

## House Subcommittee Examines Sexual Assault in the Military

On June 27, the House Government Reform Subcommittee on National Security, Emerging Threats and International Relations held a hearing on sexual assault and violence against women in the military, including sexual assault at military academies.

Subcommittee Chair Christopher Shays (R-CT) stated, "This Committee has concern about the Department of Defense's commitment to aggressively prevent and respond to sexual assault incidents." He noted that the 2005 Defense Task Force on Sexual Harassment and Violence at the Military Service Academies reported that "sexual assault has been inadequately addressed at the Academies," and said that the Task Force on Sexual Assault in the Military Services, established by Congress as part of the FY2005 Defense Authorization Act, "is not yet operational, in fact its members have not been appointed." Rep. Shays declared, "We must provide an environment in the military at large that does not condone hostile attitudes and inappropriate actions towards women."

Ranking Member Dennis Kucinich (D-OH) said that it was "ironic and sad" that many women in the military do not always enjoy basic human rights. He emphasized that young men "don't learn sexual harassment in the military;" rather, violence against women, including domestic violence and spousal abuse, is due to "a lack of education in our culture about the basic rights of women." Rep. Kucinich said that he was "encouraged by the initial steps taken by the Department of Defense (DoD)," but added that there is "much more work to be done."

Testifying on behalf of the Pennsylvania Coalition Against Rape and the National Sexual Violence Resource Center, Executive Director Delilah Rumburg, former co-chair for the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies, asserted that "education and training were key to progress in reducing the threat of sexual misconduct." The Academies' programs, she said, were "not well coordinated, and they were not treated as an integral part of the core curriculum." Ms. Rumburg applauded Congress for implementing the task force's recommendation to add language to the FY2006 defense authorization bill to improve sexual assault provisions of the Uniform Code of Military Justice (UCMJ). She also stressed the need for victims to have confidential communication with their advocates: "For the young enlisted victim, the chain of command does not provide the safe, confidential support that would be available to that same victim in civilian society." Ms. Rumburg said that

the task force urged “continued vigilance” in holding offenders accountable, as well as increased collaboration between the military and civilian communities.

Christine Hansen, executive director of the Miles Foundation, cited DoD statistics that acknowledge 2,374 reported cases of sexual assault in 2005, an increase of 40 percent over 2004. Military criminal investigators handled 1,474 cases of sexual misconduct during 2005, with 274 alleged offenders being disciplined, 79 by court-martial. Additionally, she noted, “Among women veterans seeking Veterans Administration disability benefits, 69 percent of combat veterans and 86 percent of noncombat veterans reported in-service or post-service sexual assault. The study concluded that sexual assault prevalence was three to ten times higher for females serving in the armed forces than for females in the general population.” Ms. Hansen listed numerous concerns, such as fear of reporting incidents due to the fear of reprisals; limited medical support and treatment for military rape victims, especially for those serving in combat zones; the lack of a service-wide data collection system; and limited access to a civilian investigation. She also pointed out that, although more than 25 task forces, commissions, and panels have been established in recent years, not one has included a victim of sexual assault in the military.

Ms. Beth Davis related her experience of being sexually assaulted when she was a U.S. Air Force Academy cadet. Although she was raped and assaulted repeatedly during her freshman year, she hesitated to contact the authorities since she had been told by upper-class women cadets in Basic Cadet Training that “it was very likely that we would be raped or sexually assaulted during our time at the academy and...if we were attacked, to not report it to authorities because it would effectively destroy our career.” When Ms. Davis told the commander of the Office of Special Investigations her story, he initially was sympathetic, though he later closed her case and arranged for the base psychologist to give her an unfavorable diagnosis leading to her dismissal from the Academy. Ms. Davis called for the subcommittee to “hold additional hearings so that the victims will finally be able to be heard and to shine the light of truth on this vast, dark stain on our military and our nation,” and she requested Congress to “initiate its own, non-military, independent investigation of the problem of rape and sexual assault at the Air Force Academy, the other Academies and in the military at large, including an investigation into the culpability of the officers and officials in charge,” adding, “Nothing short of this will suffice.”

During the question and answer period, Rep. Carolyn Maloney (D-NY) asked, “Why don’t we have the victims report to the closest police department?” Ms. Davis replied that cadets’ lives are very restricted and they often do not have access to phones or cars. Rep. Maloney then suggested that the police could come and pick up the victim. “That may have been helpful,” Ms. Davis replied.

