

House Armed Services Committee

Hearing on Sexual Misconduct at Lackland Air Force Base, TX

Wednesday, January 23, 2013 -- 10:00 AM -- 2118 Rayburn Office Building

Statement of Elaine Donnelly, President, Center for Military Readiness

The Center for Military Readiness, an independent public policy organization that specializes in military/social issues, appreciates this opportunity to submit for the record this statement on the matter of sexual misconduct and abuse in Air Force basic training. I am President of CMR, a former member of the 1992 Presidential Commission on the Assignment of Women in the Armed Forces, and of the Defense Advisory Committee on Women in the Services (DACOWITS).

Many years ago I was honored to address this committee on the same issue – sexual misconduct and abuse of women in Army basic training. The incidents of concern then were the unfortunate but predictable consequence of social policies implemented in the early to mid-1990s, during the Clinton administration. The ill-conceived decision to gender-integrate Army basic training had negative consequences, increasing distractions during the time of transformation from citizen to soldier, and setting the stage for more indiscipline rather than discipline.¹

In the fall of 1996 sensational news of sex scandals broke out at the Aberdeen Proving Ground in Maryland, and at several gender-integrated basic training facilities around the country. The nation learned that drill sergeants were abusing female trainees by engaging in forced or consensual sex that was exploitive, contrary to military law, and seriously wrong by any measure.

On December 16, 1997, an independent Defense Department commission headed by former Kansas Senator Nancy Kassebaum Baker, recommended *unanimously* that gender-integrated basic training (GIBT) be ended because it was “*resulting in less discipline, less unit cohesion, and more distraction from training programs.*” The commission also noted that the Marines' single-gender basic training was producing superior results.²

¹ In 1994, Clinton’s Secretary of the Army Togo D. West and Assistant Secretary Sara Lister ordered gender-integration of basic training programs. The administration disregarded the fact that a previous five-year test of co-ed basic training, ordered during the Jimmy Carter Administration, had to be ended early in the Reagan Administration because women were experiencing disproportionate injuries and male trainees were not being challenged enough. See Report of the Presidential Commission on the Assignment of Women in the Armed Forces, Nov. 15, 1992, Commission Finding (CF) 2.1.5, and CF 2.4.1A.

² Report of the Federal Advisory Committee on Gender-Integrated Training and Related Issues, headed by former Senator Nancy Kassebaum Baker, Dec. 16, 1997, p. 15.

The House of Representatives voted to follow the key Kassebaum-Baker recommendation in 1998. The Senate declined to pass similar legislation abolishing GIBT, however, pending the completion of yet another report by a commission created by Congress to study the issue.

The 1999 Congressional Commission on Military Training and Gender-Related Issues, headed by attorney Anita Blair and known as the Blair Commission, presented evidence of many inefficiencies associated with GIBT, many of which were chronicled in prior official reports done on the subject:

- Less discipline, less unit cohesion, and more distraction from training programs
- Voluntary and involuntary misconduct, due to an emotionally volatile environment for which leaders and recruits are unprepared.
- Higher physical injury and sick call rates that detract from primary training objectives.
- Diversion from essential training time due to interpersonal distractions and the need for extra weeks of costly “sensitivity training.”
- A perceived decline in the overall quality and discipline of GIBT; lack of confidence in the abilities of fellow soldiers; and the need to provide remedial instruction to compensate for military skills not learned in basic training.
- Re-defined or lowered standards, gender-normed scores, and elimination of physically demanding exercises so that women will succeed -- all of which contribute to resentment and other tensions in the ranks
- Additional stress on instructors who must deal with different physical abilities and psychological needs of male and female recruits.
- Contrivances to reduce the risk of scandal, such as changing rooms, extra security equipment and personnel hours to monitor barracks activities, and “no talk, no touch” rules, which interfere with informal contacts between recruits and instructors.
- No evidence of objectively measured positive benefits from GIBT, and no evidence that restoration of separate gender training would have negative consequences for women or men.

