



## **MILITARY ACADEMIES: RAPE, SEXUAL ASSAULT, AND SEXUAL HARASSMENT**

*Author's Note:* The term Military Sexual Trauma (MST) is the official phrase for the psychological trauma that may result from rape, sexual assault, and sexual harassment in the military. While the Department of Veterans Affairs (VA) includes sexual harassment in its definition of MST, the Department of Defense (DoD) does not and limits its definition to rape and sexual assault. While we use the term MST throughout this paper when discussing specific military policies, SWAN considers the term a euphemism and prefers to call these crimes and violations what they are—rape, sexual assault, and sexual harassment. The term MST masks the severity of this crisis, and it is important to properly name these egregious acts committed against our men and women in uniform.

In the spring of 2010, Kyle Newman was accused of raping at least two fellow female cadets. On May 27, 2010, a military court-martial convicted Newman of rape and indecent conduct. Although the offense of first-degree rape in the state of New York normally carries a sentence of 12-25 years in prison, a military judge sentenced Newman to only 42 months confinement.<sup>1</sup>

In the winter of 2010, in the United States Naval Academy's dining hall, a fourth-year midshipman touched a fellow female midshipman's<sup>2</sup> breast with a carving knife while making obscene comments in front of other midshipmen. Previously, the perpetrator had spread rumors about the midshipman's sexual activities and touched her inappropriately while other midshipmen watched. Although the perpetrator was charged with wrongful sexual contact, the command determined there was insufficient evidence to bring the case to a military court and dealt with the incident internally.<sup>3</sup>

As alarming as these two incidents are, even more disturbing is that they are not isolated cases, but represent only a tiny fraction of sexual violence incidents that occur at the U.S. military service academies (which were integrated by gender in 1976). Unlike the stories described above, most incidents of rape, sexual assault, and sexual harassment never get reported, but like the experiences described above, perpetrators are either not punished at all or the punishment they receive does not fit the gravity of their crimes. In SWAN's continued policy and advocacy work on military rape, sexual assault, and sexual harassment, we discovered alarming rates of sexual violence at the four military academies where future officers are trained. We are particularly alarmed that the same military dynamics that make rape, sexual assault, and sexual harassment more likely to happen, that prevent survivors from reporting incidents, and that prevent perpetrators from being properly disciplined, are pervasive throughout the academies. Victim-blaming, inadequate reporting procedures, and

<sup>1</sup> The United States Military Academy. Press release: [http://www.usma.edu/dcomm/PressReleasesbd%5Cnr36-10cadet\\_sentenced\\_at\\_court martial.html](http://www.usma.edu/dcomm/PressReleasesbd%5Cnr36-10cadet_sentenced_at_court martial.html).

<sup>2</sup> Despite having been integrated by gender since 1976, the U.S. Naval Academy still officially uses the term "midshipmen" to describe both male and female academy students.

<sup>3</sup> This incident is described in the Department of Defense's 2010 "Annual Report on Sexual Harassment and Violence at the Military Service Academies."

misogynistic climates that infect the U.S. military are also ubiquitous throughout the U.S. Military (USMA), Naval (USNA), Air Force (USAFA), and Coast Guard (USCGA) Academies. Young and impressionable cadets and midshipmen are being socialized into behaviors and beliefs that perpetuate the rape, sexual assault, and sexual harassment crisis.

SWAN's analysis is based on the Department of Defense's Annual Report on Sexual Harassment and Violence at the Military Service Academies as well as two surveys commissioned by the Department of Defense that examine "gender relations" in U.S. military academies.<sup>4</sup> While the annual report comprises the Department of Defense's overall assessment of sexual violence in the military as well as the progress academies have made to end assault and harassment, the two survey reports provide a more detailed analysis of each service academy. The "2010 Service Academy Gender Relations Survey" administered confidential and anonymous questionnaires to a large sample of cadets and midshipmen (during the 2009-2010 academic year). Results from this study are quantitative in nature and provide a snapshot of prevalence and type of offense, demographic details about the perpetrators and survivors, and reasons for under-reporting. The second survey report is entitled the "Service Academy 2009 Gender Relations Focus Group" and provides a more qualitative assessment of the quantitative data. Groups of cadets and midshipmen answered researchers' questions about the occurrence of rape, sexual assault, and sexual harassment, why under-reporting occurs, and what about the academy culture perpetuates these offenses. Rarely is a quantitative, statistics-based study conducted in conjunction with a qualitative, richly detailed account of phenomena, and the combination of these two methods makes the report findings all the more powerful and cogent.