Acting Director of the DoD Sexual Assault Prevention and Response Office Kaye Whitley detailed the current DoD policy on sexual assault, established as a result of recommendations by the 2004 Joint Task Force for Sexual Assault Prevention and Response. Training and education, she said, is mandatory for new officers, enlisted

personnel, all cadets and midshipmen at the military service academies, as well as first responder groups, such as sexual assault response coordinators (SARCs) and victim advocates (VAs). Moreover, training “continues throughout a career at the unit level and in all professional military education programs – even at the war colleges.” Dr. Whitley stated that more than 2,000 SARCs and VAs already have been assigned to all major installations worldwide and that each has received 40 hours of training. The department’s new confidentiality policy “represents a major cultural shift,” she asserted, explaining that victims may now opt for restricted reporting, which allows the victim “to receive medical treatment and support without triggering the investigative process.” Dr. Whitley regarded the 2005 increase in sexual assault reports as a good sign. “Increased reporting means more victims receiving help and more investigations that will enable commanders to punish offenders,” she said, adding that a voluntary DoD survey carried out at the military service academies indicates that “training has been effective.” Concerning the report of the Defense Task Force on Sexual Harassment and Violence at the Military Service Academies, Dr. Whitley noted that the “report’s key findings and recommendations identify issues addressed in the Department’s sexual assault policy or targeted in Service-level sexual assault and harassment programs.”

Assuring the subcommittee that “one incident of sexual harassment, misconduct or assault is too many,” Vice Admiral Rodney Rempt, superintendent of the U.S. Naval Academy, highlighted the importance of a culture of respect. He said that the number of female midshipmen in the academy has increased from 192 in the class of 2006 to 237 in the class of 2009. Currently 17.8 percent of the officers are women, with women holding leadership positions, such as the Deputy Superintendent/Chief of Staff and Director of Admissions. The civilian faculty is 28 percent female, including seven of eighteen department chairs. In addition to comprehensive training that includes a date-rape scenario as part of a lesson, the academy has maximized reporting avenues and improved the 24/7 response system. Vice Admiral Rempt said that the annual values survey for the 2005/06 academic year found that 98 percent of men and women reported they were not sexually assaulted; respect for midshipmen who report harassment grew among women from 25 percent in 2001 to 65 percent in 2005. “These are encouraging results that we are making good progress,” he added.

Brigadier General Robert Caslen, commandant of cadets at the U.S. Military Academy, affirmed, “All leaders at the Academy – and this is a leadership issue – are aggressively pursuing actions to better educate our community and ensure we can eliminate the behaviors that may lead to these behaviors in our workplace.” Describing the increase in women in senior positions, Gen. Caslen said that one of the four Regimental Tactical Officers is a woman, 14 percent of the officers at the Brigade Tactical Department are women, and 18 percent of the Eisenhower Leader Development Program participants are women. The training and education program has been improved, he said, through the addition of new material from the National Sexual Assault Resource Centers, as well as counseling scenarios and the UCMJ definitions of sexual harassment, assault, and rape. Gen. Caslen asserted that many of the DoD task force recommendations have been incorporated in the recent Sexual Assault Response and Prevention Policy. Monthly Sexual Assault Review Board Meetings, quarterly updates on actions taken in

response to the DoD task force recommendations, and quarterly meetings of the Cadet Health Promotion and Wellness Council also have been established. “Recent surveys show,” he said, “that harassment, sexist behaviors, and gender discrimination are reduced from previous years, but still an issue.”

“The Air Force Academy has come a long way in addressing sexual assault and violence since the events of 2003,” stated Brigadier General Susan Desjardins, commandant of cadets at the U.S. Air Force Academy. Highlighting victim care as “our first priority,” Gen. Desjardins said, “In 2003 we established an Academy Response Team (ART) under the supervision of the training wing Vice Commander, providing dedicated assistance to victims of sexual assault. We strongly supported a confidential reporting option to allow victims to come forward and receive care without automatically triggering a law enforcement investigation – while maintaining that option for them.” She added that the academy has initiated education for all academy personnel on “a standard definition of sexual assault, on the means by which the most egregious sexual assaults occur, and on insights into methods for the community to prevent all sexual assaults” as part of a long-term cultural change. Annual surveys indicate a “marked decline in sexual assault allegations,” she noted, with an increase of victim reporting, from 36 percent in 2004 to 44 percent in 2005. “This is both good news and part of the challenge that remains,” Gen. Desjardins concluded.