FISCAL YEAR 2004 NATIONAL DEFENSE AUTHORIZATION ACT—DOMESTIC VIOLENCE, JOINT OFFICER MANAGEMENT AND EDUCATION REFORM, EMPLOYER SUPPORT OF THE GUARD AND RESERVE, RESERVE PAY AND BENEFITS AND DEPARTMENT OF DEFENSE ACTIVE AND RESERVE COMPONENT FORCE MIX STUDY

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
TOTAL FORCE SUBCOMMITTEE,
Washington, DC, Wednesday, March 19, 2003.

The subcommittee met, pursuant to call, at 2:05 p.m., in room 2212, Rayburn House Office Building, Hon. John M. McHugh (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. JOHN M. MCHUGH, A REPRESENTATIVE FROM NEW YORK, CHAIRMAN, TOTAL FORCE SUBCOMMITTEE

Mr. MCHUGH. The committee will come to order. Welcome, all, I appreciate your being here. Today's hearing represents the subcommittee with the opportunity to hear the results of several studies and investigative outcomes that are relevant to issues we are likely to address as part of our consideration of the fiscal year 2004 National Defense Authorization Act.

Specifically, we will hear testimony on the final report of the congressional mandated defense task force on domestic violence, and DOD's response to it, studies by the General Account Office (GAO) and Booz Allen Hamilton regarding joint officer management and joint professional military education. The GA report on employer's support of the national guard and reserves and an interim GAO report on reserve component pay, benefits and retirement. And, lastly, not leastly, the Department of Defense's study of active and reserve component force mix.

In my view, the information on each of these topics is important to our decision process and on legislation in the near term. More importantly, these studies help to set a context for which our longer-term actions will rest.

We have four panels today and in the interest of moving directly to the testimony, I would now recognize the gentlelady from California, Ms. Sanchez, for any opening remarks she may wish to make.

STATEMENT OF HON. LORETTA SANCHEZ, A REPRESENTATIVE FROM CALIFORNIA

Ms. SANCHEZ. Thank you, Mr. Chairman. And, thank you—well, first of all, I do understand that Dr. Snyder is now in the area, but still a little under the weather and recuperating from surgery. So, I am hoping he gets back soon so I can back to my regular duties and he will have the honor of spending more time with the chairman.

I am pleased to be here today. And the issues that we are going to raise at today's hearing touch on a number of important issues, including domestic violence in the military, joint officer management, support for the guard and reserve and reserve compensation. And I am pleased to see that the co-chairs of the Defense Task Force on Domestic Violence are here with us today, Deborah Tucker, the Executive Director of the National Training Center on Domestic and Sexual Violence, and Lieutenant General Garry Parks, Deputy Commandant for Manpower and Reserve Affairs.

I have had the pleasure of being with these two people on the task force and seeing some of the work that the task force has done. So, I am anxious to get this information out into this hearing and to continue to keep an eye on what is going on with respect to domestic violence. And the reason is pretty straightforward.

I mean, we have only to look at the murders and suicides that happened last year at Fort Bragg, North Carolina to understand that domestic violence is still within our military forces. And it is a problem. It directly impacts the military readiness of our troops and our families.

And, I would also like to thank the other two gentlemen who are with us today, Charles Abell, the Principal Deputy Undersecretary of Defense for Personnel and Readiness; and John Molino, Deputy Under Secretary of Defense for Military Community and Family Policy. And, I have a lot of other written remarks, Mr. Chairman, but in the interest of time, because it is busy, if I could submit them for the record, we can move on to our panelists.

[The prepared statement of Ms. Sanchez can be found in the Appendix on page 389.]

Mr. MCHUGH. I thank the gentlelady. And, without objection, so ordered. And, let me just state for the record, that, of course, all of us are heartened by the fact that Vic Snyder, Dr. Snyder, has rejoined us and he is working toward a full schedule and we look forward to working with him.

Although, I will tell you, it is always a genuine pleasure to work with Ms. Sanchez, who has a very long—well, not all that long, because I do not want to date anybody here, but has had a record of great involvement in these issues and I appreciate her continuing concern and her continuing diligent efforts.

Let me, although Ms. Sanchez certainly mentioned them for the record, again, introduce the member of our fist panel, the Defense Task Force on Domestic Violence and their final report, as was said, we are honored to be joined today by the Lieutenant General Garry L. Parks, who is Deputy Commandant for Manpower and Reserve Affairs to the United States' Marine Corps; and Deborah D. Tucker, Executive Director, National Center on Domestic and Sexual Violence.

The other two members of the panel, equally important, is the Honorable Charles Abell, Principal Deputy Under Secretary of Defense for Personnel and Readiness, who is accompanied by Mr. John M. Molino, Deputy Under Secretary of Defense for Military Community and Family Policy.

And, let me just say at the outset, Ms. Tucker, you have provided invaluable assistance to the subcommittee during our visit to Fort Bragg last year, of which I personally want to thank you before this august body and this interested audience. But, beyond that, the fact of the matter is you have devoted nearly three years of your life to this task force.

And, from all that I have heard, all that I have observed and all that I have learned, your commitment and your sound judgment, experience and common sense, something we probably could use a little bit more of in this town, have been absolutely essential to the task force's effectiveness and I want to—I want you to know that your place as co-chair has placed significant beyond demands upon you, which we recognize and certainly go beyond most of what we ask of other people. You have excelled and I just wanted to commend you for that effort and tell you how much we appreciate it.

And, General Parks, I also want to thank you for your contribution, sir. I heard your testimony last week in your role as Deputy Commandant for Manpower and Reserve Affairs and I welcome you back as the co-chair of that task force.

Secretary Abell, welcome. Today, as far as I am concerned, you, on behalf of the Department of Defense, will in Army parlance, conduct a passage of lines of with the task force. Hereafter the Department of Defense, as you well know, sir, has the responsibility for carrying out the recommendations developed by the task force. And, again, as I know you know, there is great interest on this subcommittee, not only how the department will carry out that mission, but also how aggressively.

I hope you all understand, although all of the topics that we are going to address today are of great interest to the task force, there's no question that none has captured our attention more than the issue of domestic violence. We are, apparently poised, on the verge of military conflict.

But, it is equally important to recognize and remember that those serve at home, the families are part of this important effort as well. And, as we tragically saw in Fort Bragg we have instances where lives are lost here domestically through what we hope are circumstances that we can better control and provide more assistance for. And that's our collective judgment. I do not question that for a moment.

So, we are looking forward to your testimony. And, as a last formality, let me just say that all the witnesses' testimony has been received in its entirety. I have reviewed it all. And, without objection, each of your written statements will be entered in its entirety for the record. I would also note we have received statements for the hearing from the Naval Reserve Association and from the Air Force Sergeants' Association, and without objection, those statements too will entered in their entirety for the record.

[The statements referred to can be found in the Appendix on pages 480 and 492.]

So, let us get right to this very important panel and the first business of the subcommittee.

And, so, Ms. Tucker, and General—pardon me? I am sorry, Mr. Hayes, did you want to—and thank you, John, I should not preclude any of the members of the subcommittee from making some statements should they choose. And I would not that Mr. Hayes, who shares representative jurisdiction with Mr. McIntyre, both of whom joined us for a visit last year at Fort Bragg, has been leader in this issue and certainly any words he might have to say would be very appropriate and welcomed by the subcommittee.

Mr. HAYES. Thank you, Mr. Chairman. I was thinking about waiting until questions, but I did not want to point to the fact that through your proactive leadership we were able to travel to Fort Bragg. And, you, Mr. McIntyre, Ellen Tauscher, Jeff Miller, and I, received quite an education, thanks to Debbie Tucker and others who are working very, very hard, both to prevent and to help provide the kind of security and cooperation between all the different interested groups. So, thank you for that. And thanks to our panel for being here today, Debbie, particularly for your hard work. I look forward to your report today.

Thank you, Mr. Chairman.

Mr. MCHUGH. Well, I thank the gentleman. I particularly thank him for his leadership and thanks to that effort, we are able to pass the first step of what we hope and know will be the first step in trying to resolve some of the legislative hurdles and barriers toward the effectiveness of the services separately and collectively to address this very serious problem.

So, with that, General Parks, Ms. Tucker, we will defer to you as to which of the two of you would like to present first. But, whichever choice you make, it is a good one. So, our attention is directed your way.

STATEMENT OF LT. GEN. GARRY L. PARKS, DEPUTY COMMANDANT FOR MANPOWER AND RESERVE AFFAIRS, USMC, CO-CHAIR, DEFENSE TASK FORCE ON DOMESTIC VIOLENCE; MS. DEBORAH D. TUCKER, EXECUTIVE DIRECTOR, NATIONAL CENTER ON DOMESTIC AND SEXUAL VIOLENCE, CO-CHAIR, DEFENSE TASK FORCE ON DOMESTIC VIOLENCE; HON. CHARLES ABELL, PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, ACCOMPANIED BY JOHN M. MOLINO, DEPUTY UNDER SECRETARY OF DEFENSE FOR MILITARY COMMUNITY AND FAMILY POLICY

General PARKS. Thank you, Chairman McHugh, Congresswoman Sanchez, distinguished members of the subcommittee. Ms. Tucker and I are honored to be before you today as the co-chairs in the Defense Task Force on Domestic Violence to provide an overview of the findings developed during our past three years.

The overall goal of the task force was to provide the Secretary of Defense with recommendations to enhance existing programs for preventing and responding to domestic violence, and where appropriate, to suggest new approaches to addressing the issue. In fulfilling the congressional mandate, the task force looked at the entire spectrum of domestic violence issues across the Department of De-

fense, including the roles and responsibilities of command, law enforcement, advocates, legal, medical, chaplains, counselors, and social workers. The task force believes that domestic violence is best dealt with by having a consistent and coordinating community response.

This approach clearly communicates to potential offenders, as well as those who have already offended, that domestic violence is simply unacceptable, will not be tolerated and that there are consequences for such behavior. This consistent, coordinated approach seems to fit perfectly with the military community.

In order to be most effective, however, every element of the response system, from law enforcement to medical to the individual command, must have the same perspective. To this end, it is important for all to know what domestic violence is, its dynamics and risk factors, effects on families, children and victims who witness domestic violence and consequences for offenders.

Over three years the task force visited military installations throughout the world and met with numerous victims, offenders, commanders, first responders and service providers. Their cooperation and willingness to share experiences, critical thinking, and ideas for improvement were foundational to informing our research and recommendations.

A specific requirement in the National Defense Authorization Act for fiscal year 2000 that directed this task force was to develop a strategic plan, "by which the Department of Defense may address matters relating to domestic violence within the military more effectively." Per this direction, we presented a proposed strategic plan in our third year report.

In total, the task force's three annual reports have included nearly 200 specific recommendations. While all of these recommendations are valid and each will result in improvement of the Department of Defense's prevention of, and/or response to domestic violence, there are nine points that we believe are key to the proposed DOD strategic plan for addressing domestic violence.