Sound training practices minimize distractions in basic training that lead to all the problems above, and more. Nevertheless, the Air Force, Army, and Navy chose to retain gender-integrated basic training.

Seventeen years have passed since the drill instructor scandals at Aberdeen, but the decision to do nothing continues to worsen problems in basic training, this time at Lackland Air Force Base. To paraphrase the words of the Kassebaum Baker Commission, continued co-ed basic training at Lackland has *“result[ed] in less discipline, less unit cohesion, and more distraction from training programs.”*

Improve Air Force, Army, and Navy Basic Training—End GIBT Now

Having failed to learn from past experience, the same "victim advocacy" groups that refused to admit or act upon problems with gender-integrated basic training are emerging again. Although some of their recommendations make sense, fundamental problems will not be alleviated with superficial, unrealistic solutions.

The Center for Military Readiness suggests that Congress direct the Defense Department to try something different. It is time to reinstate sound policies that will encourage discipline, not indiscipline. Reinstating separate-gender basic training at Lackland Air Force Base and in the other services will not solve all problems, but it would help to mitigate distractions that weaken the process of transformation from private citizen to uniformed member of the armed forces. At a minimum, something must be done to reverse trend lines that are getting worse.

"Chilling Trends" of Sexual Misconduct in the Military

In April 2012 CMR brought to the attention of this committee an Army Report titled [Generating Health & Discipline in the Force Ahead of the Strategic Reset](#). The Army "Gold Book," as it was called, primarily addressed wartime stress and discipline in the ranks. Buried in its 211 pages was a brutally-frank 9-page section titled **"Sex Crime Trends."** The 9-page section included several graphic illustrations of a *"chilling trend"* in sexual assaults.³

According to the Army Gold Book, violent attacks and rapes in the ranks have nearly doubled since 2006, rising from 663 in 2006 to 1,313 in 2011. (Figure 111-25, p. 121). Even worse, the Army reported that violent sex crime was growing at an average rate of 14.6 percent per year, and the rate was accelerating. (p. 122)

Women as Targets

According to the Gold Book, from 2006 through 2011, sex crimes in the active-duty Army have trended upward with a 28% increase in the offense rate and a 20% increase in offenders. Females are only 14% of the force but 95% of all sex crime victims. (p. 121)

Explicit details, illustrated with line graphs, report: *"The rate of violent sex crime, while seasonal, has increased year after year since FY 2006. Rape, sexual assault and forcible sodomy*

³ Report available at <http://www.ria.army.mil/docs/GoldBook.pdf>. The 19 January 2012 Army Public Affairs [news release](#) announcing the Army report, available at <http://www.army.mil/article/72086/>, did not mention this section.

were the most frequent violent sex crimes committed in the Army in the last year. In FY 2011 alone, the CIC [Criminal Investigation Command] found 515 rapes, 414 aggravated sexual assaults and 349 forcible sodomies." (p. 122) "Violent sex crimes in FY 2011 clearly diverged from a seasonal pattern with an elevated trend upward, well above previous years." (p. 123)

It is not surprising that *"alcohol was known to be involved in almost 63% of all rapes and aggravated sexual assaults."* The report further indicates that the occurrence of sexual assault in high-density housing, particularly military barracks, training dormitories, hotels and containerized housing units, *"remains a serious issue."* (p. 124)

Environments conducive to *"alcohol-related socialization"* include barracks life, but also parties at private residences on and off the installation. *"Key components in both these scenarios include the opportunity for incapacitation and seclusion of potential victims. During the course of the party, the incapacitated victim is typically removed to a separate room /bedroom where the crime is later committed in isolation."* (pp. 124-125)

Senior officers are encouraged to mentor and watch out for newly-arriving female soldiers, but human relationships are complicated and never perfect. Drill instructors involved in numerous incidents of sexual assault at Aberdeen Proving Ground in 1996 were in some cases involved in what should be called "consexploitation" — inappropriate sexual relationships between drill instructors and junior trainees that were consensual but exploitive.

