

Failure of the Department of Defense:
Sexual Abuse Still Rampant Within Military Ranks

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The United States Armed Forces have recognized sexual assault as an issue, and created the Department of Defense Sexual Assault Policy. There are numerous reports still being made by female officers. Sexual Abuse is also often not reported, but none the less still an issue, especially amongst male service members. The programs created by the Department of Defense have not provided service members with adequate results, leading to AWOL status, death, attempted suicide and discharge.

Have the programs implemented for the prevention of sexual assault in the Military been successful?

Events such as the 1991 Tailhook scandal, and the 2003 Air Force Academy scandal, brought this issue into the limelight. At the Tailhook Convention in Las Vegas, 1991, more than one hundred officers sexually assaulted and harassed several dozen female soldiers. There were no convictions.¹ In 2003, at the Air Force Academy, reports of sexual assault were made by one hundred forty-two cadets. There were no convictions.²

In January 2004, the Department of Defense created the Sexual Assault Policy. The policy provided a clear cut definition of what was to be considered sexual assault. The policy also provided a prevention and response training to all Department of Defense personnel, which was diverse in intensity from each branch of service.³ To be included were rape, nonconsensual sodomy, indecent exposure or any attempt to commit any of those.⁴ Training also branched out to include pre-deployment response groups.⁵ To provide increased support to victims, timely response to their reports, checklists to

¹ Captain Richard Linnekin, "They Looked Okay When They Went By Me," *U.S. Naval Proceedings*, Vol. 125 Issue 10 72-73

² Jane Hoppin, "Who's Got Your Back?," *Off Our Backs*, Vol. 36, no.2 (July 2006):14-16,

³ U.S. Department of Defense. Summary of Department of Defense Sexual assault Policy. (2004)

⁴ *Ibid*, 2

⁵ *Ibid*, 1

balance victim's rights versus offender's rights, removal of victim's fear of reporting due to possible punishment, and administrative separation to ensure consistent investigations were all goals of the policy.⁶ The Policy also included the use of the Defense Incident Based Reporting System (DIBRS), to track sexual assault.⁷

The 2004 DIBRS survey reported that there were 1,7000 reported sexual assaults.⁸ The alleged sexual assaults included 880 service members on service member.⁹ Nearly one-third of the total investigations were incomplete.¹⁰ Punitive action was taken in only 342 of 1,362 completed investigations.¹¹ Punitive action included court martial's, nonjudicial punishment and administrative actions or discharges.¹² There were more cases (351) that went unfounded.¹³

The executive summary also offered some recommendations. The most significant was holding a single point responsible for the policy within the department. From this recommendation the Joint Task Force for Sexual Prevention and Response was formed.¹⁴

The following year, The Joint Task Force published the second DIBRS survey. Report soared over, 2,374 in total.¹⁵ The introduction of restricted and unrestricted reports, allowed a victim to obtain services from the sexual assault staff, healthcare and

⁶ Ibid, 2-3

⁷ Ibid, 3

⁸ U.S. Department of Defense. 2004 Summary of Department of Defense Sexual Assault Executive Summary. (2005) 1

⁹ Ibid, 1

¹⁰ Ibid, 2

¹¹ Ibid, 2

¹² Ibid, 2

¹³ Ibid, 2-3

¹⁴ Ibid, 3-4

¹⁵ U.S. Department of Defense. 2005 Summary of Department of Defense Sexual Assault Executive Summary. (2006)

chaplains without identification of the accused and no further investigation.¹⁶ It is believed that the total number of reports has risen due to unrestricted reporting. Another factor believed for the increase was the change in Army investigation. Previously, initial investigations were given a case number only after there was sufficient evidence to continue.¹⁷ Incomplete investigations comprise of one-third of the 2,047 total involving service member offenders.¹⁸ Less than half of those offenders received punitive action.¹⁹ The report also shows conclusive data for unresolved cases of 2004, resulting in an additional 330 cases involving punitive action.²⁰ The Joint Task Force for Prevention and Response, transitioned into the Department of Defense Sexual Assault Prevention and Response Office(SAPRO), becoming the sole point for accountability.²¹

SAPRO recommendations' for the following year included, development of a Defense Case Record Management System to synchronize support services requested by and referred for victims.²² Sexual Assault Response Coordinators were also suggested to discuss issues, figure out what has been learned and oversee whether the best practices are being used.²³

In an interview with ABC *Nightline* anchor Cynthia McFadden, Suzanne Swift a U.S. Army specialist, discussed her ordeal with sexual assault. Swift, faced possible court martial for refusing to return to her base, after alleged assault from her fellow soldiers and superiors. A squad leader said to her, “ Well, you know, what if I did this?”