While these points are all equally important, the Department of Defense must first and foremost demand a culture shift that does not tolerate domestic violence, that moves from victims holding offenders accountable to the system holding offenders accountable, and that punishes criminal behavior. The remaining eight recommendations support such a culture shift.

They are, establish a victim advocate program with provisions for confidentiality. This enhances victims' safety and provides a well-defined, distinct program where victims can receive the advocacy, support, information, options and resources necessary to address the violence in their lives without the requirement for mandatory reporting.

Next, implement our proposed domestic violence intervention process model, which has separate protocols for victim advocates, commanding officers, law enforcement, and offender intervention. The intervention process model and the amplifying protocols provide both a graphic and narrative description of the recommended intervention process.

Separate abuse substantiation decisions from clinical decisions. This enhances victim safety and supports the commanding officer in ensuring offender accountability and intervention.

Next, enhance system and command accountability, and include a fatality review process. This develops, one, ongoing mechanisms for amplifying policy and system deficiencies with the goal of increasing accountabilities throughout the system, reducing domestic violence and preventing future fatalities.

Implement DOD-wide training and prevention programs that encompass, not only general awareness training, but also includes specific training for commanding officers and senior non-commissioned officers, law enforcement personnel, health care professionals and chaplains.

Hold offenders accountable in keeping with the November 2001 Deputy Secretary of Defense memorandum that highlighted non-tolerance of domestic violence and challenged the military departments to intensify their efforts to prevent domestic violence.

Strengthen local military and civilian community collaboration in preventing and responding to domestic violence. And, finally evaluate the results of domestic violence prevention and intervention efforts.

If implemented by the Department of Defense, these key points have the most lasting, significant and positive effect on the prevention of and response to domestic violence in the military.

During the course of our three-year project, the task force has been extremely fortunate as this distinguished subcommittee has already noted, to have its co-chair, Ms. Deborah Tucker, Executive Director of the National Center on Domestic and Sexual Violence. She is an expert in her field. She is dedicated to ending domestic violence against women and has extensive experience working this issue at the national level.

Ms. Tucker will now review additional aspects of our findings that we believe are important.

Ms. TUCKER. Thank you, Garry.

Mr. Chairman, members, in addition to the key points that we included in our strategic plan, there are other elements that are important for us to highlight. We provided what we call the core principles of intervention because we recognize that our work is over and the Department of Defense will pick up from here and go forward. With these core principles we were providing philosophic guideline, if you will, what are the questions that need to be asked in designing responses to individual situations or in designing programs.

So, let me highlight those points for you. The most important core principal, respond to the needs of victims and provide for their safety. Over and over we understood that the stated needs of victims needed to be addressed, safe housing, safety planning, and free confidential advocacy services are cornerstones for that. But, there are many other aspects of listening to victims that we are recommending as part of our report.

Second, hold offenders accountable. Ask yourselves the question, what are we doing in responding to this situation that is letting the offender know that the use of violence is criminal behavior and

must be addressed in that manner? There must be punishment, deterrence and, when possible, rehabilitation.

Third, consider the multi-cultural and cross-cultural factors that may influence, not only the individuals that we are working with, but our own staff and our own information as we approach people who are dealing with the complex issue of domestic violence. There may be economic, cultural, religious, immigrant kinds of status issues for victims influencing how comfortable people feel when they interact around this difficult problem.

Next, it is important to consider the context of the violence and to provide a measured response. What we mean by that, is look at the power and control wheel that we provide to you on Page 111 of our report. What is the level of fear that the individual victim is experiencing? What kind of steps do we need to take in response to the violence to increase that victim's safety and to determine an intensity and a direction around the offender accountability that really responds to what we have seen?

What are we doing to coordinate military and civilian responses? Are we letting cases of domestic violence fall through the cracks when we do not communicate outside the boundaries of the post or the camp or the base or the station? What is happening with 70 percent of our families who do live off base and civilian authorities need to be responding to offer assistance? Cooperation is essential.

Next we want to encourage that the department always involve victims in monitoring the domestic violence services. Ask victims what it is that they need and how well we are doing in responding to those needs. That will help inform us as to further changes that are needed in our systems.

Finally, we ask that we look at early intervention and we provide a whole section on prevention and early intervention, noticing the kinds of things that lead us to recognize that violence is a potential.

So, those are our core principles of intervention to help guide folks from here. There are two other recommendations that we made that General Parks and I decided we wanted to highlight. One has to do with resources.

We realize many, many times in our discussions that the kinds of recommendations that we were making had resource implication. We want, for example, tremendous effort in education and training to create that cultural shift, to help command understand their roles and responsibilities and to understand domestic violence better, that is just but one example.

Consequently, given that we cannot say to you please appropriate today all the necessary money with the many demands that are before us right now as a nation, what we instead recommend is that we first look at what are we doing with the money that we are currently spending to intervene in domestic violence? Analyze the resources that are already out there in the four services and determine in what manner could those resources be reallocated to reinforce the recommendations that we have made.

Another decision that we made has to do with system accountability. It had been suggested that our task force continue beyond the three-year period that we had initially been appointed. While in some respects that was appealing, we quickly concluded that the

more appropriate thing for us to do was to finish our work, hand it to the department and give them a period of time to work seriously with all the things that we had brought to them.

If, after a period of two years, you asked for the formation of a new body, perhaps bringing some of us back who experienced the work of the original task force and bringing some new people to the table with fresh perspective to examine what have we accomplished, to evaluate how effectively the programs are working and to help the department, if you will, tweak what they have learned in the next two years, that that would be much, much better solution than continuing our existing task force.

With the 200 recommendations, with the key points that we have highlighted, the core principles of intervention and all the different elements of those things that make up our strategic plan, we think they should be ready to move forward without us for awhile.

I want to also highlight a few particular issues that we mentioned in our executive summary in the report that are related to violence against women occurring in the home. And we had many discussions about these complex matters, but did not choose to make recommendations to the department that were truly outside the mandate of our appointment.

Those issues include the aspects of multi-culturalism and cross-culturalism that are similar to sexism. They include the issue of children and domestic violence. And we do make some particular comments around the need to coordinate the response when both child abuse and wife abuse are occurring in the same family so that the interventions are simultaneously and supportive to that family, as opposed to occurring at two very different times and uninformed by the other experience.

We talk about sexual violence and the relationship of sexual violence to domestic violence. And we also, in our visits, encountered concerns around trafficking of women. And these are all issues that this committee must think about, along with the department to address that were not part of our mission, but certainly were things that we could not help but notice.

As we conclude our work as a defense task force, I particularly want to tell you on behalf of the civilian members that while this was an incredible challenge, it was a also a tremendous opportunity. And, for us, we made lifelong friends with people that we initially thought we would never understand.

We also felt that it was an opportunity for us, as private citizens, to serve our country and to make a contribution to the armed services and the family members. We are in awe of the roles and responsibilities of the men and women who serve in the armed forces. And, perhaps today, more than any other day in these three years, we recognize what we ask of them as a country.

That makes me believe that what we ask of ourselves is so important and we must make sure that any issue that is effecting the quality of their lives and the manner in which they can live as citizens of our country and of people who provide special service to all of us, then we must take those measures.

We must make sure that no one is experiencing the kind of violence in their home that we hope eventually to bring us peace to the entire world.

Thank you.

[The prepared statement of General Parks and Ms. Tucker can be found in the Appendix on page 393.]

Mr. MCHUGH. Thank you, Ms. Tucker.

And, General Parks and Ms. Tucker, thank you again for your service in the past three years and beyond.

Secretary, welcome. We look forward to your remarks, sir.

Secretary ABELL. Thank you and good afternoon, Mr. Chairman, members of the committee. I want to begin today by acknowledging the dedication and hard work for Ms. Deborah Tucker, of Lieutenant General Jack Clemp and Lieutenant General Garry Parks for their work as co-chairs of the Defense Task Force on Domestic Violence. These leaders and their team have done a superb job with a very tough subject.

Their work will have a positive effect on DOD's domestic violence policy for years to come. The purpose of this hearing, as you framed in your opening statement, Mr. Chairman, is to focus on the recommendations of the task force and then the Department of Defense implementation of those recommendations.

I am happy to discuss the many areas in which we agree and our plans to implement a series of policies to help prevent domestic abuse, protect the victims and hold the perpetrators accountable. There will be many occasions in the months ahead in which this committee and the department will work together to craft a model program on domestic violence.

The Department of Defense has a great track record in addressing similar societal programs. We have developed programs to address racial integration, drug abuse and to de-emphasize the use of alcohol. None of these were easy, but we changed the culture, we modified behavior and now these DOD programs are recognized as world class. We can change the culture and modify behavior to reduce incidents of domestic abuse with the military services as well.

Mr. John Molino, the Deputy Under Secretary of Defense for Military Community and Family Policy joined me on the panel today. In January of this year, he and his team were charged with developing the policies to implement the task force's recommendations. As General Parks just testified, the task force has made close to 200 recommendations in their three reports.

The first two reports included about 155 recommendations and we are in solid agreement on about 140 of those. The remaining 15 are not disagreements as to what should be done, but differences in how to accomplish the goals. We will work through those differences.

The third and final report was delivered a week ago on March 10. We are just beginning to review the recommendations in that report, but I do not expect that we will argue over those recommendations either.

Mr. Chairman, some advocates will want to see immediate results. So, do we. However, as you know, good policy does not come easily. We are working at a deliberate pace and we welcome your oversight as we proceed. You have assembled an impressive panel here today and, together; I trust we will be able to answer the committee's questions. Thank you.

[The prepared statement of Secretary Abell can be found in the Appendix on page 404.]

Mr. MCHUGH. Thank you, Mr. Secretary.

Obviously, I know my colleagues have a lot of questions and we want to get to them as well. Let me start by making an observation during, based on our visit to Fort Bragg. Let me state for the record, for the third for the record today, this is not an Army problem, although Fort Bragg is an Army installation. It is indeed not something that is exclusive to the United States military.

Obviously, domestic violence, I hope is an area of concern to all of us society-wide. But, as you good folks know more than anyone, our responsibility as the United States Congress have to be focused upon the United States military. And, during our visit very soon after those tragic loss of lives incidents, it was clear to me, from the commanding staff, down to the enlisted staff and the enlisted personnel, they felt this was a loss to their family and were desperate and I assume remain desperate to try to do a better job and to enact whatever is necessary to try to implement policies and programs that can help avoid this in the future.

And, again, I know this is our collective objection. But, I think one of the things that most impressed me is that in terms of Fort Bragg, and I suspect across the spectrum of the military services from base to base in this country and overseas, it was far too much of an ad hoc effort.

And that is each base, while operating under general guidelines certainly no one within the command structure of the military services, no one within the Department of Defense accepts this kind of behavior, no one wants to see it continue. The direction was lacking. And I think that is why this is important.