The same drill instructor/trainee problem has emerged again at Lackland Air Force Base. To date, at least 32 military training instructors (MTIs) have been punished or are being investigated for sexual improprieties with about 60 complainants, including three men.⁴ One former MTI allegedly engaged in *"unprofessional relationships"* with ten trainees, ranging from *"flirting"* to rape. Recruiters taking advantage of female prospects have also become part of the story of rampant sexual misconduct that has become intolerable.

SAPRO Findings: Indicators of Trouble

The most recent findings of the Department of Defense Sexual Assault Prevention & Response Office (SAPRO), also have not been encouraging. SAPRO officials regularly praise their own work and proclaim "success," even if reports of sexual misconduct, both consensual and non-consensual, keep going up.

According to the FY 2011 report of the DoD SAPRO, reports of sexual abuse have risen by 22% since 2007. News such as this often is hailed as "good news," meaning evidence that women are coming forward. SAPRO's FY 2011 report also notes with approval the increased use of courts-martial instead of non-judicial punishment.⁵

⁴ AP, "Two More Lackland Instructors Under Investigation," January 16, 2013, and Sig Christensen, *San Antonio Express-News*, "Three Men Put on the List of Sexual Victims at Lackland," January 15, 2013.

⁵ DoD Annual Report on Sexual Assault in the Military, FY 2011, release April 2012, Exhibit 3, p. 34.

These reports, however, also are indicators of bad news, meaning sexual abuse in the military is getting worse, for men as well as women. According to the 2011 SAPRO report, sexual assaults on men have increased significantly, from 10% in FY 2010 to 14% in restricted reports, and 12% in unrestricted reports.⁶

The Associated Press recently took notice of the alarming numbers of military commanders that have been removed from command in all branches of the service, especially the Navy. Approximately 30% of the dismissals involved various kinds of sexual misconduct, ranging from sexual abuse to inappropriate, consensual relationships with subordinates.⁷

The percentage probably is higher than that, because many dismissals for sexual misconduct are attributed to vague causes, such as "loss of confidence," in order to mitigate damage done to innocent family members.

Ineffective "Sensitivity Training" and Victim Advocacy

Solutions offered by victim advocates in the past have included countless hours of mandatory sensitivity training and leadership programs. These efforts have not been successful in proving the theory that sexual feelings, emotions, and human failings can be reliably managed by an army of highly-paid "sexual assault response coordinators" (SARCs), who are advised by civilian "victim advocates."

Other programs, which create the impression of "doing something," subsidize services of questionable value. For example, many military installations in all branches of the service have been hosting sexual assault "awareness" events that include role-playing and an adults-only interactive play called *Sex Signals*. The two-person improvisational play is usually flagged with warnings of offensive language.⁸ No one knows how much time and defense dollars are being invested in these "sensitivity" programs, but the primary beneficiaries seem to be service providers who receive the grants.

Prosecutions Outside of the Chain of Command

Programs already in progress to improve the expertise of military JAGs with the responsibility to prosecute sexual harassment/assault claims are steps in the right direction. Proposals to take away chain of command authority over sexual assaults, however, would not be helpful.

⁶ Ibid, p. 60, Exhibit 26, and p. 53, Exhibit 15.

⁷ Lolita Baldor, AP, "Sex is Major Reason Military Commanders are Fired," January 21, 2013.

⁸ Said one of the *Sex Signals* producers, "We use language that is very frank..these are phrases students use in real life and we see no reason to dumb it down or 'baby' the students." Four-letter words and crude slang for sexual activity are considered acceptable on a military base, provided that they are recited by civilian actors. There is no evidence that the mixed signals of *Sex Signals* actually reduce harassment or assaults.

For many reasons, the military is governed by a separate code of military justice. Creating different rules and legal systems that would shift sexual abuse cases outside of military justice would create a class of offenses over which commanders would have no authority.

In addition, they could result in fewer prosecutions because civilian attorneys will not take poorly supported cases that would be difficult to win in court. Military attorneys are required to prosecute all cases referred to trial by a convening authority, even if evidence is weak. Establishing different rules and legal systems in matters of sexual harassment/assault could have unintended consequences that would be both problematic and counterproductive.

