



In January, just before Congress held hearings on the sexual assaults at JBSA-Lackland, Tex., senior Air Force officials and advisors were in a classified meeting room at the Pentagon hashing out just how to tackle the problem within the ranks.

Their mission was to answer questions soon to be raised by lawmakers. Among them: “How could there have been such a systematic breakdown of leadership?” and “Is the US military inadvertently creating an environment more conducive to sexual harassment?”

“Why, on what was undoubtedly the worst day of a victim’s life, did they not turn to us for help?” asked Air Force Chief of Staff General Mark A. Welsh III before the House Armed Services Committee earlier this year. “We are missing something fundamental in human-to-human interactions that will allow them to feel safe enough to come to us and report and let us put our arms

around them and help them through this horrible event in their life. ... That’s at the heart of the problem.”

Combing through the last year of sexual assault statistics, Air Force officials came across a shocking figure: Nearly one-third of victims who agreed to participate in the prosecution of their alleged offender changed their mind before the trial and decided not to cooperate with the prosecution.

Exposing Myths

“I believe had these victims been represented by their own attorney, many of them would not have declined to cooperate and hold the alleged offender accountable,” said Lt. Gen. Richard C. Harding, judge advocate general for the Air Force, at a panel hosted by the US Commission on Civil Rights in January.

As a result, on the heels of the sexual assault charges brought against military training instructors in the basic training program at Lackland, USAF instituted

in January a new pilot project to provide troops who report that they have been victims of sexual assault with a personal attorney at the Air Force’s expense.

“It’s unique among federal agencies, in providing this level and kind of support to combat sexual assault,” said Harding, who added that he believes the program will increase prosecutions for sexual assault.

These attorneys will provide “a zealous advocate of their client,” he said, which will “help preclude victims feeling revictimized by having to endure alone a complex, exhausting, and often confusing criminal justice process.”

Victims need this sort of advocacy, Pentagon consultants stress, because perpetrators are often practiced predators who work hard to create plenty of plausible deniability.

“Contrary to long-standing societal myths, research suggests that most sexual assaults occur between people who know each other,” said retired Lt.

Seeking the Sex-Assault Solution

There's no magic bullet.

By Anna Mulrine

Col. Nate Galbreath, former deputy director of the Pentagon's Sexual Assault Prevention Response Office (SAPRO) and now an advisor to the organization.

Though this is true among civilians and within the military, there are other factors that complicate the experience of sexual assault in the military, he said.

"First, sexual assault [in the military] typically occurs where a victim lives and works. Some victims are concerned that making a report will cause them to lose their privacy, subject them to unwanted scrutiny, and mistakenly mark them as weak."

What's more, when a perpetrator works in the same unit as the victim, "sexual assault can set up a potentially damaging dynamic that can rip units apart," he said. "If news of the sexual assault gets out, unit members can take sides, causing all to lose focus of the mission."

It can also cause them to take frustrations out on the victim, said Anne P.

Munch, an attorney and sexual assault prevention consultant for the military.

During many US military legal proceedings, "victim blaming is rampant, and protecting the perpetrators is sport at this point," she asserted to the group gathered at the Pentagon. "No one is on the victim's side—they are all on the perpetrator's side cheering."

Part of the challenge, the group acknowledges, is being open to the possibility that there can be predators in the ranks who are actually quite likable.

"It's about my personal willingness to make room for the fact that even though everyone in the unit said this is a great person, he did this," Munch said. "How do you confront the fact that you might think you know this person, and you don't?"

"Or that you think the climate in your unit is good, and it's not," adds Brig. Gen. Eden J. Murrie, director of Air Force Services, who led USAF's Pentagon meetings on the topic. "If you're trying to teach about 'the undetected

Searching for Cultural Change

Deep in the Pentagon this January, representatives from the Air Force's education programs—from basic training to ROTC—were trying to pinpoint how to make sure the newest members of the Air Force get the message that leadership actually wants to know if they have been hurt. Equally important would be notifying those preying on their fellow troops that they will be found and prosecuted with new tools that the force has not used in the past.