We have used the word a few times through our presenter's testimony, culture. And that means simply we need to direct from the top down a means and cohesive, coherent policy by which the people who are effected can find ways to circumvent this kind of tragic outcome.

One of the things, in a very emotional, nearly three-hour session that we had with the spouses of victims, or I should say spouses who were victims of domestic violence was that they were concerned and in talking to others who had experienced domestic violence who probably were not on report somewhere, that the belief is that a report of domestic violence by the abused spouse somehow ends up on the military member's record. And that, obviously, that has very significant implications for the future in the military of that individual.

From the discussions we had as a follow-up to that, most of the command staff felt that that was not exactly the case. That there were safeguards in place that allowed complaints and reports of incidents of domestic violence to occur without necessarily, by the mere fact of the reporting, a hindrance to the military member's career.

And, I am just curious, and I would start with Ms. Tucker and General Parks, because it was not anything that I saw particularly highlighted in your report, not in your oral testimony today. Is that something you heard that no matter what kind of system we may put in place for counseling or for means by which they can go for

help, there was still that concern and ultimately the result of incidences that may have gone unreported because they just did not want to jeopardize their husband or their wife's military career. Is that something you encountered?

Ms. TUCKER. He will probably add on based on my past experience. We work really well together. Victims had been led to believe in many, many cases by the scuttlebutt of the culture and particularly by the offender that any report of domestic violence would result in them immediately, perhaps, losing their career altogether or being damaged so that their career would never ever progress from that point.

We did not find that to be the case. What we found is that the opposite problem. That in too many cases, very serious acts of domestic violence, even that became known to the authorities did not result in any kind of particular consequence to the offender.

So, we struggled with this a lot because on the one hand we want to say domestic violence is unacceptable. It is a criminal behavior. It will not be tolerated. It needs to be stopped. It is very serious and we are not going to play around with it anymore. And we also did not want to create a circumstance where victims were afraid to come forward.

So, we tried several things. One is the confidential victim advocate program. If victims have somebody to go and talk to, to lay out what they are experiencing who can assist them in working with the system, who can dispel some of the myths that, you know, your husband will be court marshaled tomorrow, that they can begin to understand that there is a possibility of an effective intervention that stops the violence, then that is what most victims want.

In the civilian community people come to our programs across the nation every day saying can you help me stop the violence. I do not want him to go to jail. We struggle with this same philosophic issue. What we do is help victims develop a plan for their own safety, develop a direction that they want for themselves and their children. And we give them enough information to understand what is likely to happen if they approach the authorities.

When a system works well, the authority intervenes, helps the offender understand that they cannot persist in that behavior and that there are consequences for what they have done, but does not necessarily immediately incarcerate that individual or cause them to lose their employment, be they a civilian or a military member. So, it is a complicated issue. You have touched on something that is kind of in the middle of 50 different concerns that we had.

And I hope that what I have said is helpful to sort of describing how we are going at it in several directions. We do want to be firmer, that is serious and must be stopped. And we want to create a system that actually does that. We also want victims to come forward and to feel that their entire family's future is not necessarily at risk if they ask for help.

Mr. MCHUGH. General Parks.

General PARKS. Mr. Chairman, I think the only thing that I would add is to reinforce the early portion of your comments. And that, from the standpoint of your sensing when you went on your visit and met with the families, that we are a family. We view our-

selves as a family. On this very day I consider I have brothers and sisters about to go into harm's way. I think our military members have that. We talked about culture, that is part of our culture.

At the same time, we are, as I testified a week ago, an all-volunteer force with wonderful young men and women, some not so young, who are a part of that organization, and, yet, we are a reflection of society. Domestic violence is prevalent in American society. It is not surprising that we have it in our military organization.

And that what we have tried to design in our comprehensive reports and our three years of efforts in all the various recommendations that have already been addressed, is are ways to deal with precisely the issue that you raised, and as Ms. Tucker just testified, in a way that addresses the concern and yet preserves the safety of the individual who has that concern and bring them together in order to appropriately deal with them at the level that is required.

Ms. TUCKER. Can I add on to that also?

Mr. MCHUGH. Certainly.

Ms. TUCKER. Another thing that really influenced us in our thinking is that so far in the last 20 years in this country that we have been doing ascender intervention kind of work, where we have been taking people who have been identified as batterers and attempting to change them. We do not have a lot of success.

That those that do change are very much influenced by just a few people. And one of those is the judge. The judge who sits on their case when they go through a criminal court proceeding who takes their case very seriously and individually follows them.

For example, making the batterer come back once a month to the courtroom and report on his behavior towards his family and report on his completion of probationary requirements. Those offenders tend to do better.

So, we thought that one of the strengths of trying to do offender intervention while somebody is still in the military is they have a motivation to belong to this tribe, whether it is the Marine tribe or the Army tribe or whatever, they want to belong. And if that person who is their commander has the power of both judge and employer at the same time, will they, in fact, be much more effective at getting that individual's attention and bringing them to a place of change?

If not, we say, if there is a failure, if we do intervention and we work really hard with somebody and they do not change their behavior, then, yes, they need to be out of the service. But, if we can say to them we want you to be a successful person and that includes being a successful husband and a trustworthy father, then we will do what we can to help you to learn that.

Does that make sense?

Mr. MCHUGH. It does. It does. It does not make the challenge any easier——

Ms. TUCKER. No.

Mr. MCHUGH [continuing]. But it makes sense.

Secretary Abell, any comments in that regard?

Secretary ABELL. Sir, as you know, the military commanders face a lot of challenges every day. And, as a culture military folks, both

commanders and senior non-commissioned officers like things in tidy packages with sharp corners. And this is an area that is not tidy and has no square corners, which makes it even more difficult for them to deal with.

But, we are prepared to take the committee's recommendations with regard to a confidentiality policy and put it out there to allow a confidentiality with a few limitations, victim voluntary disclosure, the advocate belief that the victim is in imminent danger or court directed disclosure.

But, if that abuse is a criminal activity and comes to the attention of the commander, then that military commander, as you know, will take action, which may jeopardize the career of the spouse and ultimately, the benefits. No commander wants to lose a good soldier, sailor, airmen or Marine.

And, so, we will help commanders understand, just as Ms. Tucker said, that balance between trying to work with and use the practices that have been successful in the—outside the military. But, the commander will also, as you know, frame this incident, the incident that comes to him or her in the context of that soldier, sailor, airmen or Marine's total record and if it is lacking in other areas, this may just be the straw that broke the camel's back so to say, and I would expect them to take action.

The committee, the task force urges us to hold offenders accountable. Our commanders will do it. So, it is an awful pendulous tight rope that we ask them to walk. And we are going to try and Mr. Molino's going to try it in his group to craft some policies to give them the guidance to sponsor the educational programs, to help them understand. And we will try to be an example for the rest of society. But, it is a tough, tough issue.

Mr. MCHUGH. Well, it is. And I certainly do not pretend to know the answer other than all of this is directed at those either who have been abused or who may be abused. And, as I mentioned, to a person that we met with they spoke of other spouses in the military who did not report for that reason.

And, Ms. Tucker framed it very well. It is a tough objective to reach. But, I think the—one of the primary objectives of this has to be to construct the process and recreate the culture to an extent that we will find the best possible, I do not know if, unfortunately, there is a perfect solution, but the best possible system that says to victims you can get help without necessarily destroying your spouse's career, but recognizing, as well, as Ms. Tucker again said, we want the message to be equally strong that if you partake in this kind of aberrant and aberrant behavior, there is going to be swift and very appropriate justice.

So, I have any number of other questions, but my colleagues have been very patient. Let me yield to Ms. Sanchez.

Ms. SANCHEZ. Thank you, Mr. Chairman.

Obviously, this is a very complicated issue. One that I think stems even beyond just domestic violence. As someone who has experienced sexual harassment in the workplace and as someone who came from a home where there was domestic violence, I am very, very interested in this issue. And I am glad that Ms. Tucker, whose been—has shed so much light on this subject for so many of us.

I had the pleasure of spending a couple of days with the task force as they were completing their second year's report. But, it was interesting that you went to Page 111 and asked us to take a look at it because in this little circle at the very center of it, of course, is power and control. And, quite frankly, that is what I think any of these types of issues really center around, power and control.

And, in particular, when we continue to see it, it manifests itself in so many different ways, murder suicide at Fort Bragg in North Carolina, the sexual harassment issues that we are seeing in the Air Force Academy, for example. You know, we train our soldiers and seamen and airmen and others to be powerful and to be fighting machines as we see that we need them now in this time of need.

But, on the other hand, the military is even more of a family then most of us ever get to experience. And, so it does, anything that happens in the home flows into the workplace in one way or another. It affects our military.

So, when I take a look at this I am really interested in a few things. First of all, how we—I know that when I was with the task force about a year ago or so, a little bit over a year ago now, that you discussed the whole issue of whether to keep the commander in participation in the process in or out.

And I see from the report, the third report that you chose to keep that commander in. And I know that there is a need to train and to educate and to really do a good job of giving the tools to a commander to be able to handle these types of situations. And that goes to the whole issue of resources and how we do that.

But, my question is how do we hold them accountable? I mean what are we going to implement? I know the recommendations. But, here is the question, how are we going to have a commander take this issue seriously? Is it going to affect him in his ability to be promoted to a higher rank as a commanding officer?

I mean what will we do as the Department of Defense to ensure that if we spend the resources to give the training and the tools that these commanders need to work on these family issues, even though it is not the biggest piece of their job description, how is it going to affect them?

How are we going to hold them accountable for that? And I guess that—I would like that answered by General Parks to the extent that you are a high commander in the military and you have probably had this type of experience in having to deal with soldiers and—or Marines I guess and I would also ask our honorable undersecretary for his comments on that.

General PARKS. Ma'am that issue was, as you know, and as followed many, many of our discussions, fundamental to one of the considerations that we looked at and evaluated. And as you appropriately commented, power is at the center of it. I believe that the crux of your question involves the aspect of the commander and the commander's direct involvement in dealing with it.

I believe that that starts with the overarching education that we have recommended, the training and education to have military members at large understand the basics of domestic violence.

I will say that I had not experienced domestic violence in my career. And so this was a phenomenal education for me to work with the task force with the 12 civilian experts that we had who provided that education, balancing that and interweaving that with our military culture that we have talked about.

And, in the course of that, we had many discussions passionately and enthusiastically in explaining the understandings of what domestic violence involves with the organization that we have and how do we meld the two together?

We believe that we have established a procedure that will allow that to be done and to make that important to the commanders, starting with the Deputy Secretary of Defense's memorandum to get the ball rolling, if you will, on the importance of this. Followed by the statements from each of the service chiefs in the department level to emphasize that this is important, and as Mr. Abell testified earlier, just as we have worked out ways through the implementation of policies that dealt with diversity, that dealt with sexual harassment, that dealt with drugs, that dealt with other overarching societal problems that we are simply a microcosm of, that we have worked our way through.