#### *Rape, Sexual Assault, and Sexual Harassment Prevalence at Service Academies*

Incidents of rape, sexual assault, and sexual harassment do not only occur within the Armed Forces, but also at U.S. Military Service Academies—the renowned institutions where future officers are trained for the U.S. military. In the 2009-2010 academic year, 41 sexual assaults were reported at the service academies, a 64% increase from the prior year.<sup>5</sup> However, by the DoD's own estimates, this number represents less than 10% of the actual number of assaults. We turn to survey data in order to paint a more accurate picture of rape, sexual assault, and sexual harassment prevalence at the academies, which indicate that 520 cadets and midshipmen experienced one or more incidents of "unwanted sexual contact." Overall, 12.9% of women and 1.9% of men report an experience of unwanted sexual contact at the academies, while 56% of women and 12% of men report experiences of sexual harassment. Prevalence rates of sexual assault and harassment vary by individual academy. The figures below show the percentages of men and women at each service academy who reported unwanted sexual contact and sexual harassment during the 2009-2010 academic year.

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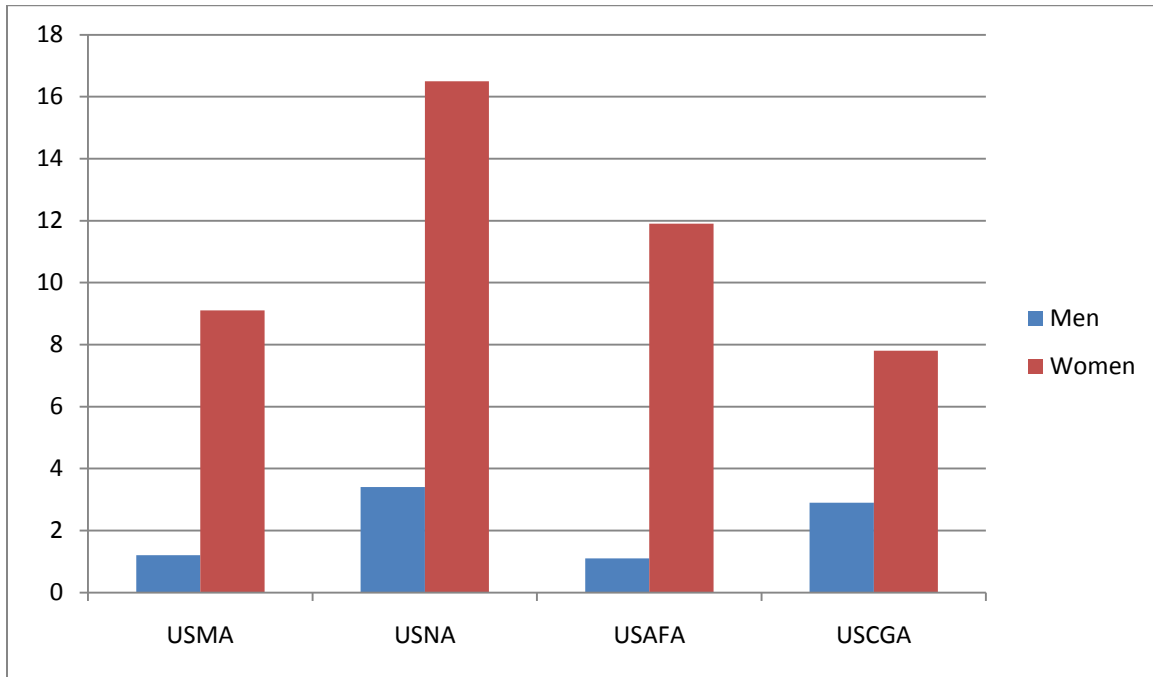
<sup>4</sup> Department of Defense, Sexual Assault Prevention and Response. 2010. "Annual Report on Sexual Harassment and Violence at the Military Service Academies." Available:

[http://www.sapr.mil/media/pdf/reports/FINAL\\_APY\\_09-10\\_MSA\\_Report.pdf](http://www.sapr.mil/media/pdf/reports/FINAL_APY_09-10_MSA_Report.pdf); Department of Defense, Defense Manpower Data Center. 2010. "2010 Service Academy Gender Relations Survey." Available:

[http://www.sapr.mil/media/pdf/reports/FINAL\\_SAGR\\_2010\\_Overview\\_Report.pdf](http://www.sapr.mil/media/pdf/reports/FINAL_SAGR_2010_Overview_Report.pdf); Department of Defense, Defense Manpower Data Center. 2010. "Service Academy 2009 Gender Relations Focus Groups." Available: <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA509084&Location=U2&doc=GetTRDoc.pdf>.