"It's not just 'Don't sexually assault people.' This is a piece of respect—how do you weave that in? It's about how you lead people, how you treat people," said Brig. Gen. Eden J. Murrie, director of Air Force Services, leading the meeting. "That's what we're doing today. We're looking at everything. Does it need to be radically changed? Do we just tweak it around the edges?"

On dry erase boards and PowerPoint slides around the room were programs the Air Force was using in an effort to impart to the troops the unacceptability of assault. The meetings were designed to find how to best integrate anti-assault messages into education and training curricula. The existing programs run the spectrum from "Frank: The Undetected Rapist" to "Street Smarts: You Deserve To Be Here" to "Sex Offenders, Service Members, and You: Leadership Beyond the Obvious."

Conversation turned to "hunting season" at the Air Force Academy—"that's the undergraduates' name for it, not ours," one of the academy representatives at the meeting chimed in—the time when underclassmen have completed their first year of schooling and are allowed to date.

"That would offer a really good opportunity for conversation: 'What do you think of that term?' Let's talk about maybe why we don't want that in our culture anymore," said Anne P. Munch, an attorney and sexual assault prevention consultant for the Pentagon.

"And how does this idea coincide with the idea of being a wingman?" added another meeting attendee. The Air Force has been emphasizing the notion of bystander intervention, the idea that when a fellow airman is being harassed, a "wingman" should step in and stop it.

"Or being a leader? You can't be a 'hunter' on a base, either," said Murrie. "How do you recognize the hunters that key in on new people on base?"

rapist,' how do you recognize that as a commander? How do you evaluate the climate in your unit to change it?"

"How many people thought Jerry Sandusky was innocent until the day that indictment came out?" asks David Lisak, a Pentagon forensic consultant who testified before Congress in the January hearing about Lackland.

Laura L. Miller, a social scientist from the RAND Corp. also in the meetings, said, "You have to deal with that black-and-white thinking, especially in the military—the idea that you are the enemy, or you're not," since this sort of binary logic can seep into thinking about sexual assaults as well.

These were the same issues raised by lawmakers during the House Armed Services Committee hearing as they recounted stories of new Air Force recruits being directed to meet their trainers in laundry rooms and broom closets, where they were sexually assaulted and raped.

Welsh told lawmakers that he is combing through programs to try to figure out what works and what doesn't. He asked staff to "bring in something new" every week.

"Something we haven't tried, some idea they've found somewhere else—from a member of Congress, from an advocacy group, from a university or another service that tried something that seemed to work at a certain base or a certain demographic group," he said.

Just before the hearing on Capitol Hill, the Air Force announced that it had conducted a sweep of more than 100 installations for pornography and other offensive materials, from videos and calendars to coffee mugs and song lyrics.

"While these things may or may not directly relate to sexual assault, they certainly do create an environment more conducive to sexual harassment and unprofessional relationships, and I personally believe that both of those are leading indicators for sexual assault," Welsh said.

"We have to do everything possible to prevent it. We can't accept this," he added. "It's horrible, and we all know that."

In the Pentagon's E-Ring, senior military officials say that they hope the recent move to lift the ban on women in combat will have a positive impact on sexual assault within the ranks as well.

Army Gen. Martin E. Dempsey, Chairman of the Joint Chiefs of Staff, said moving women into all military career fields could create an environment of

greater respect for women. "I believe it's because we've had separate classes of military personnel, at some level."

He is quick to add that sexual assault is "far more complicated than that, but when you have one part of the population that is designated as warriors and another part that's designated as something else, I think that disparity begins to establish a psychology that in some cases led to that environment.

"I have to believe, the more we can treat people equally, the more likely they are to treat each other equally."

Dempsey's sentiment is echoed among advocates for victims of sexual assault. "A culture where there's hierarchy and all of the people who have power over women are men, it creates a culture in which some are going to be inclined to abuse their power," said Anne M. Coughlin, a law professor at the University of Virginia who has advised plaintiffs suing the military for integration into combat units.

