



NEWS

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SERVICE WOMEN'S ACTION NETWORK RESPONDS TO DEFENSE SECRETARY LEON PANETTA ANNOUNCEMENT TO REDUCE SEXUAL ASSAULT IN THE MILITARY

SWAN calls the attention to the issue noteworthy, but predicts proposed changes are not likely to have a substantial effect

New York, NY – Today, the Service Women's Action Network (SWAN) issued a statement in response to new measures announced by the Department of Defense (DOD) designed to reduce sexual assaults in the military. Secretary of Defense Leon Panetta made a statement from the Pentagon earlier today outlining new DOD sexual assault policies being implemented as a result of the recent passage of the National Defense Authorization Act by Congress.

Anu Bhagwati, Executive Director of the Service Women's Action Network and a former Marine Corps Captain, called the announcement noteworthy but expressed concern that the new measures will not have the desired impact.

“We appreciate Secretary Panetta making this announcement and are extremely glad to hear that this issue is a priority for him,” Bhagwati said. “However, our clients’ experiences indicate that the day to day reality for service members who experience sexual assault is not changing. The new policies signed into law and written by the DOD are not being implemented and enforced by commanders within individual branches of service. Several of our clients who are sexual assault survivors have been unable to get expedited base transfers despite the new DOD policy change. Many other clients still have their claims for PTSD due to sexual assault routinely denied by the Veterans Benefits Administration.”

“The Secretary’s call for another study is a waste of time,” Bhagwati said. “In the past 16 years there have been 18 studies by the DOD on sexual assaults. It is time for the Secretary to change the military justice system which continues to deny justice to sexual assault survivors.”

In December of last year, SWAN sent a [letter](#) to Secretary Panetta offering to help the DOD develop a comprehensive sexual assault policy for the military and warning of the negative impact that commander influence can have on any future reforms. The Secretary has not responded.

“Commander influence is the crux of this problem,” said Bhagwati. “Spending an extra \$10 million training military lawyers to try these cases does no good if commanders are not preferring sexual assault cases to trial. Unfortunately, military law today requires that the officers directly in charge of offenders decide how these cases are handled. It creates a clear conflict of interest and as a result, the vast majority of sexual assault cases never see the inside of a courtroom.”

“The solutions are already in place,” Bhagwati said. “Earlier in 2010 we worked with Representative Bruce Braley to introduce H.R. 1517, a bill which would change military law and have generals make these case disposition decisions instead of the offender’s direct chain of command. That process already exists in the military for other crimes and we would like to see sexual assault cases handled in the same way. The bill would also create special senior-ranking sexual assault prosecutor billets to ensure that only experienced military trial lawyers try these cases.”

In November, Congresswoman Jackie Speier introduced H.R. 3435, a bill that would create a non-military external oversight committee to monitor how the military prosecutes sexual assault cases. The bill would create a Director of Military Prosecutions who would decide sexual assault case dispositions.

SWAN is a national human rights organization founded and led by women veterans. SWAN’s vision is to transform military culture by securing equal opportunity and the freedom to serve in uniform without threat of harassment, discrimination, intimidation or assault. SWAN also seeks to reform veterans’ services on a national scale to guarantee equal access to quality health care, benefits and resources for women veterans and their families. You can follow Service Women’s Action Network on Twitter at <http://twitter.com/servicewomen>, or on Facebook at <http://www.facebook.com/servicewomen>.

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