

# The Guardian

Monday October 25, 2004

## **‘I reported the rape within 30 minutes – then watched my career implode’**

### ***Suzanne Goldenberg Reports on the Scandal of Unpunished Sexual Assault within the US Army***

<http://www.guardian.co.uk/g2/story/0,3604,1335105,00.html>

The worst thing for Captain Jennifer Machmer was knowing that the US army had actually promoted her rapist. Four years in the military, from proud passing out at West Point to humiliating discharge, had provided an education into the Pentagon’s thinking on sexual assault in the ranks, but Machmer never expected an accused rapist to be rewarded.

Her story, narrated to a hushed Congressional committee chamber in April this year, was a rare first-person account of the dangers faced by women soldiers during the Iraq war from their fellow troops. With thousands of women on the front line of America’s war on terror, the Pentagon has been forced to acknowledge that female soldiers are at risk from their comrades in arms, and that, in the US military, rapists often go unpunished.

As Machmer’s experiences in uniform reveal, the culture of violence runs deep. In her first command, she was nominally in charge of a soldier who regularly abused and threatened her. Machmer had the soldier transferred, and he was punished with a £475 fine. In her second posting, in 2002, the military chaplain she was seeing for marriage counseling sexually abused her. Machmer opted for discretion, and did not file a complaint.

Later, in Kuwait during the run-up to the American invasion of Iraq in early 2003, she was raped. “There was no way I could file away another violation,” she told the congressional committee. After asking herself, “do I stay quiet and just suck up the life that has been ruined, or do I speak out and try to go back to that route I was on,” the captain reported the attack within 30 minutes. Then she watched her career implode. Under the narrow definition of military law, the assault was not considered rape – though it would have been under a criminal law in most states.

Machmer was discharged against her wishes, on a partial pension because of post-traumatic stress disorder. Her assailant was transferred to a prized post. “The aftermath of the report has been terrifying,” she told the Congressional women’s caucus. “Every time you turn around, you are re-victimised, and retraumatised.”

It has been 10 years since the Clinton administration opened up 90% of military jobs to women. More than 200,000 women now serve in the US military, with at least 15,000 stationed in Iraq. Some of the women who put on the uniform and went off to war came home as heroines, like Private Jessica Lynch, whose capture by Iraqi forces was spun by the Pentagon into a tale of military derring-do, or Rachel and Charity Witmer, who returned to their grieving parents in Wisconsin in April after a third sister was killed in Baghdad. Lynndie England, a young soldier from a poor town in West Virginia, became instead the symbol of the ugly American, grinning and giving the thumbs-up to scenes of abuse at Abu Ghraib prison.

As now seems clear, the Pentagon could not sustain its military presence in Iraq without women soldiers. However, activists say the military establishment has done little to protect its female troops. As the committee hearing broke up, Machmer told reporters that she came to trust the Iraqis more than her fellow soldiers.

As in the civilian world, the greatest threat comes from known colleagues, says Christine Hansen, director of the Miles Foundation, an independent advocacy organisation for victims of violence. “Predominantly, we are seeing that these are acquaintance rapes, that the victims and the alleged assailant know each other. It might be your battle buddy, or a friend of your battle buddy who is in another squad.”

As of September this year, the Miles Foundation had received credible reports of rape or sexual assault (in the period August 2002 to August 2003) from 243 women serving in the US military in Iraq, Kuwait, Bahrain and Afghanistan. An additional 431 instances of assault were reported elsewhere. No figures are available for the rape of male soldiers serving in Iraq, although campaigners say there are such cases. Meanwhile, the Miles Foundation says it has charted a sharp increase in reports of domestic violence among military families with soldiers returned from the war.

Hansen believes the reported rapes account for just a fraction of the attacks. Most of the known victims were senior non-commissioned officers or officers – which Hansen says suggests that junior personnel are even more afraid of coming forward.

And who could blame them? A woman who reports a rape often suffers hazing (humiliation) and retaliation. She may be forced to continue serving with her attacker. In extreme cases, she may be thrown in the brig [military jail] and be accused of sexual misconduct. “It’s a career ender,” says Louise Slaughter, a Democratic congresswoman from New York and leader of the women’s caucus. “The sad thing is that, in addition to everything else, we are losing brain power, and people who would be extraordinary soldiers.”