Though the steps to more fully integrate women into some of the toughest jobs in the military are positive, some argue that long-term efforts to prevent sexual assault fundamentally come down to leadership.

Naming the Real Problem

"This is a predator problem, not a female problem," said Colleen Bushnell, formerly a staff sergeant in the Air Force, who was sexually assaulted in 2003 while at Lackland.

"That's an abuse of authority, that's a fundamental breakdown in the culture—it's about translating the core values of the military into the actions of leadership," said Bushnell, now a member on the board of Protect Our Defenders, an advocacy group for victims of sexual assault.

"This is a serious problem that cannot be fixed with one solution. There will be many solutions, and it may take many years for the culture to transform to where we would like it to be."

Then-Defense Secretary Leon E. Panetta, for his part, weighed in on what he believed to be the most pervasive systemic problem—and how to fix it. "The most important thing we can do is prosecute the offenders," he said. "If we can do that, then we can begin to deal with this issue."

Part of the challenge includes increasing the penalty for sexual assault, which is beginning to inch up. The rate of courts-martial for sexual assault cases has increased from 410 in 2009 to 489

in 2011, the most recent year for which figures are available.

Yet some within the military fear the pressure to increase prosecutions of sexual assault could result in a witch hunt mentality. The Chief of Naval Operations, Adm. Jonathan W. Greenert, discussed this dynamic from his perspective in July 2012.

"Because of the concern of the Congress on the number of sexual assaults in the military, there were a couple of bills that have come up in the House of Representatives which are going to take the reconciliation—litigation if you will—necessary for sexual assault out of our hands," he said. "They said, 'You haven't been handling this right. Very few people are being punished,' and all that."

Yet Greenert acknowledged, too, that the low prosecution rates were the result of "some 'not the best' investigations."

To that end, in April 2012 Panetta announced a new DOD-wide "special victims unit" (SVU) that will help better train military lawyers to prosecute sexual assault cases, which are widely acknowledged to be some of the most complex cases to prosecute.

Particularly tricky in both DOD investigations and prosecutions has been the military defenders' tendency to emphasize the behavior of the victim, said Russell W. Strand, chief of the family advocacy law enforcement training division at the Army military police school at Fort Leonard Wood, Mo. "We don't look at burglary or robbery [victims] and say, 'Well, they gave away money before,' or 'They went to the ATM machine all dressed up.'"

As prosecutors have begun to take the emphasis off the victims, they are able to delve into the profiles of perpetrators more effectively, Strand said, and in doing so have found that many of the sexual assaults in the US military are perpetrated by experienced predators who may engage in as many as 300 sexual assaults during their lifetime.

Predators Under the Radar

The US military is an ideal place for sexual predators to prey on victims, with a strict hierarchy that makes it a "target rich" environment, said retired Army Brig. Gen. Loree K. Sutton, who was the director of the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury.

US military officials are beginning to think about rape "as more than this stranger danger of someone walking

Overturing a Jury's Decision

Just a few months after Air Education and Training Command launched an investigation into a string of sexual misconduct cases at basic military training at JBSA-Lackland, Tex., the Air Force has once again found itself in the middle of a sexual abuse scandal.

The controversy stems from a late-February decision by 3rd Air Force Commander Lt. Gen. Craig A. Franklin to overturn the sexual misconduct conviction of Lt. Col. James Wilkerson. In November, a general court-martial found Wilkerson—the former inspector general for the 31st Fighter Wing at Aviano AB, Italy—guilty of five separate violations of the Uniform Code of Military Justice for improper sexual conduct with a female civilian base employee. A military court later sentenced Wilkerson to one-year confinement and dismissal from the Air Force.

Franklin, however, ruled that “evidence presented at trial did not amount to proof beyond a reasonable doubt, and he declined to approve the conviction,” US Air Forces in Europe-Air Forces Africa spokesman Lt. Col. Paul Baldwin told *Air Force Magazine*. Wilkerson consequently was released from the brig on Feb. 26.

As of early March, Air Force officials were trying to determine whether he should be promoted to full colonel and what his next assignment would be, said Baldwin.