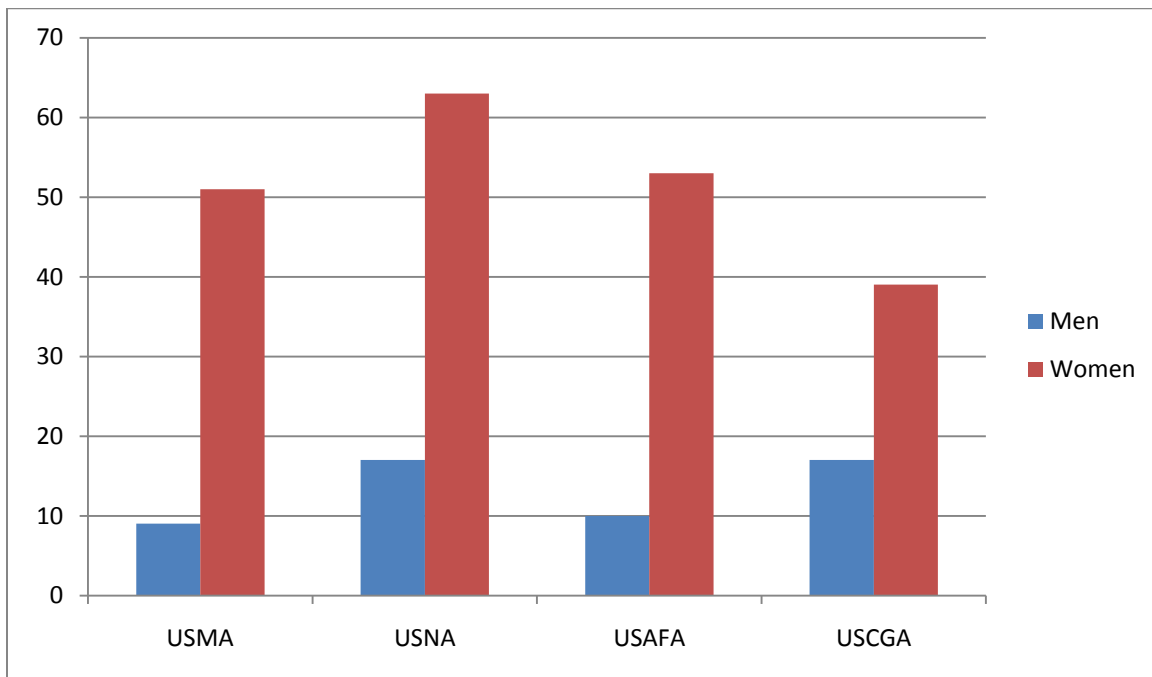
<sup>5</sup> This number includes reports made at the USMA, USNA, and USAFA, but excludes the USCGA. During peacetime, the Coast Guard is under control of the Department of Homeland Security, not the Department of Defense. However, the Coast Guard requested that they be included in the "2010 Service Academy Gender Relations Survey," and for the first time, prevalence rates and other data that document the rape, sexual assault, and sexual harassment crisis at the academies include responses from the Coast Guard cadets.

Figure 1: Percentages of men and women who report unwanted sexual contact at U.S. Military Service Academies, Academic Year 2009-2010



Note: The Service Academies Gender Relations Survey measures unwanted sexual contact as inclusive of the following: sexual touching, attempted or completed sexual intercourse, oral sex, anal sex, or penetration by a finger or object without their consent or against their will.

Figure 2: Percentages of men and women who report sexual harassment at U.S. Military Service Academies, Academic Year, 2009-2010



Note: The Service Academies Gender Relations Survey measures sexual harassment as inclusive of the following: crude/offensive behavior (e.g., repeatedly told sexual stories or jokes that are offensive); unwanted sexual attention (e.g., unwanted attempts to establish a romantic sexual relationship despite efforts to discourage it); and sexual coercion (e.g., treated badly for refusing to have sex).

Disturbingly, survey data at the academies reveal more reported incidents of rape, sexual assault, and sexual harassment than in the Armed Forces. A similar survey conducted in the Armed Forces revealed that 6.8% of women and 1.8% of men experienced unwanted sexual contact and that 34% of women and 6% of men experienced sexual harassment.<sup>6</sup> As illustrated in the figure above, these rates are much higher, and sometimes even double, among the academies.