¹⁶ Ibid, 2

¹⁷ Ibid, 3

¹⁸ Ibid, 3

¹⁹ Ibid, 3-4

²⁰ Ibid, 4

²¹ Ibid, 6

²² Ibid, 6

²³ Ibid, 5-6

while grabbing intimate areas and kissing her.²⁴ As her squad leader he had control over her, so she kissed him back and they began what Swift describes as a “Nasty” sexual relationship.²⁵ When asked if she felt she had to sleep with him Swift responded, “I didn’t know what he would do if I said no.”²⁶ When asked why she didn’t report it to a commander or the officials she responded, “I didn’t know what would happen.”²⁷ Swift places blame on the chain of command, asking “What happens if, I make this complaint to the sergeant and he calls me in his office and says ‘Swift, why are you looking at me like you wanna have ...’”²⁸

Specialist Swift adds that she had, in the past, gone to her unit’s equal opportunity representative about a sexual comment her platoon sergeant had made while deployed in Kuwait. Swift said there was no follow up.²⁹ The Army says she never filed a formal complaint.³⁰ After being harassed by another Superior, Suzanne filed a complaint with the Equal Opportunity Office, with a suitable outcome³¹

Swift planned to re-deploy with the rest of her unit to Iraq, but when the time came, she couldn’t force herself to leave.³² Swift was arrested because she had gone AWOL.³³ Suzanne is awaiting trial and continues to work on her base.³⁴ In a startling revelation, the former commander of Abu Ghraib prison testified that Lt. Gen. Ricardo Sanchez, former senior US military commander in Iraq, gave orders to cover up the cause

²⁴ Nauert, Heather, interview by Cynthia Mcfadden, ABC Nightline, ABC, September 19, 2006.

²⁵ Ibid, 2-3

²⁶ Ibid, 3

²⁷ Ibid, 3

²⁸ Nauert, Heather, interview by Cynthia Mcfadden, ABC Nightline, ABC, September 19, 2006 1-3

²⁹ Ibid, 3-4

³⁰ Ibid, 3-4

³¹ Ibid, 3-4

³² Ibid, 4-5

³³ Ibid, 6

³⁴ Ibid, 6-8

of death for some female American soldiers serving in Iraq.

In January of this year, Col. Janis Karpinski told a panel of judges at the Commission of Inquiry for Crimes against Humanity Committed by the Bush Administration, that several women had died of dehydration because they refused to drink liquids late in the day for fear of being assaulted or even raped by male soldiers if they had to use the women's latrine after dark.³⁵ The women were stationed at Camp Victory, where the latrines were not located near their barracks, and had no lights to illuminate them.³⁶ These factors left the women exposed to become easy targets for sexual abuse. So the women took matters into their own hands. They didn't drink in the late afternoon so they wouldn't have to urinate at night. They didn't get raped. But some died of dehydration in the desert heat, Karpinski said.³⁷

Karpinski testified that a surgeon for the coalition's joint task force said in a briefing that "women in fear of getting up in the hours of darkness to go out to the port-a-lets or the latrines were not drinking liquids after 3 or 4 in the afternoon, and in 120 degree heat or warmer, because there was no air-conditioning at most of the facilities, they were dying from dehydration in their sleep."³⁸ This is an example of unnecessary death or injury, because the branches of service themselves are not doing enough to protect soldiers from sexual assault.

Comparatively, the data of reports of sexual abuse on male victims is obscure. The Department of Defense survey discovered that sexual abuse among male service

³⁵ Hoppin, Jane, "Who's Got Your Back?," *Off Our Backs*, Vol. 36, no.2 (July 2006):14-16, <http://www.ebsco.com>.

³⁶ *Ibid*

³⁷ *Ibid*

³⁸ *Ibid*

members, was not reported at a level high enough to include.³⁹ Less than .5 % of male respondents reported sexual assault.⁴⁰ Exclusion of policy geared towards identifying, and resolving sexual assaults on men further substantiates the claim that sexual assault in the military goes undetected. According to Terri Spahr-Nelson who, wrote an essay entitled *The Enemy Within*, there are two major reasons why sexual abuse is immensely underreported; “reporting undermines the victims’ heterosexuality and the abuse adds layers of shame because the victim should have been able to fend off their attacker.”⁴¹

In a study done by the Pentagon , released in May 2004, there were 2, 014 reported cases of sexual assault within the military ranks.⁴² Nine percent of those reports were made by males, most being assaulted by fellow servicemen. ⁴³ In addition to the Pentagon study, the Department of Veteran’s affairs found more men than women were reporting sexual abuse at some point in their military careers, ranging form harassment to rape.⁴⁴