How do we weave that into this organization and make it important to me starts with education to understand how that goes and it understands from there that some of these are going to have to be probably brought up to the senior level.

And it is one of the things that we have included in our report for consideration is perhaps the younger commanders just are not as tuned into understanding this and we need to bring it, because of its importance, up to the next level of command so that they have the right degree of maturity, as well as perspective to be able to deal with issues of that nature. It is another one of the implementation challenges that we are going to have.

Secretary ABELL. Yes, ma'am, I agree with General Parks. And from the departmental perspective, we will provide our commanders the education, the training, the toolbox of policies and programs that they need. We will clearly articulate our expectations of what a commander, what his or her responsibilities are, and how we will hold them accountable. We have done it before, as I mentioned, and as General Parks mentioned, we will do it on this issue as well.

Not easy. We may have to, as General Parks says, find the level of professional maturity that has the resources, both staff and professional maturity to be able to deal with an issue this complex. But, we will find it. We will give them our expectations. We will give them the tools. And then we will ultimately hold them accountable for the climate of their command.

Ms. SANCHEZ. So, would we anticipate then at some point that we would see these accountability standards in writing from our Department of Defense?

Secretary ABELL. We will certainly have a number of policies, whether there are specific accountabilities or not, I mean in some of these other programs among the ways that accountability was monitored was that we asked our Inspector General (IG) on every one of their visits to look at this specific program to see how it was being handled in that unit. We asked that every efficiency report mention the commander's activities and programs to do with racial

diversity or drug abuse, the de-emphasization of alcohol and so forth.

Those are all ways that are tried and true in the past. We will look at all of them and we will find the most effective way or ways, combination of ways, to do it here.

Ms. SANCHEZ. I am just concerned that sometimes we make policies and even if they come from the top, which is where I believe both policy and example have to be sent, in particular in the military, that as it makes it way that if we do not have accountability in writing towards these things that one of the things that happens is that it becomes a very minor piece of the job. And the fact of the matter is, some may think it is a minor piece, but when you are the family in trouble it is a major piece of your life going on.

So, I would be very interested to see how that accountability piece is actually put into place.

General PARKS. There is a sign in a lot of most, perhaps, military conference rooms that says the troops do well what the boss checks. And I happen to believe that. So, whether or not we write it down, I think the important part is that we have ways in place to check on how they are doing in meeting our expectations and fulfilling their responsibilities.

Ms. SANCHEZ. If I may, one more question, the advocates and maybe I would like I guess the secretary and maybe Ms. Tucker.

First of all, Ms. Tucker, I just want to say I learned an incredible amount from our task force. The type of individuals that sit on that task force and the backgrounds that they have, law enforcement officers, prosecutors, people who run women's shelters.

And I have to say that I was bit naive because the first time I came into the task force, after a while I asked well what about the guys who get battered and, you know, all the guys who around the table who are on that task force said, no, it is not guys, Loretta, it is women who get battered. And, I was wondering, you know, what about, you know, five percent or the one percent of guys.

And by the end of the day they had me figuring out that it is, you know, because it does tend to be physical in a lot of aspects that it is a physical thing against women.

But, this whole issue of the advocates, I know that the Marines do a great job of having advocates and yet a department like the Air Force has none. Ms. Tucker, can you give us, walk us through a little bit of what you saw and the difference between those two departments and the way they handled that? And then maybe I will ask the General how are we going to solve that or have you looked at that in your plan of implementation?

And, the second question I have for Ms. Tucker is did you see any differences, significant difference between how our families react with respect to battering of spouses overseas when they are stationed overseas versus what happens stateside?

Ms. TUCKER. Two good ones. On the first part, regarding the advocacy program, the Marines, years ago, were very, very connected to what was going on in the civilian community. And there was a lot of communication and cross-training happening. And that is where the victim advocate program gets established. Now, within the whole military though, victim advocates have not enjoyed the same privileges, such as the confidentiality.

So, while the Marines have a victim advocate at each of the 19 installations, they do not necessarily have the freedom to interact with victims and provide information and support, give them some time to think about what they want before the system sort of takes over. And, it feels like to victims that everybody on base becomes aware that domestic violence is occurring in their home.

So, there is improvement in the victim advocacy program that the Marines have recommended through our shifts in non-disclosure. But, I think they provide an excellent model for the other services to consider. There are victim advocates in a few places in the other services.

I went up to Fort Hood not too long ago close to me in Austin and found one victim advocate, you know, on that post who had an office that was terrifying. I mean it was just covered in stacks and stacks of cases that she was trying to figure out how to respond to and work with as one person on that huge, huge post.

So, there is some effort already in place, but nowhere near what is needed. So, the other services are going to need to look at what the Marines have done and talk about the role that the victim advocate should play according to the victim advocate protocol that we have put in here, which really describes a thorough responsibility that helps make the whole system that we envision work a lot more effectively for everybody, including the command and other personnel that play a role.

The victim advocate will be a partner to the victim, but they will also be a partner to everybody else in the intervention system.

Ms. SANCHEZ. And, the question about the overseas?

Ms. TUCKER. The overseas, very complicated. At least we found sometimes for victims living within the United States that they could approach civilian battered women's programs or reach out to some kind of assistance off post if they were not receiving good services on post or they were afraid to use those services.

When you are overseas there are many other barriers. There is the language barriers some places. There is the fact that most of the force agreements that we have with other nations do not necessarily permit those local authorities to hold our citizens accountable for crimes that they commit over there.

And, as you know better than I, this is something that is changing with the case in Japan of the sexual assaults. We are beginning to struggle with to what extent are we going to give U.S. citizens over to those local countries.

But when it has to do with crimes committed against other citizens who are family members, you know, then it comes back in house and there isn't anyplace else necessarily for victims to turn.

So, the programs that the military services put into place outside the country have to be exemplary. And, one of the specific concerns that we had around victims' services in the Continental United States (CONUS), I learned that word, was that in the shelter that the military operates in Hawaii, you could not go there without a military ID right?

Well, I figure it is pretty obvious that if you go to the shelter you are in a bad state, you probably have a military ID but you do not want to show it right away. You want to figure out if what is going to be offered to you there is going to be helpful. You do not nec-

essarily want the offender to know where you are and have somebody call him and tell him that that is where you are.

So, we are asking that the shelter in Hawaii and the shelter in Okinawa and any other military shelter that is established sort of get a grip, let people come if they sound like U.S. citizens from Alabama, let them in. you know? And, worry about who they are and whether they are entitled to those services another day after you have established some trust and given them some safety.

Secretary ABELL. Yes, ma'am, there is no doubt that advocacy programs are an area that need, deserve and will receive our attention. We have programs in bases throughout the military services, but they are not what the—to the standards that the report recommendations would have us go. And we are not in disagreement with the protocols that Ms. Tucker has described. There are issues of resources here, which, we will——

Ms. SANCHEZ. Have you been able to estimate what type of resources if there that you would need in order to implement most of the recommendations, I would hope that the task force has worked three years on?

Secretary ABELL. You know, I know some—I knew someone was going to ask me that question, and the answer is no, we have not put a dollar figure on all of the areas here that would require resources. And we will have to work for those resources within the department's programming and budgeting system. And, frankly, they are not all going to come in the one year.

But, this is an area where we will have to go get those resources added in at the top, I believe, because it is a very competitive process, as you are aware, to come up through the bottom. I expect great support from the services, but my anticipation is that we will have to put those in at the top and we are not afraid to do that. But, it is just work that we need to do and we will do it.

Ms. SANCHEZ. Thank you.

Thank you, Mr. Chairman.

Mr. MCHUGH. Thank you.

Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

Thank you all for coming here today. Ms. Tucker, I want to ask you three or four different questions. I come from the era of General Parks and during my two and a half decades in the Navy, I do not recall a lot of spousal abuse. Now, it may have been there, but I was just not aware of it. The only time I remember it was when I went to the survival school before going to Vietnam and the people who did the training picking on us, went home and did the same thing to their wives and their kids. That is the only time I remember that.

Is this situation increased or decreased over the decade? What is the number one cause? It is all physical or is it psychological as well? And, I want to follow up on what Ms. Sanchez said, I would like to know—I am sure it is men, but I would be kind of curious to know how much of it is female as well. And those on the base, I should know the answer to this, if it happens on the base and they get arrested, are they tried in civilian court or on base? I should know that, but I do not.

Ms. TUCKER. All right. Well, help me make sure I get all four.

Mr. SCHROCK. All right.

Ms. TUCKER. First of all, there is a lot of debate about whether or not domestic violence has increased. But, right now, what we believe is that domestic violence has always been an aspect of our society and most every society within the world, that our awareness and recognition of domestic violence has grown. And that victims are coming forward now in ways that they did not come forward 25 years ago. The existence has not changed, so much as the numbers and the awareness has changed.

It could be that it is increasing and we may learn that over the next few years now that we are actually paying attention to be able to measure is it going up. Now, all violent crimes reduced in this nation over the last couple of years with the exception of sexual assault, which rose. Could that be because we are paying more attention and we are more sensitive to the fact that sexual violence does occur and we are giving room for victims to report it. So, those questions are hard for many of us and are complex issues that, in another ten years, we will probably know a bit more about.

The number one cause, I would again refer you to Page 111, the power and control wheel. What offenders tell us themselves is that what they are hoping when they use violence is to get their wife to do something or stop doing something. And that they believe that using violence is legitimate if other forms of control over her are not working.

So, what is confusing about that, many times, is all the other things that might coexist when we look at a family or an individual. For example, for years and years and years when somebody asked me how much is alcohol abuse a problem with domestic violence, I would say 63 percent of the cases that we see at our shelter involve the use of alcohol and drugs as an issue.

And, I thought very sincerely that if we treated offenders who had alcohol problems and got them sober that that would stop the violence. Imagine my disappointment when I learned that you can be cold sober and still beat people up, that it was not that. Many people have struggled with other kinds of reasons that violence might occur, miscommunication, self-esteem issues, impulse control——

Mr. SCHROCK. Money.

Ms. TUCKER [continuing]. Financial conflicts. Reader's Digest sets the number one reason we fight according to Reader's Digest in our homes. However, in a healthy home when you fight about the new pair of shoes or the golf club, those things do not escalate to the point of verbal or physical harm to the other party.

There may, in fact, be more cold silence than anything else than what you see in a dysfunctional violent home. In a violent home you would not risk buying a new pair of shoes, that would be too dangerous if you did not have permission. And if you study the model of what offenders tell us, what victims tell us, it is the same for years and years and years.

He wants to control everything that goes on in the household. And if he does not have that control, then he believes he is legitimate in using different kinds of aggression.

So, I hope that answers the second one.

Mr. SCHROCK. So, most of it is physical?