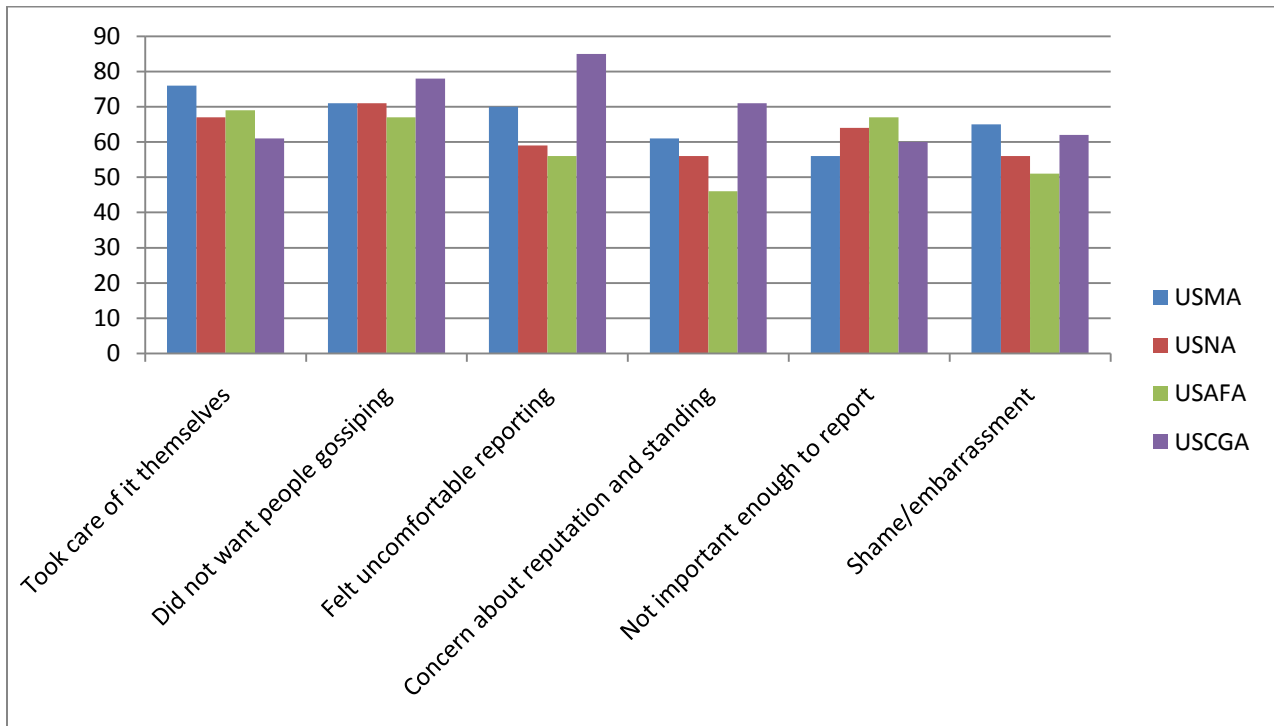
As in the Armed Forces, most survivors of rape, sexual assault, and sexual harassment at service academies are violated by their own peers. Of women at the USMA, USNA, USAFA, and USCGA who experienced unwanted sexual contact, 94%, 90%, 91%, and 76% respectively indicated the perpetrator was a fellow cadet or midshipman. 93-100% reported that the perpetrator was male.

<sup>6</sup> Department of Defense, Defense Manpower Data Center. 2008. "2006 Workplace and Gender Relations Survey of Active Duty Members." Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

## Reporting

In the Armed Forces, only about 20% of rape and sexual assault cases are actually reported.<sup>7</sup> Men and women at the service academies are even *less* likely to report rape and sexual assault (less than 10%). Sexual harassment reporting rates are similarly low, and men are less likely than women to report both unwanted sexual contact and sexual harassment incidents.

Myriad barriers exist that preclude survivors of rape, sexual assault, and sexual harassment from reporting their experience. Men and women who experience sexual violence at service academies cite similar reasons as men and women in the Armed Forces who also choose not to report their experiences. The following chart displays some of the most common reasons given in each service academy for not reporting experiences of unwanted sexual contact.