United States House Representative, Louise M. Slaughter, of New York, made a poignant remark; “I don’t think any of us think of men as being rape victims, and certainly the military does not. I suspect men are quiet about it, because they want to preserve their career in the military.”⁴⁵ Principal Deputy under the Secretary of Defense, Charles S. Abell was quoted saying; “We recognize that sexual assaults are seriously underreported, and we have no reason to doubt that it is more so in the case of male

³⁹ Spahr-Nelson, Terri. “The Enemy Within.” *Abuse Your Illusions*. Edited by Russ Kick. New York: The Disinformation Company Incorporated, 2003

⁴⁰ Spahr-Nelson, Terri. “The Enemy Within.” *Abuse Your Illusions*. Edited by Russ Kick. New York: The Disinformation Company Incorporated, 2003

⁴¹ Ibid, p141

⁴² Jacobs, Sally. “Sexual Assault in the Shadows.” *The Boston Globe*, September 12, 2004

⁴³ Ibid

⁴⁴ Ibid

⁴⁵ Ibid

victims.”⁴⁶ Having this being said by high ranking officials in Washington, what is being done to ratify the situation?

In September 2004, the *Boston Globe*, interviewed five former servicemen from different branches of service, here are their accounts;

Brian Partridge, 20-year-old naval man on the USS Ardent, called his father in hysterics crying that he had been raped; “there’s blood all over the place.”⁴⁷ Partridge’s father advised him to report it to base security. Not long after he did he found himself tangled legal web. After hanging up the phone with his father Partridge contacted the Naval Criminal Investigative Service and waited for officers to arrive. He told them; “after a night of drinking with other sailors at the local bars, I returned back to the apartments because curfew had passed.”⁴⁸ He fell asleep in the guest bed, only to be awakened by a friend sexually assaulting him. Partridge became enraged and beat him up until he fled. Skepticism by his superiors mounted, questioning him whether he was gay. Partridge soon faced charges of his own, as the charges were turned around⁴⁹ Partridge was faced with two options, admit to participating in consensual sodomy and beating up the other man or face court-martial on both counts.⁵⁰ Terrified what repercussions, including jail time he would face from Partridge agreed to an other-than-honorable discharge.⁵¹ The other sailor was charged with an undisclosed offense and discharged.⁵² It is unknown whether the discharge was honorable or not.

⁴⁶ Jacobs, Sally. “Sexual Assault in the Shadows.” *The Boston Globe*, September 12, 2004

⁴⁷ Ibid

⁴⁸ Ibid

⁴⁹ Ibid

⁵⁰ Ibid

⁵¹ Ibid

⁵² Ibid

A former Marine said he was beaten and sexually assaulted in training camp in 1975 was dubbed a “training failure” and forced to leave the service.⁵³ In 1978, another man who had said he was raped in Army basic training camp. He was fined by his commander for an unspecified offense.⁵⁴

Carlos Guice, was raped by a superior while in basic training in 1983 at Dover Air Force Base.⁵⁵ Blaming himself, he never reported the rape to the authorities. He said, I was afraid people would think I was gay. I would be ostracized.”⁵⁶ Guice was sexually abuse as a child, he was well aware of the consequences of speaking out. His assailant, an officer told him, “No one would take the word of an enlisted man.”⁵⁷ According to psychiatrists from the division of Veteran’s affairs, “The culture of the military itself contributes to all forms of aggression, and that includes rape.”⁵⁸

When acting director of the Sexual Assault Prevention and Response Office, Dr. Kaye Whitley, addressed the Committee on House Government Reform Subcommittee on violence against women in the military, he said “We’re off to a good start, but let me be clear-to prevail over sexual assault will take time.”⁵⁹ Is this just an excuse on the debilitated response from the Department of Defense? Women as well as men who serve their country, deserve environment without the clutter of sexual predators and unwanted sexual advancements. The effects of the implementation of Sexual Assault Policies in the military have failed to provide this to female officers, and left male

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ Ibid

⁵⁶ Ibid

⁵⁷ Ibid

⁵⁸ Terman, Sharon. “Practical and Conceptual Problems with Regulating Harassment in a Discriminatory Institution.” *A Draft Report Commissioned by the Center for the Study of Sexual Minorities in the Military University of California, Santa Barbara.* University of California Press, May 2003

⁵⁹ Congressional Quarterly, Capital Hill Hearing Testimony, June 27, 2006, 10

officers harboring treacherous images of sexual abuse they have endured without recognizing assaults upon males exist.

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