Ms. TUCKER. No, it is physical goes along with sexual violence, isolation, emotional abuse. In fact, victims say that the hardest part to overcome is not the beatings because you heal from them many times. You may have lasting medical problems from serious injuries. But, what is hardest to heal is the inside and being told that you are stupid or worthless or whatever is said. That damage that is part of the whole way in which we define domestic violence can be harder on the victim than anything else.

So, one of the things that we began to do in our task force to distinguished cases of domestic violence versus cases where people were behaving in a violent manner, but it was not domestic violence, was our shorthand became the remote control.

Meaning, that there were young people recently married, both in the service sometimes, both very well trained physically and there was only one remote control, and they would have an argument about it. And the Military Police (MP's) would come.

And what we learned is that sometimes both parties would be arrested because there was an altercation of some sort over this remote control. Well, neither party was afraid of the other, neither party altered their behavior in order to avoid abusive action.

So, what we could conclude is this is a remote control case. This is two young, not very bright people who we can work with quickly. The Navy has a program, I love the name of FINS, Family in Need of Services.

This is a FINS case. This is a couple that needs to learn some other skills. That they are not engaged in domestic violence. Domestic violence has to have physical violence and all the other aspects of the definition.

Mr. SCHROCK. When you say remote control, you are talking the TV?

Ms. TUCKER. I am talking the TV.

Mr. SCHROCK. I thought that was a guy thing.

Ms. TUCKER. When they have a fight—well, no, I think that some female service members are interested in the remote control. I know I like to have it every once in a while.

Ms. SANCHEZ. I steal the clicker from my husband all the time.

Mr. SCHROCK. The two TV's would solve that.

Ms. TUCKER. Yes, exactly. And in a FINS program that would be something you could recommend. If these two people are often in conflict they got to the PX and let us buy another TV, problem solved. And that case we can take care of like that, right? It is not a domestic violence case.

Mr. SCHROCK. What percentage are men and what percentage women? Obviously——

Ms. TUCKER. In an agency police department is the best way that I can answer that, that is well-trained, that knows how to distinguish on scene who was acting in aggressive manner and who was acting in self-defense.

You will find less than eight percent will be a female offender.

Mr. SCHROCK. Eight percent?

Ms. TUCKER. Less than eight percent will be a female offender. In the military and in many civilian jurisdictions when you see the 20, 30, 40 percent of the time that the female is being arrested, usually as well as the male. What that is is bad police training and

they do not know how to distinguish injuries that are as a result of self-defense actions versus aggressive behavior.

In New Orleans for example last year the city changed their policy that you could not arrest the female on a domestic violence case unless you had a supervisor approval. It went from 45 percent to five percent in one year because they realized they had been arresting females erroneously.

So, what that means is yes, sometimes females are aggressors. As director of a local batter women's shelter in Austin, Texas over five years we had 15 men who came who exhibited the exact same challenges in their homes as women that we were seeing every day and hundreds and hundreds. However, of those 15 men, a few of them were being battered by other men. So, they were not necessarily the victim of a female partner, but they were in a relationship with another man who was violent.

So, you have to kind of work through all of that to say to Ms. Sanchez, yes there are occasionally men who are abused and yes we need to treat this with the exact same seriousness as we do treat the violence against women. And we try to bring that up several different places that programs and services have to account for the needs of some of the men who will be victims also.

Mr. SCHROCK. And I gather the on base violence cases are handled in the civilian community?

Ms. TUCKER. The last one—right. The last one is two answers I guess. If the person who commits the offense on base is a service member then they will be adjudicated, if you will, by the military.

Mr. SCHROCK. Right.

Ms. TUCKER. If the person who commits the offense on base is a civilian then we still have a problem because we have not figured out how to handle and just like Congressman Hayes' legislation that addressed the lack of protective order enforcement on military lands issues by civilian courts, we have not figured out how to hold accountable civilians who commit crimes on base. As I understand it, the only options that we have in many places if its exclusive federal jurisdiction is to bar them from returning to the base.

But we could in some circumstances where there is—the land is held jointly, what is it called? I do not know, there are three kinds of lands I learned and I have forgotten the vocabulary words now. But, when we share the land with the local authority and they own the land and we are renting it then they can arrest them.

So, it kind of is——

Mr. SCHROCK. I am assuming what you said is a civilian is other than the military dependents? It is other than the military dependent obviously at times?

Ms. TUCKER. Right.

Mr. SCHROCK. Like two civilians fighting in an office somewhere.

Ms. TUCKER. That could happen or you could have a female service member living on post with a civilian husband who beats her up.

Mr. SCHROCK. Right. I see.

Ms. TUCKER. And the military police arrive and they do not have authority over him because he is not in the military, you see?

Mr. SCHROCK. Yes.

Ms. TUCKER. So, everything that you can imagine we ran into and found very complicated.

Mr. SCHROCK. Who does that, did you invite the civilian authorities on base to arrest him and haul him out of there?

Ms. TUCKER. You can. As I understand it, if the land is originally held by the civilian authority and we are like renting it for a dollar a year. But, if it is only our land, I think that there is some confusion about how we hold them accountable. I remember asking at one meeting if a civilian murdered somebody on base we cannot prosecute them? And the lawyers all, you know, struggled with how to answer that.

Mr. SCHROCK. All right. Thank you.

Thank you, Mr. Chairman.

Mr. MCHUGH. Thank you, sir.

Mr. Hayes.

Mr. HAYES. Thank you, Mr. Chairman. And I can tell you how to solve the TV thing but I want to leave you hanging on that one. A couple things, as those of you in the room have heard today this is a very complex matter. I thought I knew a little bit about it when Chairman McHugh led our group down to Fort Bragg. And if there are any Baptist in the group, you can understand my explanation. If you not, I may have to say some more. But, instead of getting a sprinkling in terms of it was total emerging. We got dunked into this thing. And we heard from advocates. We heard from victims. We heard from the military. We heard from the legal folks, police, sheriffs, it was an incredible experience.

And I think it is important to point out that one of the things we found out was that it is not a military thing. It is a bad thing that happens to the military and civilian, where the violence occurred and you know this is not my evaluation of what was said.

This was from law enforcement and the people, the experts on the case, the warrior training, the military aspect of who the people were was not the overwhelming compelling issue here. But, I say that just for education, say that the military's working hard to overcome it, but it is not just the military.

And, Debbie, you have done a fantastic job of helping to educate us on these things. As a matter of fact, we were down that way last week and your task force is working on programs, idea, suggestions and action plans that will be available to 12 military installations, which touch 70 percent of the military population almost immediately. So, that is a great thing and we thank you for that.

For the record, tell us about the value of the program and the need to bring it to more installations across the board. And, excuse me, gentlemen, for talking to Debbie, she just knows more than you all do.

Ms. TUCKER. We did have an excellent opportunity to pilot test at Fort Bragg the training we would like to do all around the country. We brought in advocates, law enforcement and prosecutors or JAGS from Fort Bragg, Camp Legume and Pope Air Force Base, as well as from the surrounding counties around those installations, the local people living there who are actually responding to many domestic violence calls involving military families.

We spent four and a half days discussing the new approach to responding to violence against women in the home, a lot of inter-

esting and intense discussion, argument about how can we do that differently. We have always done it this way. It was very exciting. We had a couple of people who learned in that week that focusing on the victim did not get you much if you wanted to stop violence, that you really had to focus on the offender to change their behavior.

There were many people in there, not many, there were about four or five who believed that the only way to stop violence against women was to teach women to walk on eggshells better and to behave better. And it was really great to allow that group process to work where the rest of the group was able to help them see that they were holding on to some really old beliefs. And that these are bad guys that they want to arrest. And by the end of the week I was thinking, you know, I hope somebody is on duty Saturday night out of this group five because they are going to make some arrests this time.

It was a lot of fun. Congressman Hayes and General Smith walked in and everybody stopped talking. They became sort of like deer in the headlights. They were nervous that you all were there. After you left I admonished them for passing up the opportunity to tell the General and to tell you things that they need, because you are an ally and you want to help them. And the leadership wants to help them. So, I think that that was important for me to understand. And when we get, hopefully, the opportunity to conduct these classes in other parts of the country, we need to have the leadership and the Congress folks from that area come in the very first day and say that themselves. Say we are glad you are here. We are glad that you are doing this, taking the time to work out new approaches. We are your allies and we will help you problem solve.

So, that that tone is set by the leadership from the very beginning. Colonel Davis was wonderful, the installation commander, who many of you, I am sure know from being in the spotlight of the Fort Bragg homicides. And one of the reasons I have become very fond of him is right from the beginning he said, you know, I do not know ever much about this domestic violence stuff and I need to learn everything.

And since that time, every book I have told him to read, every person I have suggested he talk to, anything and everything he has done as an effort to improve his ability to do his job as an installation commander and to lead the people at Fort Bragg differently around domestic violence.

In addition, he supported the work of the task force by bringing us down and letting us test the training on his people. So, it was wonderful. And I want to point out that Mike Hauskins is here also sitting behind Mr. Molino. Mike is our, informally we call him our implementation man. He is going to help us coordinate and organize our efforts to get out there with new approaches. So, you all will become more familiar with him.

Mr. HAYES. Obviously, a lot of progress made for which the gentlemen on both sides of you are certainly helping with tremendously. There has been some stove piping kind of situations in the past where lack of connections. How are we doing in eliminating some of these stovepipes?

General Parks.

General PARKS. I guess I am not specifically sure what you are referring to, sir. But, I think it comes back to the fundamental piece, again, of education and awareness and understanding the training education piece I talked about in my opening comments. Because, regardless of the service, regardless of the family advocacy program manager, they are all trying to do what is right, their hearts in the right place. They want to solve the problem.

But, the reason you have the disparities and the reason you have the different handling and the reason the left and the right do not match up and now in the world of jointness, the programs do not—it is just simply because we do not have the standardized system that we are advocating be put in place and that the Department of Defense is going to implement using the reference that Debbie just made. All of that will help to mitigate the potential stovepipes that have existed in the past. I am confident that that is going to work.

Mr. HAYES. A much better answer than question. I think, again, realizing through the various groups that problems exist and there are ways to deal with them has been very, very from an education standpoint and also a result standpoint.

How can we proactively work to strengthen our military families and we are certainly doing that, and what do we do to erase the stigma of attending or going and using, accessing services like this? And part of the answer is what you all are doing here and throughout the military. Is there anything we need to be doing from our perspective?

Debbie, or General Parks, anybody that would like to——

Secretary ABELL. I will pick up the front one, because, as you said, sir, she knows a lot more and I will let her fill in the rest of it. The front part of it is that again the education for the military member, the training for the military member, the awareness for the military member, but concurrently the training and the awareness for those who may be effected through all the various family programs.

And, fundamentally, what we are going to see is the impact of confidentiality, and the impact that it is going to have that we influence those who might otherwise not have reported something that will report or certainly will seek support, seek assistance because they now know they can openly get this and that it be dealt with on balance as they move forward.

