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Military Faulted on Assault Cases: Panel Calls Policies, Programs on Sexual Misconduct 'Incomplete'

By Bradley Graham, *Washington Post* Staff Writer

A Pentagon task force found broad fault yesterday with the U.S. military's handling of sexual assault cases, citing a lack of adequate support for victims and an investigative process often hampered by delays and manpower shortages.

In a 99-page report, the task force called existing Pentagon policies and programs aimed at preventing sexual assault "inconsistent and incomplete" and said training efforts are limited and vary "from location to location." It also described numerous barriers blocking the reporting of assaults and concluded that "accountability for resolving sexual assault problems is diffused."

The report, ordered by Defense Secretary Donald H. Rumsfeld three months ago, comes after scores of alleged assaults against female soldiers in Iraq, Kuwait and Afghanistan, which have confronted senior defense officials with the most extensive set of sexual misconduct cases in years.

Although Pentagon authorities have claimed strides in preventing and punishing such misconduct, the new report points to serious lapses still in the military's ability to protect female service members from assaults, to provide medical care and counseling to victims of attacks, and to punish violators.

"We do have a number of programs in place, [but] they're at the individual military department level," David S.C. Chu, the undersecretary of defense for personnel, said at a news conference. What the task force report emphasizes, he acknowledged, "is the need for a more cohesive . . . and more consistent effort by the department as a whole."

The report provided no new figures for alleged assaults in the U.S. Central Command's area of operations beyond the 24 in 2002 and 94 in 2003 previously reported. But among the things that need fixing is the system of Pentagon record-keeping, which the task force characterized as far from complete and not well integrated.

Across the Defense Department, the report said, there were 901 alleged cases of assault in 2002 and 1,012 in 2003. But Chu said those figures probably represent only a small fraction of the number of assaults because of the reluctance of victims to come forward.

While all the military services have programs to combat sexual harassment in the ranks, the report criticized the lack of any “clearly defined” Pentagon-wide “policy or program aimed at preventing sexual assault.” No uniform definition of “sexual assault” even exists in the military, said the report, which for its purposes took the term to mean rape, forcible sodomy, indecent assault or attempts at any of these.

Missing, too, in the Defense Department is a senior-level “person or office” responsible for the needs of sexual assault victims. Nor is there any standardized “training of providers and standards of care for victims of sexual assault,” the report said.

To remedy this, the task force recommended establishing “a single point of accountability for all sexual assault policy matters” within the Pentagon. It also urged setting standardized policies for prevention, reporting and accountability of sexual assault cases, and broader dissemination of information about sexual assault to troops.

The report, which was based on visits to 21 military locations in the United States, the Pacific region and the Persian Gulf area and on “contact” with 1,300 people, found widespread concern in the ranks about the readiness of commanders to believe complaints of assault and to act on them. Participants in focus groups spoke of a “stigma” attached to those who complain. They said reporting a sexual assault would probably damage a service member’s reputation.

“The perceived lack of privacy and confidentiality within the Department of Defense is thought by many to be one of the most significant barriers to reporting by military sexual assault victims,” the report said. At the same time, it noted, there is often a need to balance a victim’s desire for confidentiality against the requirement of exposure to prosecute a case.

Once an assault is reported, “actions to segregate alleged victim and alleged offender are not always timely,” the task force concluded. In general, it found, some commands had reputations as “very supportive” while others were regarded as responding “with indifference or disbelief.”

The report cited a “backlog” in the processing of DNA evidence at the Army’s Criminal Investigation Laboratory as one factor hampering investigations. It also noted a scarcity of investigators and military lawyers who can handle assault cases.

Such personnel are in even shorter supply in combat zones such as the Persian Gulf area, the report said, while the risk of assault and the potential for mishandling of cases in these high-stress environments may be greater because of the transitory nature of the military population, the lack of privacy between male and female soldiers, and other factors.

Some investigations of alleged assaults in the gulf region were conducted by commanders instead of appropriate investigative agencies, which may have compromised some cases, the report said.

Since being briefed on the report last month, Rumsfeld has sent a directive to the major regional commanders to review their procedures for dealing with sexual assault cases and to come to a high-level conference later this month prepared to discuss what more can be done, Chu said.

Rep. Carolyn B. Maloney (D-NY), who has pressed the Pentagon to improve its handling of assault cases, issued a statement criticizing the task force's recommendations as "mostly vague and not entirely immediate." She also said they "fall short of many of the other reports and recommendations we've seen over the years."

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