possibly re-assigned. Recruiters don't get credit for people who enlist in the DEP until they actually show up for boot camp. Since they have invested time and energy in each DEP recruit, if they think they are losing you, they will do or say anything to get you to not back out.

The most important thing to remember is not to report for basic training unless you intend to really enlist, even if a recruiter tells you it is necessary to get out of the DEP (this is a lie). *If you do report for basic training, you will no longer be a civilian and it will be very difficult to get out because you will have to be “discharged” which is not easy.* **WARNING! If you are signed up for the Guard or Reserves, your situation may be more complicated and you should call the GI Rights Hotline 877-447-4487 before you take any action.** (Call if you have any questions about this fact sheet, too—counselors are there to help you understand your rights.)

Over the years, we have had reports from students who were told that if they change their minds, they would be considered deserters in war time and could be hunted down and shot. A student we know deliberately failed to graduate in June rather than choose between (nonexistent) penalties or being forced into the military. When the school quietly readmitted him in the Fall, the recruiter restarted his harassment and threats. A young woman in the Bronx had 2 MP's (military police) stationed outside her parents' home, causing her mother to suffer a nervous collapse. One young woman was told that if she didn't go through with her enlistment that her family would be deported. When we contacted a recruiter about our concerns, he threatened to have us arrested by the FBI. ALL THESE THINGS ARE LIES!! They are also serious examples of recruiter misconduct.

If you want to withdraw from the DEP, write a brief letter to the local recruiting commander (not your individual recruiter) of the branch of the military you signed up for (see www.usarec.army.mil for battalion headquarters addresses). This letter should state that you have changed your mind about enlisting, that you are requesting “separation” and will not be reporting for induction. You can give the reason you have changed your mind or the plans you have made instead, for example attending college, employment, family obligations etc. However, it is not required to provide a reason for withdrawing. The letter should indicate that you are sending a copy to your congress member which you should also send. Detailed instructions and a sample letter are available from the GI Rights Hotline www.girightshotline.org/discharges. This letter should be sent by certified mail, return receipt requested. Once the letter has been sent, refuse all further contact with the recruiter. Do NOT go to the recruiting station to “fill out paperwork.” You are not obligated to meet with the recruiter at home, in school or on the street. Under no circumstances should you get into a vehicle with the recruiter.

While recruiters are permitted to try to “resell” you on the idea of enlisting, they are strictly prohibited from “threatening, coercing or intimidating” you. Unfortunately, this behavior is quite common and can be a frightening experience. So get back-up. Find a sympathetic teacher or guidance counselor who can stand up for you. Talk to your family so they support you when the recruiter calls or shows up at your house. Get help from an expert in dealing with recruiters who bully (*see reverse for instructions*). Here are some groups you can call for help: **AFSC National Recruiter Abuse Hotline:** 877-688-6881 (toll free), www.afsc.org/Youth& Militarism; **The GI Rights Hotline:** 877 447-4487 (toll free), www.girightshotline.org; **The Ya-Ya Network:** 212 239-0022, yayanetwork.org

It is really important that you report any threats or improprieties to recruiting command and, if you are a student, that you report the recruiter to school authorities. For every one who knows their rights, there are many more who get bullied or manipulated into joining the military when they really don't want to. If we don't report these violations, recruiters will just keep getting away with it. Reports should include the name of the recruiter, their branch of the military, your name and age, the date(s) of the incident and a description of what occurred. This report should be sent to the recruiting command of your local recruiting office (addresses available at www.usarec.army.mil). One month after the report has been filed, a follow-up phone call should be made to recruitment command to find out what has been done about the incident. Further follow-up may be required.

Here is the text of the regulations regarding the DEP and recruiter misconduct. If your recruiter hassles you, quote this then tell them to leave you alone.

Army:

Members of the recruiting force must respond positively to any inquiry from DEP members concerning separations from the DEP. Under no circumstances will any member of this command threaten, coerce, manipulate, or intimidate DEP members, nor may they obstruct separation requests. When such an inquiry is received, local recruiting personnel will attempt to resell the DEP member on an Army enlistment. If this attempt is not successful (not later than 14 days from the original request), advise the DEP member of the provisions governing separation from the DEP and tell them a written request for separation may be forwarded to the Rctg Bn commander. Emphasize that the DEP member may submit a request for separation even though his or her reason for it does not fall within an expressed category, such as hardship, dependency, apathy, and/or personal reasons.

Source: Waiver, Delayed Entry Program Separation, and Void Enlistment Processing Procedures, (USAREC Regulation 601-56, Chapter 3 DEP Separation Procedures, Section c.)

(1) Recruiters will not knowingly mislead or misinform a prospect or applicant regarding any aspect of processing, entitlements, benefits, or other aspects of the Army so the prospect or applicant would decide to enlist into either the RA or USAR, or transfer to a TPU. This includes "conditional" enlistments in which an applicant enlists based on a recruiter's assurance that the applicant's prospects for selection for another program will improve. Other examples include false promises of cash bonus, Army College Fund, Student Loan Repayment Program, regaining custody of dependent children prior to completion of first term of enlistment, overseas assignments, or a specific station of choice.

(2) Recruiters will not threaten, coerce, or intimidate any person for the purpose of inducting a member of the DEP to report to AD [Active Duty]. This includes misrepresenting the likelihood of being apprehended and ordered to AD. It also includes obstructing an individual from being separated from the DEP. Although recruiters may properly attempt to "resell" an applicant, they will not unreasonably delay the process of an applicant's request for separation.

Source: Recruiting Improprieties Policies and Procedures (USAREC Regulation 601-45, Chapter 2-3. Specific prohibitions, Section h. Misrepresentation and Coercion.): Misrepresentation and coercion.

Navy:

The Navy Regulations state, threatening DEP member with possible disciplinary actions for failing to enlist or coercing DEP members to fulfill their contractual obligations is inconsistent with the concept of the all-volunteer force. Source: COMNAVCRUITCOMIST 1130.8F, 6A-6, Note 1.

Marines:

The Marines don't have this clear language prohibiting harassment, but do make it clear that the individual can leave the DEP. Their Recruiting Regulations, under "Desire for Release or Intent Not to Report" states: If the individual insists on being released from the enlistment, the individual will be discharged. Source: MCO P1100.72C, 4301, 3d(2).

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