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Twice Betrayed

Bringing Justice to the U.S. Military's Sexual Assault Problem

Lindsay Rosenthal and Lawrence Korb

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Introduction and summary

In June, the entire Joint Chiefs of Staff and Judge Advocates General of each of the military services testified before the Senate Armed Services Committee on various proposals to combat sexual assault in the military. Congress demanded testimony after the Defense Department's, or DOD's, annual report showed that despite the military's recent efforts to ramp up sexual assault prevention programs, rates of sexual assault in the military climbed by 34 percent between 2010 and 2012. A total of 26,000 service members are estimated to have experienced unwanted sexual contact in 2012, compared to 19,300 in 2010.¹² Moreover, fewer than 3 out of every 100 estimated sexual assaults in the military in 2012 were ever prosecuted—a shockingly low percentage that has shown no sign of improvement.¹³

While some military leaders have acknowledged the severity of the military's sexual assault problem, others have engaged in a campaign to convince the public that the problem is exaggerated. They have done so largely by questioning the methodology of the military's own survey instrument on which the Pentagon's prevalence estimates are based.¹⁴ But our recent analysis suggests that the DOD's estimates may substantially underestimate the problem. A significant percentage of cases, for example, are counted each year as a single "incident" but involve multiple perpetrators and/or multiple victims.¹⁵

In the midst of some military leaders' efforts to claim that the problem of sexual assault in the armed forces is overstated, two recent high-profile cases have raised grave concerns about the credibility of those in charge of the military's sexual assault prevention programs. The head of the Air Force's Sexual Assault Prevention and Response Office, Lt. Col. Jeffrey Krusinski, was arrested for alleged sexual battery of a woman in a parking lot.¹⁶ In another instance, a non-commissioned officer who was tasked with sexual assault prevention at Fort Hood is under investigation for sexually abusing his subordinates.¹⁷ It is far past the

time for military leaders to stop offering service members and their families the same empty words and a new string of band-aid resolutions every time a scandal makes headlines, as they have done for the past 25 years. Real reforms are urgently needed, and the time to act is now.

This report discusses what is known about sexual assault in the military and outlines key reform goals to combat the problem. We argue that removing cases from the chain of command is a necessary step that the military must take to address military sexual assault. Taking the decision to prosecute assault cases out of the chain of command is critical to reduce sexual violence and hold sexual predators in the armed forces accountable. We discuss changes that need to be made, including increasing accountability for perpetrators and military leadership, improving victim services, increasing reporting of sex crimes to military authorities, and improving data collection and transparency related to sexual assault in the armed forces.

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