The focus groups conducted at the academies asked several questions about reasons why survivors of rape, sexual assault, and sexual harassment would not report the incident. We were disturbed by some of the reasons given as well as cadets' and midshipmen's beliefs in "rape myths," such as the idea that the survivor is to blame rather than the perpetrator. Consider the following two quotations from female cadets at the USMA who were asked to speculate about reasons for rape, sexual assault, and sexual harassment under-reporting:

*--"I would say because of humiliation, honestly. A lot of cases are like a he said/she said type deal, so they don't really believe you."*

<sup>7</sup> This statistic comes from the DoD's own data. See Department of Defense, Sexual Assault Prevention and Response. 2010. "Fiscal Year 2009 Annual Report on Sexual Assault in the Military." Available: [http://www.sapr.mil/media/pdf/research/WGRA\\_OverviewReport.pdf](http://www.sapr.mil/media/pdf/research/WGRA_OverviewReport.pdf).

*– “Perhaps shame as well. Maybe you kind of blame yourself for bringing it onto you. Maybe you felt that you provoked it in some way and you don't want to acknowledge that.”*

As in the military, there are two reporting options for survivors of rape or sexual assault at the academies: restricted and unrestricted reporting. Restricted reports allow rape and sexual assault survivors to access medical treatment for assault but not pursue legal action against the perpetrator; however, information such as rank, service branch, gender, age, race, and information about the assault is required in order to submit a report. Anonymity, then, is unlikely to be preserved. In fact, reporting assaults anonymously is practically impossible.

Because one's reputation is so highly valued in the military, servicemembers face enormous career risks in reporting rape, sexual assault, and sexual harassment. Like servicemembers, cadets and midshipmen at the military academies are similarly concerned about their careers and acknowledge that reporting rape, sexual assault, and sexual harassment would severely compromise one's reputation and standing. They also report the perception that anonymity is very much unlikely to be preserved in restricted reporting. As one female midshipman from the U.S. Naval Academy said:

*--“I think because the Academy is so performance oriented, because everyone is under the strict scrutiny of everyone else in their chain of command and their peers, I think people are reluctant to come forward about stuff like that, to protect themselves, and protect their ranking, their class ranking, things like that.”*

A fellow female midshipman echoed this sentiment and added:

*– “I would say there definitely is a stigma if you report something, even if it's restricted reporting, I think there's a fear that this is going to come back on me and what are my classmates going to think. A lot of recent cases that have been very public have come back, especially on a female, like she was the one who screwed up, she should have done all this differently. So when you're looking at potentially reporting a sexual assault, I think that's something you consider. I don't think it's encouraged necessarily by the higher ups, but I think it's in the culture.”*

Many cadets and midshipmen discussed how the “close quarters” and increased familiarity in the academies make it especially likely that a report of sexual assault or harassment will come back to haunt the survivor who made the report. A male cadet in the U.S. Air Force said this about what he describes as a “fish bowl effect:”

*--“Everybody finds out about it. Like, there's an announcement made on the staff tower and people start talking. It's not like a normal university where there's a rape. But here if it happens, the entire Wing finds out about it. There's all of these rumor mills going around, people asking who it is and then the media finds out. It's just like everybody knows what happened to you, and it's not like that anywhere else.”*

A female cadet from USMA said this:

*“I don't see how at West Point it could truly and completely be anonymous*

*because someone would know and someone would tell and the whole Corps would know.”*

A female midshipman from the Naval Academy agreed, and added that women, because of their hypervisibility in the academies, are especially bound to be found out:

*– “I think if it happens within your company or the same class we are all living with each other constantly and in such close quarters, if someone was to be accused of some action I think they'd pretty quickly try to figure out who was the one that reported it, especially if it's a girl reporting, there are only so many girls per company that it's easy to figure out what happened.”*

Many cadets and midshipmen opined that the military's values of “personal responsibility” as well as male traits like strength and toughness prevent both men and women survivors of rape, sexual assault, and sexual harassment from coming forward. When asked why survivors do not report experiences of rape, sexual assault, and sexual harassment, a female cadet from USMA answered:

*– “I think a lot of times things here go unreported just because the mentality is you're supposed to be tough and just deal with things, so I guess whether it's sexual assault or psychiatric issues, that's a problem that we're seeing here right now.”*

A male cadet agreed and also explained that the high value placed on strength and “being tough” especially precludes men from reporting:

*– “We go to the Military Academy, there's a masculinity stigma. I don't want to call it stigma, there is a masculinity expectation, you are going to be a leader of men and women, but having that would be an automatic ‘What? Like what happened to you? Why wouldn't you have taken action?’ We've gone through combative, you've had boxing classes for crying out loud. You couldn't prevent something like that from happening?”*