Ms. TUCKER. And I would add to that that one of the populations that can be very important for offenders is the chaplain. And it seems to be socially acceptable within the military to go talk to a chaplain where it may feel uncomfortable to people to go to somebody who is identified as a mental health worker. People seem to resist that. And, you know, that is going to take time in our whole society to change, but it is certainly true within the military.

So, one of the audiences that we have already done some training with and hope to do more work with in the next couple years is the chaplains. So, that they are more conversant and understanding of domestic violence and offenders do occasionally come forward and realize that what they are doing is wrong. And they need help, particularly when they walk in their home and everybody freezes

and they see a child, perhaps, looking at them the same way that they looked at their own father when he came home from work, paralyzed with fear, waiting to see what kind of mood you are in.

And when they have those kinds of experiences sometimes they want help. They do not want to wait until they are arrested or some other intervener finds out. So, we need to create an avenue. And if the chaplains are well trained and you know, if you are a Baptist there are lots of different kinds of Baptists.

Mr. HAYES. I am not a Baptist.

Ms. TUCKER. Okay. But, some, you know, think that you can get rid of problems by praying over it. And I think you can pray over things, but you also need education and skills to do things differently.

Mr. HAYES. In the confidentiality of the chaplain issue, that came up in our discussions. I want to go to the chaplain but there was some question about whether the chaplain had to report that to the commanding officer. And I think we have pretty well squared away.

Again, thank you all, and just as a closing comment, Chairman McHugh made it abundantly clear from our perspective, zero tolerance to the military brass for domestic violence, military civilians, very clear. And, again, that's not that something had to be said in the military. But, it is top priority where it happens we would not accept that in any way shape or form. Focus was on the offender. And, I did not tell you this earlier today, but when I left you the other day, Barbara was on post with me and we met with wives about other issues, but our presence on base in a proper kind of way helping to reinforce this and any other issue I think is a good piece. Let folks know we are interested and care about this and other issues. So, thank you very much.

Ms. TUCKER. Thank you.

Mr. HAYES. Thank you, Mr. Chairman.

Mr. MCHUGH. Thank you. I thank the gentleman.

We have been blessed by a number of members, Ms. Sanchez, Ms. Tauscher, who have been extraordinarily involved in this, as all of you know. And, certainly Mr. Hayes takes a backseat to no one in that regard. But, I will tell you, Debbie, there are times, too, that we do not talk in front of him either. So, don't feel badly about that.

I would be honored to yield to the gentleman from Tennessee, Mr. Cooper.

Mr. COOPER. Thank you, Mr. Chairman.

I am a new member of the committee and the subcommittee, so I am not as familiar as others with these issues. But, on the question of offender accountability, if an MP were called to the housing over report of a domestic abuse incident would that be entered on the personnel record of the alleged offender? That part of the permanent record of the offender?

General PARKS. No, sir. Not merely coming to the quarters is not an entry on the personnel record.

Mr. COOPER. How about if they are hauled to the brig or something like that, taken out of the home. Does that become significant enough to be entered on the personnel record?

General PARKS. We start to get into case-by-case evaluations here. But at the point at which there are some sort of charges——

Mr. COOPER. Charges filed.

General PARKS [continuing]. Filed or if the command, if the incident is referred to the commander and then he intends to take some charges then that is where the personnel record entries would begin to accrue. So, the MP's themselves do not make entries in the personnel records.

Mr. COOPER. I was wondering about a situation in which a battered spouse might have to call the MP's repeatedly and that not end up on the personnel record of the offender if those charges are later withdrawn or there is some sort of temporary reconciliation. Would that be the case?

General PARKS. Again, sir, the MP's reports do not end up the personnel records. They are referred to the individual's commander. He or she, depending on what action they take would decide what goes into the record and then what is later either retained in the record or expunged. They do, of course, maintain the innocent until proven guilty adage of the Constitution.

Mr. COOPER. Even in the case of repeated calls or tell me what would happen in the case that allegations were made part of the record, how would that affect the promotion or the retention of that individual in the service?

Secretary ABELL. Well, nothing is easy. There are record entries that promotion boards would see. There are record entries that promotion boards would not see. And, again, the commander has great latitude in deciding what sort of entry to make.

Mr. COOPER. You can be a wife beater and not have that come before the promotion board at the discretion of the commanding officer (CO)?

Secretary ABELL. If the commander chose to keep that information restricted then the promotion board would not see it.

Mr. COOPER. Are there any guidelines to encourage the CO to disclose wife-beating propensities to promotion boards?

Secretary ABELL. I would answer that the commanders have—are trained and have guidelines and they seek the counsel of their judge advocates on what to do in all of the cases. It would be unfair to say that there was a guidance on wife beaters, if you will, or domestic violence.

We are developing those now as a result of the task force recommendations. We will train the commanders. We will train the law enforcement people. We will train the victims' advocates and we will resource getting more victim advocates out there to help everybody to be able to understand what to do in these issues.

Mr. COOPER. How about on the base commander's efficiency report. Are allegations of substantial domestic violence on base part of the commanding officer's evaluation?

Like at one base is a road base and there happens to be a number of allegations or a number of problems and those go uncorrected for a period of time, does that become part of the personnel record of the base commander as he seeks promotion?

Secretary ABELL. It could be. Again, if the commander to whom he reports makes it a matter of entry. It is not a mandatory entry on any record at this point.

Mr. COOPER. But, all this could still be swept under the rug under today's regulations because there aren't any regulations on it.

Secretary ABELL. I am not willing to accept that. Our commanders know what is right and wrong. They know how to deal with people. What we have to help them to understand is the complexity and the nuances of handling domestic violence. They certainly know how to enforce good order and discipline in their units and on their bases. And they are held accountable by our system if they do not.

Mr. COOPER. How about service men who have had the privilege of attending a military academy, are they held to a higher standard or any different standard then anyone else in the military?

Secretary ABELL. No, sir.

Mr. COOPER. So, there is no additional training that would come from a West Point or an Air Force Academy or an Annapolis to encourage them to behave like an officer and a gentlemen?

Secretary ABELL. No, sir, there is no higher standard.

Mr. COOPER. How about on the question of dishonorable discharge. Is wife beating grounds for dishonorable discharge from the military?

Secretary ABELL. The correct term would be other than honorable, congressman, and yes, that is an option for a commander to pursue.

Mr. COOPER. What are the statistics on people discharged other than honorably for domestic violence reasons?

Secretary ABELL. I do not have those with me, sir. We can try and get them for you for the record if you would like.

Mr. COOPER. Does anyone on the panel know if that is frequent or an infrequent grounds for dismissal from service?

Ms. TUCKER. I am going to let Mr. Abell double check, but as I recall it was less than two percent of dishonorable discharge was due to domestic violence. And one of the strengths of the military is they have this transitional compensation program for victims.

So, that if their spouse who supports them and the family losses their job as a result of domestic violence and is booted out of the service, then there is this program that will provide them a period of assistance. But the papers that the person gets booted out with has to say domestic violence for them to be eligible. So, that is another area where a lot more education has to be done for commanders that they are really doing the victim a favor if they write down domestic violence on those papers instead of hiding it.

Mr. COOPER. But, if your figure is correct that only two percent of other than honorable discharges are as a result of domestic violence, there seems to be a gap between the number of repeat offenders and those who are dismissed on those grounds.

Ms. TUCKER. Exactly.

Mr. COOPER. How big a gap is that?

Because those would be victims' families not receiving this compensation that you are describing. Those would also be individuals that, perhaps, should leave the service——

Ms. TUCKER. Right.

Mr. COOPER [continuing]. But have not been encouraged to leave because of the understanding that this discretionary information

that might not surely even come up in a promotion situation in which these people are being advanced in their careers for good behavior. It is curious to me that these are not part of guidelines that that promotion board would not to take comprehensive look at the individual's record in the service so they could make a balanced judgment on how the individual is performing in all aspects of their military career.

General PARKS. Would the gentleman yield?

Mr. COOPER. I would be delighted to yield.

General PARKS. As a matter of interest to the line of questioning you are pursuing, Debbie and I are working on a case similar, but different from the very good question that you are asking.

We have a victim, a spouse, whose less than honorably discharged because of domestic violence and that was part of the unfortunate escape mechanism that she had to use. My point is, we are looking at your question as are others through the front door and through the backdoor.

Mr. COOPER. I appreciate the gentleman's point and I appreciate your vast knowledge on these issues because I am new to this, as I say. Tell me about at the general officer level is there any extra scrutiny applied to general officers as they get promoted for these matters? Are the leaders of our military held to any higher standard than the average enlisted man?

Secretary ABELL. Congressman, I would tell you that just the fact is that our general and flag officers are held to a higher standard in almost every regard. The standards on the books are the same; the expectations are that they are, that we do hold them to a higher standard.

Mr. COOPER. But, if what you told me earlier is correct, that information could be withheld about repeated MP calls to their residence or whatever. It would be at the discretion of the CO.

Secretary ABELL. It is possible. I am concerned that I am trying to answer your questions directly and we are sort of getting the bit of misinformation here and I would hate to leave it like that. I go back to what General Parks said earlier, our commanders try to do the very best job.

They understand how to discipline their force, how to keep their charges in the path of righteousness and there is no, at least to my knowledge and experience, effort to sweep domestic violence under the carpet.

Mr. COOPER. But, Ms. Tucker said earlier that the base commander at Fort Bragg admitted he knew nothing about it. And she congratulated him for having the openness to acknowledge that. There are probably many other base commanders around the country, around the world who are in a similar position, because Fort Bragg is a major base. It is a great place. That is a very distinguished command. And if he knew nothing about it, I would suggests they are probably as widespread lack of knowledge.

Secretary ABELL. I think we are all getting smarter about the nuances of domestic violence and what it entails and the fact that it is more complex then we think it is. I will let Ms. Tucker explain to the colonel down at Fort Bragg, but what I understood her comments to be that he did not understand about domestic violence.

That is not to say that he did not understand what to do when there was a lapse in good order and discipline or a violation of the uniform code of military justice or a violation of policy on his base.

The other thing, and I mentioned it earlier is that when a commander gets information on one of his service members, he or she evaluates that in the total context.

So, if we have a service member who is a substandard performer who has not been selected for promotion along with his or her peers and the commander and the non-commissioned officers have been working with that soldier, sailor, airman or marine to make them a better service member and then there is an incident, reportable incident of domestic violence that is determined to be criminal behavior, the commander may well say that is it, this one is not salvageable and discharge that individual through an administrative process, get an other than honorable discharge. And the other than honorable discharge might well not be characterized as a result of domestic violence because it was a commander's evaluation of the whole person.

Now, perhaps, part of our education to commanders is to say if domestic violence played a part in your decision, in order to assist the victims, you should identify that as part of the discharge package. That is different from leaving on the table the implications that the commander was not dealing with the domestic violence or that somehow the statistics reveal that commanders are not dealing with domestic violence as brought to their attention. I do not believe that is the case.

