

## CHAIRWOMAN

WASHINGTON OFFICE:  
2469 RAYBURN BUILDING  
WASHINGTON, D.C. 20515-3221  
(202) 225-3615



## DISTRICT OFFICES:

3120 FEDERAL BUILDING  
100 STATE STREET  
ROCHESTER, NY 14614  
(585) 232-4850

465 MAIN STREET, SUITE 105  
BUFFALO, NY 14203  
(716) 853-5813

1910 PINE AVENUE  
NIAGARA FALLS, NY 14301  
(716) 282-1274

WEBSITE: <http://www.louise.house.gov>

LOUISE M. SLAUGHTER  
CONGRESS OF THE UNITED STATES  
28TH DISTRICT, NEW YORK

February 24, 2010

**The Honorable Louise M. Slaughter**  
**Statement for the Record**  
**Submitted to the Committee on Oversight and Government Reform**  
**Subcommittee on National Security and Foreign Affairs**

*"Sexual Assault in the Military Part IV: Are We Making Progress?"*

Mr. Chairman,

Mr. Chairman and members of the Committee, I would like to thank you for taking the time to hold this hearing on this important subject, as well as giving me the opportunity to submit my remarks for the record.

The Defense Task Force on Sexual Assault in the Military Services (DTFSAMS) report recommends a number of proposed changes to the current Department of Defense (DoD) policy regarding sexual assault in the military. I am thankful that their findings and recommendations are based on visits to 60 installations in sixteen states and nine countries including six locations in-theater and six visits with service members returning from Iraq and Afghanistan. The extensive nature of the DTFSAMS report further underlines the pressing need for DoD sexual assault policy change.

Unfortunately, sexual assault and domestic violence are pervasive and serious problems throughout all branches of the military. In March 2008, the Department of Defense released their fourth annual sexual assault report, which stated that there were 2,688 reports of sexual assault in 2007. Although this is down from the 2,947 allegations of sexual assaults reported in 2006, the DoD changed its reporting requirements from calendar year to fiscal year, so there is no way to tell whether this does in fact reflect a decrease in sexual assaults. In 2006, there was a 24 percent increase in reported sexual assaults compared to 2005. In 2004, the DoD reported 9,000 incidents of spousal abuse. A 2005 Sexual Harassment and Assault Survey of the Service Academies found six percent of females and one percent of males said they were sexually assaulted in 2004-2005, and less than half the females reported when they experienced sexual assault. In this same survey, 60 percent of female cadets indicated sexual harassment was about the same as when they first enrolled at their academy.

The numbers are startling, but as an advocate of this issue for many years, it is the personal stories that haunt me. One such woman was Tobey, a lieutenant in the U.S. Air Force. She was allegedly sexually assaulted by a fellow officer. According to her testimony, military criminal investigators and JAG officers told her, "If I were the defense attorney, I would tell you that you gave the offender mixed signals and that 'no' was not enough." She recalls that she did not just say "no." She physically held on to her underwear. Even after she reported the rape, she was forced to salute her assailant every day. She trained for over a year for a highly classified mission. She has since lost her security clearance. She concludes her testimony with, "I feel like I am being punished for a rape that happened to me." Being forced to

salute your rapist every day is not only cruel, but indicative of the lack of understanding and respect the Armed Services has for what sexual assault victims face. A culture of misogyny is reinforced by a military structure that does not properly hold offenders accountable or provide for the rights and needs of victims.

While the DoD has been making efforts to improve its prevention and response to domestic and sexual violence, victim services remain incomplete and inconsistent among the various branches. The DTFSAMS report highlights the need for the Secretary of Defense to establish comprehensive cross-service standards that focus on oversight and accountability. The lack of cohesion across the services has led to disconnected and potentially inaccurate systems of reporting as well as room for lax implementation of sexual assault policy as seen in certain branches of the military services. These disconnects directly affect the victim in a number of negative ways including their access to care and counseling.

There have been reports that Victims Advocates, charged with protecting the victim's rights, have been denied resources to do their job, and in some instances been forced off the base all together. The DTFSAMS recommendations to require Victims Advocates to be certified by the National Victim Assistance Academy as well as to ensure that DoD SAPR programs are fully and consistently funded must be the impetus for Congressional action to ensure that victims of sexual assault have access to the best and the brightest. Furthermore, DoD policies are not codified in the Uniform Code of Military Justice (UCMJ) and do not offer the same level of rights and protections afforded to civilian victims. Perhaps most importantly, victims are unable to seek confidential counseling and treatment without fear that their records might become public if they press charges against their assailant.

The military should be at the forefront of prosecuting assailants and setting the highest standards for treatment of service men and women, or military family members, victimized by sexual assault and domestic violence. Our Armed Forces must be able to guarantee the most basic protections to ensure these victims can receive necessary counseling, treatment, and justice.

If a victim cannot access essential care for fear of stigma, threats to their career, or because they just do not know what resources are available, the military will continue to lose valuable female and male soldiers. These men and women who serve our country in uniform put themselves in harm's way to protect our nation from threats at home and abroad. They deserve the same rights and protections as the civilians whose freedoms they protect. For this reason, over one year ago I reintroduced H.R. 840, the *Military Domestic and Sexual Violence Response Act*. My legislation ensures service members are adequately protected when dealing with the horrible tragedy of sexual assault or domestic violence.

We must not allow our brave service members to be victimized twice – once by their perpetrator and then again by the military's lack of appropriate, compassionate, and confidential treatment and response.

Mr. Chairman, thank you again for the opportunity to submit my remarks for the record, and I look forward to working together to combat sexual assault in the military.



Louise M. Slaughter