Finally, SWAN has personally heard the stories of female cadets who have experienced first-hand the misogynistic attitudes that create a climate in which the sexual violation and harassment of women in the academies can occur without real consequences. Several cadets from USMA told us about the word “trou” that is commonly directed as a form of insult towards female cadets. As one cadet tells us:

*“The word ‘trou’ is derived from the trousers in which women's hips would expand during their time at the Academy and have a noticeable change in their appearance in the male-fitted trousers. Many other terms have stemmed from this word to include the ‘trou chariot’ (a woman at the gym on the elliptical machine), ‘t-bucket’ (a pint of Ben and Jerry's ice cream), and ‘grey goggles’ (a man dates a woman cadet only because he has no access other females). It is also directed at women who are injured and are not able to take the physical tests and those that fail the physical tests.”*

She described her own personal experience as such:

*“Freshman year it was easy to laugh at being called ‘trou.’ The strict rules regarding fraternization between the freshman ‘plebe’ class and the upperclassmen set an intimidating tone. Being a plebe girl, it was hard to stand up for myself because I felt that standing up would draw unwanted attention and I would be labeled and ridiculed. An experience cemented in my memory is from a Thursday night*

mandatory dinner. I was standing in the dining hall talking to one of my male classmates. His sports team saw this and began to bang on their plates and glasses while hollering about how he was talking to a ‘trou.’ After that dinner, one of his teammates showed me an email with my picture next to my math partner’s picture calling me a ‘trou.’ Being a freshman, I became embarrassed and walked away without saying anything despite the fact that I pass my physical tests and have kept the same appearance since entering. I have seen this behavior continue on Thursday nights for the past 3 years without many cadets getting in trouble or females standing up for themselves.”

This cadet’s personal story reflects many of themes echoed in the findings from the DoD Gender Relations Surveys—sexual harassment exists and is pervasive, women also feel embarrassed or ashamed and are reluctant to report violations, and perpetrators rarely face consequences for their actions.

*The Scope of the Academy’s Influence*

SWAN is concerned about the high rates of rape, sexual assault, and sexual harassment that occur at the academies, as well as a culture and policies that prevent survivors from reporting. Because the academies are supposed to be highly controlled, disciplined environments, the high rates of sexual violence are especially disturbing. Of all active duty officers in 2009, 18% are academy graduates.

**2009 Active Component Officer Corps by Source of Commission**

Branch	Source of commission						
	Academy	ROTC Scholarship	ROTC Non-scholarship	OCS/OTS <sup>8</sup>	Direct Appointment	Other	Unknown
Army	14.8%	32.5%	18.5%	17.5%	10.9%	5.8%	.1%
Navy	20.3%	18.8%	1.8%	19.6%	19.5%	.15%	19.9%
Marine Corps	13.5%	7.4%	0%	63.5%	.84%	.04%	14.8%
Air Force	21.2%	16.7%	26.1%	19.4%	16.6%	.01%	.01%
Total DoD	18%	22.1%	15.2%	22.7%	13.8%	2.1%	6.1%

Source: Department of Defense, Office of the Under Secretary of Defense, Personnel, and Readiness. 2009. *Population Representation in the Military Services.*

Moreover, academy graduates are disproportionately represented among the highest ranks of the military. Of the 721 individuals who have reached the rank of four-star general or admiral, 464 (64%) graduated from a service academy. In the Navy, an overwhelming 90% of four-star admirals were commissioned from a service academy. Additionally, academy graduates often end up in top positions of power within the government, as Representatives and Senators in the U.S. Congress and as cabinet members. Former presidents Jimmy Carter and Dwight Eisenhower are both academy graduates.

Because the academies train future generations of leaders both in the military and in powerful government positions, it is especially important that these cadets and midshipmen are trained to enforce rape, sexual assault, and sexual harassment policies. It is equally important that cadets and midshipmen learn from their leaders’ example that perpetrators of sexual violence and harassment

<sup>8</sup> OCS= Officer Candidate School; OTS= Officer Training School

should not only be prosecuted or punished, but also receive the maximum punishment. Unfortunately, that is not the message cadets and midshipmen are taking away from their academy experiences. Further, survivors of sexual violence and harassment in the academies are constrained by the same barriers that prevent servicemembers from reporting experiences of rape, sexual assault, and sexual harassment. SWAN intends to incorporate the academies in our overall policy agenda to eradicate military rape, sexual assault, and sexual harassment. We hope that bringing attention to sexual violence at the academies will help stop this crisis in the military by training future officers to enforce military policy, prosecute sexual offenders, and punish perpetrators to the fullest extent allowed by law.