The decision infuriated female senators who demanded newly confirmed Defense Secretary Chuck Hagel investigate the matter and report back to Congress.

“This is a travesty of justice,” wrote Sen. Barbara Boxer (D-Calif.) and Sen. Jeanne Shaheen (D-N.H.) in a March 4 letter to Hagel. “At a time when the military has unequivocally stated that there is zero tolerance for sexual assault, this is not the message it should be sending to our service men and women and to our nation.”

During a March 5 Senate Armed Services Committee hearing, Sen. Claire McCaskill (D-Mo.) emotionally spoke out about the decision.

“Now my heart is beating fast right now, I’m so upset about this,” said McCaskill. She added, “I question now whether that unit that that man returns to, [whether] there’s any chance a woman who is sexually assaulted in that unit would ever say a word because what that general said is that [the] jury’s decision didn’t matter.”

Boxer and Shaheen said the issue “raises serious concerns about the military justice system” and all three senators questioned whether one general should have the authority to overturn a jury’s decision.

“It is clear that despite sweeping reforms by the Department of Defense to improve prevention, investigation, and prosecution of military sexual assaults—including adding specially trained legal personnel and victim advocates—these efforts become irrelevant when a case of this magnitude can be thrown out at the discretion of a convening authority,” states the March 4 letter.

Baldwin said Franklin “acted within his authority in deciding the conviction should not stand. Under these circumstances, Lieutenant General Franklin would not have performed his duties had he taken any other course of action.” He also emphasized that Franklin “does not personally know” nor does he recall “ever [having] interacted in any social setting” with Wilkerson.

—Amy McCullough

behind an alley jumping out behind bushes,” said Galbreath. “We know that a lot of the people who perpetrate sexual assaults have done it before. These people are very practiced at what they do and they do it well.”

Indeed, most perpetrators work within socially acceptable norms, said Strand. “Most sex offenders aren’t the obnoxious people slapping peoples’ behinds and making sexist comments.”

Instead, they often systematically “groom” their victims, gaining their

confidence. They encourage them to take part in activities that might get them in trouble as well if commanders learned of them—such as underage drinking.

Well-meaning amateur victim advocates would often advise the victim against reporting the crime to avoid being prosecuted for such offenses. Perpetrators are aware of this and often

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lure their victims into compromising situations that might prevent them from reporting an assault.

These are behaviors that US military prosecutors are learning to focus on during trials. “Basically what we’re doing is examining the crime, as opposed to the victims,” Strand said.

Key to this is learning new interview techniques for victims of the assault, which are being integrated into the military’s new SVU training programs.

In the past, when investigators would uncover inconsistencies in the victims’ testimonies, they would immediately discredit them. “We thought inconsistencies equal a lie, which is really not true,” Strand said.

The change in thinking is due to new neurobiology research, he adds, which has found that “when a traumatic event occurs, the prefrontal cortex of the brain shuts down and the brain stem takes over, which records sights, sounds, smells, and feelings.”

What the brain doesn’t record as effectively, Strand said, is often basic facts. “We’d ask questions of the victims like, ‘What kind of socks was the perpetrator wearing? What time was it? Which hand did he use to touch you?’”

These were questions, Strand said, that in their traumatized state, victims were not always prepared to answer. “Now, if I have a report without some inconsistent statements I tend to get a little concerned,” he said.

Prosecution rates, he added, are going up.

At the same time, the US military is rethinking its education campaigns, Galbreath said. Before, a public service campaign might focus on encouraging soldiers to use the “buddy system” when walking at night, for example.

“The issue should not be, ‘Were you with your buddy?’ Even if you were with your buddy, the perpetrator is bent on sexual assault—and the only person responsible for the assault is the perpetrator.”

In short, said Murrie, the Air Force is now engaged in a servicewide effort. “We’re trying to find out: What is the tipping point we need to reach to solve sexual assault? This is a preventable issue.

“But there’s no magic bullet. I keep asking, ‘Does anyone have a magic bullet?’” she asked. “Because I’ll buy it.” ■