Expedited Transfers

On April 2, 2012, the Defense Department's Sexual Assault Prevention and Response Office announced new directives that will allow a woman claiming sexual assault to request an "expedited transfer" out of her unit. Her request must be answered by her local commander within 72 hours, or by high-level authorities 72 hours after that.

Even if disruptive expedited transfers are justified, such moves would not take into account the Army Gold Book's common sense warning: *"[Sexual assault perpetrators] seem to know those people who are least likely to report. They tend to be able to pick out people who are more vulnerable and then victimize them... This is especially true for young, newly arriving female Soldiers with under-developed social networks."* (p. 126)

Mid-level officers and NCOs would face additional burdens, especially in high-density housing where socializing is common. As stated in the Gold Book, *"Almost 60% of violent sex crimes occur between Friday and Sunday which is consistent with the incidence of alcohol-related sex crimes; this indicates a need for increased surveillance during off duty periods. ...64% of rape victims are in the service less than 18 months."* (pp. 126-127)

The connection between high-density housing and disciplinary problems is addressed here:

"[C]rime—all crime—is transmittable both vertically and horizontally. It is transmittable vertically in the individual through the escalation from one crime to subsequent crimes and from minor infractions to increasingly more serious acts...once the line is crossed it becomes easier to cross the next time. Of greater concern to the Army is the horizontal transmission of crime to others, which is ironically facilitated by the same team cohesion that it erodes. Again, illicit drug use, but also sex crimes and larcenies are notable examples where a single individual will often transmit their acts of high-risk behavior and crime to others." (p. 91)⁹

⁹ Tables of numbers and graphs in the Army Gold Book amplify a point that James Schlesinger made in an independent panel report describing what he called the "Animal House on the night shift" atmosphere at Abu Ghraib. The abuses at that infamous prisoner camp in Iraq actually had little to do with interrogations. Time-stamped photos indicated that the main perpetrators engaged in gross acts that degraded themselves first, before

Women in Direct Ground Combat

An infantry veteran of several deployments to Iraq has described rampant sexual misconduct that occurred with the knowledge of mid-level officers who did not issue orders they were unable to enforce. Noting that female soldiers are "easy prey for young men with evil intent," he wrote, "*The military lives with the psychosis of advertising women warriors while acknowledging publically now that female soldiers are largely incapable of fighting off male aggressors.*" ¹⁰

CMR Recommendations:

In summary, in order to improve good order and discipline in the military, and to reduce incidents of sexual misconduct, the Center for Military Readiness recommends the following:

- An end to gender-integrated basic training (GIBT) in the Army, Navy, and Air Force, and continuance of gender-separate training in the Marine Corps
- Programs to improve legal representation of both complainants and persons accused, of sexual misconduct, without making the presumption that all complainants are victims and all persons accused are guilty as charged.
- Avoid policies that suspend legal principles of the UCMJ, or create the appearance or reality of command interference in cases involving sexual misconduct.
- Codify regulations that exempt female personnel from assignments in infantry, Special Operations Forces, and other direct ground combat units that currently are all-male.

Thank you for the opportunity to put this information into the record. CMR will be pleased to provide more information on request.

they degraded the Iraqi prisoners. Similar "girls and guys gone wild" behavior occurred in a military police unit at Camp Bucca in 2004. Reported distractions were exploited by Iraqi prisoners who almost succeeded in escaping through a tunnel they had dug without detection.

¹⁰ In his email to CMR, the Iraq veteran added, "*Our battalion headquarters was located in a very small FOB (forward operating base) with a couple of infantry companies. It was an almost all-male environment, with the exception of a handful of support females who lived there to serve as cooks or mechanics. By the time we were seven months into our 'surge' deployment of 14 months, there was not a single female left on this FOB. They had all redeployed or had been sent back to their parent support unit due to personal problems, family issues or sexual misconduct. At least one went home pregnant. This is the reality of a gender integrated military.*"