Ms. SANCHEZ. Would the gentleman yield for a minute?

Mr. COOPER. I would be delighted.

Ms. SANCHEZ. This just comes back to—and you were not in the room at the time, Mr. Cooper, but to the whole issue of the new implementation or the recommendations that we have got and the implementation of how do we hold our commanders accountable?

And I asked the question, will this be in writing somewhere? Will there be a checklist? Is there a little list that you go down that says how good his physical training (PT) is and how good this and how good that is and you know, where is the slot for how did he handle family problems of the soldiers that he oversees? And I think the answer I got from the Under Secretary was well, it is not really going to be in writing and so it really is something that I think this committee might discuss about how do we hold—you know, is this piece of work important enough to us to hold, you know, to make people understand that maybe their promotions will be on the line if they do not do a good job.

I thank the gentleman for yielding.

Mr. COOPER. I thank the gentlelady. I apologize for straining the patience of the chair. It does seem to me to be an area in which it is difficult to generalize because, as General Parks said earlier, there is not jointness yet in services and some inconsistency is prevalent between the services and between the bases. Would any of the panelists care to characterize the service that has done the best job so far of focusing on these problems?

Ms. TUCKER. No, but I would like to say that on Page 61 of our report we have a number of elements of—and this is included in what is referred to as the command protocol. And the command

protocol lays out our recommendations for how command interact in these cases.

Under system accountability we bring up several issues. One is the Defense Incident Base Response System (DIBRS), the recording system for incident base recording of every crime that occurs in the military, that that system be required of the command that they put in what they did about that case. So, if the MP's go out, they identify somebody is aggressor. They put it in the blotter. The commander reads that blotter and takes no actions; there should be this glaring hole in the DIBRS program that shows that the commander responsible took no action on that case. So, that is one thing.

Quarterly, we want commanding officers with the authority to conduct court marshals to review every single open case, especially with regard to offender intervention and to know all the service members within their command where there is any pending domestic violence issue. We also recommend that installation commanders and let me say that I did not mean to imply that Colonel Davis knew nothing and I want you to know that——

Mr. COOPER. I was not being critical of him, it is just the——

Ms. TUCKER. No, no, what I meant was that you have to congratulate people who take the risk of saying, you know, I am in a situation where I am in over my head and help me, as opposed to trying to deflect or to pretend like they have it all under control when they do not have a clue.

So, I respected him for saying I need to learn a lot more. This is much more complicated and difficult then I ever knew. That is what I should have said than he didn't know anything.

But, in addition, we say installation commanders should meet quarterly with the victim advocates and all the commanding officers to find out what is going on in the system, where cases are at, what needs to be done and so forth. So, they would take a much more stronger leadership role. There are several other things and one of the toughest compromises that we came to in our deliberations was around this whole area of command role and responsibility.

And what we finally decided is that includes, because of the urgent need for command officer action to safeguard victims, victim advocates and victims must be encouraged to exercise the military chain of command in cases where the commanding officer's response to instances of domestic violence is inconsistent with established guidelines. And we go on to basically say if somebody is not doing what needs to be done to intervene with this problem, raise hell with their boss. And we want that to be the policy.

Mr. COOPER. I thank the gentlelady.

I thank the chair.

Mr. MCHUGH. I thank the gentleman and to our panelists, I would say the gentleman has refocused on an issue we talked about somewhat tangentially earlier. And I can only speak for myself. I happen to think that the ability to demonstrated record to respond to this particular issue ought damn well be part of your evaluation as a commanding officer, whether or not you should receive promotion. And I do not singularly have the power to require that, but I would certainly encourage you, Mr. Secretary, to con-

sider that as part of the chairman's recommendation as you go forward with this work.

We have obviously heard the bells here. We are delighted that the ranking member, Dr. Snyder, is back with us for the first time since his medical experience, living, breathing, looks well. We are happy with that. Vic, I do not know if you would like to interject anything at this point.

Dr. SNYDER. May I ask one question?

Mr. MCHUGH. Certainly. You are the ranking member.

Dr. SNYDER. And I appreciate your kind words. I have been subject to transformation, but not cancellation. And I apologize for not being able to be here. Just one quick question there is so much flux and change and moving around within the military. How did you all address the issue of if you have an alleged perpetrator or just some index of suspicion and yet the person may just be assigned there for six weeks or two months and then moves somewhere else? Is that—I would think that would be a particular challenge for the military. If you would address that and just tell me and I will talk with someone later.

General PARKS. We did not address that yet this afternoon, sir. But, we did recognize that, talked about it. It came up, not necessarily in the context of the question you asked, but the fact that, as I alluded a few minutes ago, an era of jointness where people are assigned working with other services and other bases and our programs are not consistent as it stands right now. And, so we recognize the need to standardize all those to ensure that the, as Ms. Tucker just mentioned, the defense incident base response system (DIBRS) is up and operational so that when an entry is made, such as you referenced and the individual transfers, that could be tapped into to ensure that we have that to another—at another command.

Similarly, if an individual receives treatment and care and he is into it for three weeks at this particular base but transfers then the remaining portion of it is a same system at another base and he simply picks it up from week three on to the conclusion of the program.

Ms. TUCKER. Or we said if he was being considered for transfer to a place where no offender intervention program existed, like we were going to send him, you know, to some teeny tiny little spot someplace, that that be postponed until the intervention program was completed. So, again, those are recommendations that we made.

Sometimes I wish that we could say all of these things are facts and are going to be this way from this point forward, especially for the many people who spoke to us over the three years with problems that they had experienced that did not get addressed in a manner that felt supportive to them. But, I think we have a lot of good ideas here that will close loopholes that have allowed offenders to not be clearly seen from command to command as they transferred.

Dr. SNYDER. Thank you, Mr. Chairman.

Mr. MCHUGH. Thank you, Mr. Snyder.

Obviously, we have a situation on votes that in fact as we look will cause us with four votes and because of the parliamentary re-

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COMMITTEE ON ARMED SERVICES

STATEMENT OF

LIEUTENANT GENERAL GARRY L. PARKS

AND

MS. DEBORAH D. TUCKER

CO-CHAIRS

OF

THE DEFENSE TASK FORCE ON DOMESTIC VIOLENCE

BEFORE THE

TOTAL FORCE SUBCOMMITTEE

OF THE

HOUSE ARMED SERVICES COMMITTEE

ON

19 MARCH 2003

CONCERNING

DOMESTIC VIOLENCE

NOT FOR PUBLICATION UNTIL
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COMMITTEE ON ARMED SERVICES

Chairman McHugh, Congressman Snyder, and members of the Subcommittee:

We are honored to appear before you today to provide an overview of the findings of the Defense Task Force on Domestic Violence (DTFDV).

INTRODUCTION

In an effort to assist the Department of Defense (DoD) in preventing domestic violence in the military whenever possible and responding more effectively when it does occur, Congress, in the National Defense Authorization Act for Fiscal Year 2000, Public Law 106-65, Section 591, required the Secretary of Defense to establish the DTFDV.

The overall goal of the Task Force was to provide the Secretary of Defense with recommendations that will be useful in enhancing existing programs for preventing and responding to domestic violence, and, where appropriate, to suggest new approaches to addressing the issue. In accomplishing its goal, the Task Force envisioned reframing the DoD's Family Advocacy Programs and the entire military community response to domestic violence into a model for America.

In fulfilling the Congressional mandate, the Task Force looked at the entire spectrum of domestic violence issues and the roles and responses of command, law enforcement, advocates, legal, medical, chaplains, counselors, and social workers in intervening and preventing domestic violence.

The Task Force believes that domestic violence is best dealt with by having a consistent, coordinated community response. This approach clearly communicates to potential offenders, as well as to those who have already offended, that domestic violence is simply unacceptable, will not be tolerated, and that there are consequences for such behavior. This consistent, coordinated approach seems to fit perfectly into the military community. In order to be most effective, however, every element of the response system, from law enforcement to medical to the command, must be "singing off the same sheet of music." It is important for everyone associated with the military to know what domestic violence is, its dynamics and risk factors, effects on victims or children who witness domestic violence, and consequences for offenders.

Over three years, the Task Force visited military installations throughout the world and met with numerous victims, offenders, commanders, first responders, and service providers. The cooperation of those at installations and in the surrounding communities willing to share their experiences, critical thinking, and ideas for improvements was essential to inform our research and recommendations. The depth of our understanding and service to the Department would not have been possible without the exemplary support of the staff assigned to work with us, to facilitate these installation visits and our intense deliberations. In addition to our site visits, the Task Force met 15 times to process information, resolve issues, and come to agreement regarding recommendations for the Secretary of Defense. The staff's support made it possible for the recommendations, and the substance behind them, to be effectively communicated to the Secretary, with you and others in Congress, and with the concerned public through our reports. The result is a recent snapshot of how well domestic violence policy is being executed throughout DoD's many commands and installations.

KEY ELEMENTS TO PROPOSED DOD STRATEGIC PLAN

In its three annual reports, the DTFDV made some 200 specific recommendations. In its responses to the first two reports, the DoD agreed with the vast majority of our recommendations for improvement, and we have no reason to believe the Department's response to our final report will be significantly different. While all of the Task Force's recommendations are valid and each will result in improvement of DoD's prevention of and/or response to domestic violence, there are nine points that we believe are key elements to the proposed DoD Strategic Plan for addressing domestic violence. If implemented by the DoD as recommended by the Task Force, these key points will have the most lasting, significant, and positive effect on the prevention of and response to domestic violence in the military. While we believe that all these key points are equally important, first and foremost, the Department of Defense should...

- **Demand a culture shift that...**
  - **Does not tolerate domestic violence;**
  - **Moves from victims holding offenders accountable to the system holding offenders accountable; and,**
  - **Punishes criminal behavior.**

The remaining eight recommendations support such a culture shift:

- **Establish a Victim Advocate Program with provisions for confidentiality** to enhance victim safety and provide a well-defined, distinct program where victims can

receive the advocacy, support, information, options, and resources necessary to address the violence in their lives without a requirement for mandatory reporting.

- **Implement the proposed Domestic Violence Intervention Process Model with the following protocols:** (1) Victim Advocate Protocol, (2) Commanding Officer's Protocol/Guidelines, (3) Law Enforcement Protocol, and (4) Offender Intervention Protocol. The Intervention Process Model and the amplifying protocols provide both a graphic and narrative description of the recommended intervention process with specific guidance for key components of the system when responding to domestic violence. Additional protocols are recommended for other professionals who play a role in intervention and prevention.

- **Separate abuse substantiation decisions from clinical decisions** to enhance victim safety and support the commander/commanding officer in ensuring offender accountability and intervention.

- **Enhance system and command accountability and include a fatality review process** as one on-going mechanism for identifying policy and system deficiencies with a goal of increasing accountability throughout the system, reducing domestic violence, and preventing future fatalities.