Meanwhile, the US military has become notorious as an institution reluctant to confront a culture of abuse. Since 1991, when 83 women were assaulted at the annual Tailhook pilots’ convention, the Pentagon has had ample evidence of the abuse of women within the ranks. In 2002, a civilian rape-crisis centre near Sheppard air base in Texas saw two dozen new recruits who were victims of assaults. Last year, the national air force academy was shaken by reports from women cadets of rape and humiliation that went unpunished by their superiors.

During the last Gulf war, 8% of women sent overseas were sexually assaulted or raped, according to a study by researchers for the Department of Veterans' Affairs. Other surveys of women soldiers have confirmed the trend; sexual assault is widespread, and there are rarely consequences for the assailant. According to the Miles Foundation, fewer than 3% of reported assaults result in court martials, let alone punishment.

That was Sheri Chance's experience after she was drugged and sexually assaulted by a navy recruiter in February 2001. "The last conscious thing I remember is that I hit my head," she says. She woke up in the recruitment office in Peru, Illinois as the assault was underway. Chance reported the attack when she arrived at boot camp. After a one-day trial, the man who attacked her was fined one month's pay. Chance was discharged from the navy. "When all of this started happening to me I thought I was the first. Now it seems like it was constant all the time," she says.

Over the years, the Pentagon has launched repeated investigations into sex scandals. When the first reports of sexual abuse of women serving in Iraq emerged, the defence secretary, Donald Rumsfeld, ordered an official inquiry. Last month he appointed female officer Brigadier General KC McClain, who investigated rape cases at Sheppard air base two years ago, to head a new joint task force for sexual assault prevention and response.

But advocates say that such fact-finding missions are a substitute for real change. "We have known for a long time that there is a problem with sexual assault in the military. There have been more than 40 surveys in 16 years," says Carolyn Maloney, a New York congresswoman, "yet sexual assaults have gone up 19% since 1991. What is very frustrating is that the military has allowed these problems to get worse. What we have to do is to move past the acknowledgement that there is a problem and try to address it."

In recent months, women's organisations have pressed the Pentagon for reform, demanding amendments to military law to encourage prosecution for assault, and urging new procedures in the war zone. By the Pentagon's admission, the US military's record on sexual assault, from protecting victims and their privacy to prosecuting assailants, is "inconsistent and incomplete".

In a report issued in May, the Pentagon noted that there was no uniform definition of rape or sexual harassment under military law. The military had also failed to institute widespread sensitivity training for commanding officers, or to make counselling services available to women who had been assaulted. It is not even properly equipped to investigate such crimes: in the war zones of Afghanistan and Iraq, fewer than 100 rape-detective kits (which collect crucial DNA evidence) have been distributed to field hospitals. The backlog for DNA testing in rape investigations is 16 months, and overstretched commanders are disinclined to investigate reports of assault.

That was the experience of Beth Jameson, a major in the US army reserve, who was assigned to a large staging area in Kuwait. She was raped on March 20 2003, the first night of the war, in the shower block during an alert for a feared chemical attack. In May this year she told ABC television: "I donned my mask and my chemical suit, and my gloves, and my boots, everything. So I stayed there and waited for the all-clear sign to come about. Well, then all of a sudden

there was a knock on the bathroom door. And the door opened and somebody said, are you OK? And I gave my thumb up, saying, yeah, I'm fine. And the door shut. And then, it seems like a split-second later, the door just flew open and this person jumped in. He turned on me, kneed me in the groin and pushed me in the back of the bathroom. He pushed me to the ground and I fought with him."

She soon became convinced that the authorities were not interested in a prosecution. The investigators asked repeatedly if she had been having an affair with her attacker. She was also told that military regulations did not permit investigators to match the semen sample against the DNA registry of US service personnel, which is maintained to identify remains. Major Jameson told ABC: "I'm just angry now at the system – the military system that won't protect the victim. I understand now why women don't bring forward the fact that they've been attacked – because they're made to be the victim again."

Copyright © 2004 Guardian Unlimited, Guardian Newspapers Limited.