- **Implement DoD-wide training and prevention programs** that encompass not only general awareness training, but also include specific training for commanding officers

and senior noncommissioned officers, law enforcement personnel, healthcare personnel, and chaplains.

- **Hold offenders accountable** in keeping with the Deputy Secretary of Defense November 19, 2001 memorandum that highlighted the non-tolerance of domestic violence and challenged the Military Departments and commanding officers to intensify their efforts to prevent domestic violence.

- **Strengthen local military and civilian community collaboration** in preventing and responding to domestic violence.

- **Evaluate results of domestic violence prevention and intervention efforts.**

CORE PRINCIPLES

These recommendations are grounded in the following core principles of domestic iolence intervention. The core principles are founded on the precept that we must make every ossible effort to establish effective programs to prevent domestic violence in the military. This s tantamount to enhancing mission and family readiness. However, if domestic violence does ccur, the DoD has a duty to protect the victims and take appropriate action to hold offenders ccountable. To ensure the maximum effectiveness of the Department's response to domestic iolence, all intervention programs should adhere to the following core principles:

- **Respond to the needs of victims and provide for their safety.** Ensure that the stated needs of victims are fully considered. Safe housing, safety planning, and free, confidential advocacy services are essential, but not all inclusive. Recognize potential victim safety consequences when confronting the offender, validate victim input, encourage victim autonomy, and support the victim's relationship with her/his children.

- **Hold offenders accountable.** Ensure that the institution, not the victim, is responsible for holding the offender accountable. Where possible and appropriate, the focus should be on changing the behavior of the offender to prevent future acts of domestic violence. However, offenders must be held accountable for all criminal conduct through punishment, deterrence, and when possible, rehabilitation. Monitor and supervise offenders to ensure compliance and progress during any intervention program.

- **Consider multi-cultural and cross-cultural factors.** Ensure development of policies and practices that are sensitive and attuned to the backgrounds and needs of both victims and offenders in terms of economic, cultural, ethnic, religious, immigrant status, and other related circumstances. Policies and practices should be reviewed and monitored by community members from the diverse cultures being served.

- **Consider the context of the violence and provide a measured response.** Ensure that the victim's need for protection from further harm and the need to hold the offender accountable determine the intensity and direction of the command response to domestic violence.

- **Coordinate military and civilian response.** Ensure a cooperative relationship between military and civilian organizations. Synchronize procedures to ensure a coordinated community response between the military and civilian communities.

- **Involve victims in monitoring domestic violence services.** Ensure the establishment of mechanisms for monitoring intervention policies and procedures that include input from victims, advocates, and community members in order to evaluate program effectiveness. Monitoring should include development of specific, focused measures of accountability and effectiveness as well as leveraging existing inspection programs.

- **Provide early intervention.** Ensure early intervention and utilize all available resources.

IMPLEMENTING RECOMMENDATIONS

There are two overall recommendations that we think will help ensure success as the DoD now proceeds to implement our recommendations:

- The first recommendation addresses resources. Many of the recommendations contained in the DTFDV three annual reports have resource implications. The Task Force has not attempted to quantify the resources necessary to support these recommendations, nor was it in our charter to do so. The realities and limitations attendant to the DoD budget process (especially in terms of family support programs) make any significant "top line" increase to support these programs unlikely at the present time. Thus, the challenge for the DoD in deciding how to fund the implementation of many of our recommendations will be to decide how to reallocate funds currently available for domestic violence prevention and intervention programs. Therefore, we recommend that the DoD, in conjunction with the Military Services, and in collaboration with other governmental agencies that provide domestic violence research and intervention and prevention services to DoD personnel and their families:
    - Identify all funds allocated for DoD domestic violence prevention and intervention programs and initiatives (to include research, studies, grants, etc.); and,
    - Develop a prioritization and budget distribution (re-distribution) of all resources that are or could be dedicated to domestic violence prevention and intervention programs to ensure that funds are allocated in a manner that most effectively supports implementation of the recommendations of the DTFDV.

- The second recommendation addresses accountability. Members of the Task Force were encouraged by the passage of Section 8148 (c) of the Department of Defense

Appropriations Act for Fiscal Year 2003, P.L. 107-248, which requires that "Not later than June 30, 2003, the Secretary of Defense shall submit to the Congress a report on the implementation of the recommendations included in the reports submitted to the Secretary of Defense by the Defense Task Force on Domestic Violence."

Recognizing that the implementation of our recommendations will still be very much a work in progress on June 30th of this year, recommend that the DoD:

- Within two years of receiving this final report, convene a small, independent group with a composition similar to the DTFDV to review, assess, and report implementation progress to the Secretary of Defense. We believe that such a group would be most effective if it were composed of a blend of original Task Force members and new members who were not part of the original DTFDV process to provide a fresh perspective.

In the Executive Summary of our Third Report we highlight issues that will require the Department's thoughtful consideration as it hastens the arduous effort to respond to all of our recommendations. We ask that you carefully review as well our discussions of multi-culturalism and cross-culturalism, children and domestic violence, and sexual violence and the trafficking of women as they relate to designing a more effective response to domestic violence in the military.

CONCLUSION

As we complete our work as members of the Defense Task Force on Domestic Violence, we stand in awe of the tremendous trust and responsibility placed in our young men and women

in the military by our Nation's leaders. The freedoms we enjoy in this country today rest, in large part, on the sacrifices made by the members of our military since the founding of the United States. Suffice it to say that we will owe our continued freedom largely due to the efforts and sacrifices of the men and women in uniform today and their families, and to those who will come after them. Expecting nothing short of complete dedication from our military men and women and their family members, the DoD can and must dedicate itself to providing the best possible policies, practices, and procedures to address and prevent domestic violence in the military. We believe our proposed Strategic Plan and the almost 200 specific recommendations that give it substance offer the best course of action for the DoD to follow in developing a domestic violence prevention and response system that will not only improve the lives of our service members and their families, but will stand as a shining example for all segments of American society to emulate.

It is often said that the conclusion of any endeavor simply marks the beginning of another. We believe that this is entirely true in this case. As we conclude our research and recommendations, we pledge our continued support to the Department of Defense as it begins the challenging and most worthwhile task of implementing our recommendations. The members of the Task Force stand ready to assist the Secretary of Defense and the Department to achieve a lasting, significant, and positive effect of the prevention of and response to domestic violence in the military.

Prepared Statement

of

The Honorable Charles S. Abell

Principal Deputy Under Secretary of Defense

(Personnel and Readiness)

Before the Total Force Subcommittee

House Armed Services Committee

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Mr. Chairman and Members of the Committee, thank you for this opportunity to address you concerning the results of the Defense Task Force on Domestic Violence. As a result of Congressional concern for victims of domestic violence in the Department of Defense, the National Defense Authorization Act of 2000 established the Defense Task Force on Domestic Violence to review and make recommendations regarding the Department's response to domestic violence. Today, you will hear about the work of the Task Force from General Garry Parks and Ms. Debby Tucker, both co-chairs of the Task Force. Allow me to take advantage of this opportunity to thank both General Parks and Ms. Tucker for their service. Their commitment to the mission of the Task Force and their outstanding leadership resulted in a comprehensive set of recommendations focused on strengthening the Department's response to domestic violence. This committee's interest in holding hearings to discuss the work of the Task Force is reflective of your support for our efforts to address domestic violence and for that we are thankful. As you know, your support is crucial to our success.

We are committed to strengthening our response to domestic violence and have already taken action with respect to several key Task Force recommendations. For example, in November 2001, the Deputy Secretary of Defense issued a memorandum stating domestic violence will not be tolerated in the Department of Defense. Following issuance of this memorandum, each Service issued its own implementing memorandum. Consistent messages such as these from senior DoD and Service leadership stating domestic violence will not be tolerated, that victim safety is paramount, and offenders will be held accountable will help us create a culture shift that does not tolerate domestic violence.

In November 2002, the Department issued final guidance establishing DoD policy for military and civilian personnel implementing the domestic violence amendment to the Gun Control Act of 1968. As you know, this legislation, widely known as the Lautenberg amendment, makes it a felony for any person to sell or otherwise dispose of firearms or ammunition to any person whom he or she knows or has reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence.

In January of this year, before the Task Force had even completed its work, the Department established a team to implement additional Task Force recommendations. Also in January of this year, the Department developed a plan of action for joint initiatives with the Department of Justice to include joint training in the areas of law enforcement, fatality review, victim advocacy and clergy. As a result of this partnership, and with the support of the Task Force, the first joint law enforcement training was conducted at Fort Bragg earlier this month by the National Center for State and Local Law Enforcement Training, a division of the Department of Justice Federal Law Enforcement Training Center. This training will be repeated around the country so that mobile training teams can be established to proliferate these best practices throughout DoD. The results of this training will be that law enforcement personnel from all Services receive state-of-the-art training on responding to and investigating incidents of domestic violence. Recently, a 24/7 toll free number for family assistance has begun implementation to also help victims determine a safe plan of action. It further supports many victims' need for confidentiality. This assistance should be available DoD wide, even overseas, within the next two years. Additionally, the Department has been working closely with the National Domestic Violence Hotline providing training to the Hotline's

staff to prepare them to respond to callers associated with the military. This partnership will expand the availability of Hotline services to military installations worldwide.

Finally, the Department supports the implementation of several additional key Task Force recommendations including confidentiality for victims of domestic violence; protocols to assist commanding officers, law enforcement and victim advocates to intervene effectively; a fatality review process; and domestic violence education and training programs. With respect to the issue of confidentiality, we are developing a policy whereby victims of domestic violence can seek assistance from a victim advocate and for these communications to remain confidential except under certain circumstances. This particular policy will enhance victim safety, assure victim autonomy, and enable victims to seek assistance early without fear of damaging a Service member's career. Victim safety and autonomy are our key concerns as we address domestic violence in DoD.

The tragic events in the Fort Bragg community brought renewed focus on the issue of domestic violence. We must set a mood and tone of leadership that sends a clear message; first, that domestic violence is incompatible with military service and second, that it is right and safe for a victim to come forward as the first step to stopping a case of domestic violence.

In an age of increased deployments, new attention is being given to the critical area of reunion. Each Service is examining the manner in which it conducts its reunions on an individual and unit basis. We will look to be a catalyst for the sharing of best practices in this regard.

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The third and final Task Force report was provided to DoD on March 10, 2003. As with previous reports, I anticipate the Department will agree with the vast majority of Task Force recommendations. Many of the recommendations contained in the final report are follow-on recommendations from previous reports with which the Department has already concurred.

While I believe many of the recommendations will be completed this year, some recommendations require further study. For example, I am confident that policies to which I previously referred such as the confidentiality, protocols for victim advocates, commanding officers and law enforcement, fatality review and training and education will be implemented this year. Other policies such as those with funding implications or those that may impact military and civilian personnel policies may not be completed until 2004-2005.

Thank you again for scheduling this hearing and I look forward to answering your questions.