

DEPARTMENT OF THE AIR FORCE
PRESENTATION TO THE COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON TOTAL FORCE
UNITED STATES HOUSE OF REPRESENTATIVES

Subject: SEXUAL ASSAULT PREVENTION AND RESPONSE
IN THE ARMED FORCES

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Mr. Chairman and distinguished members of the Subcommittee—thank you for the opportunity to appear before you to share the results of our internal assessment of Air Force sexual assault prevention and response programs. Over the last 18 months, we have conducted multiple assessments. We have learned a lot -- and we are still learning. There are three overarching observations from these assessments:

1. The sexual assault problem is much more complex than it seemed initially.
2. Sexual assault is a societal, and consequently, an Air Force problem. There are no quick solutions to address sexual assault. It will require positive, ongoing efforts to instill and foster institutional change.
3. Commanders are key to institutional change success. Seeing and understanding the problem is challenging. They have been working the issue, but primarily from a criminal perspective, on a case-by-case basis, rather than as a cultural or societal issue. We must do a better job of defining and understanding the crime of sexual assault. We must create an institutional environment that refuses to accept or facilitate such behavior -- one that capitalizes on the ideals our Airmen prize:
 - Mutual respect – no Airman should ever be afraid of another Airman.
 - Mutual support – always take care of your wingman.
 - A strong team – everyone physically, mentally, and spiritually sound.
 - Success – we are winners when we are at our best and take care of each other.

The leadership of the United States Air Force takes this problem very seriously and we are focusing on it, from the top down, with the level of attention that it deserves.

We began this journey in January 2003, when we learned of allegations of sexual assault at the United States Air Force Academy (USAFA). After multiple investigations into these allegations, in March 2003, Secretary Roche and General Jumper implemented the *Agenda for Change* and the Fowler Panel Report recommendations. The *Agenda for Change* focus is broader than just changes designed to preempt sexual assaults, or the punishment of perpetrators; it is a template for cultural changes within the Academy. We learned a great deal about sexual assault from our experiences with the Academy.

Consequently, during a four star summit (CORONA Fall 2003), our senior leadership decided that we should look beyond the USAFA to determine whether the Academy experience was an anomaly or Air-Force wide.

General Begert, the Pacific Air Forces Commander, volunteered to do an assessment within his command. He limited his assessment to allegations of rape within the command and he presented his findings at the next four-star summit (CORONA February 2004). Based on General Begert's findings, the senior leadership of the Air Force agreed on the necessity of an Air Force wide assessment.

During this period, the *Denver Post* published several articles claiming a “wave” of assaults at one of our largest training bases, Sheppard Air Force Base in Wichita Falls, Texas. General Cooke, Commander of our Air, Education, and Training Command (AETC) initiated an investigation into the allegations at Sheppard AFB.

Based on the four-star agreement at the February CORONA, we launched an intense effort to assess Air Force sexual assault prevention and response capabilities and to identify recommendations for improvements. Using a standard template provided by the Vice Chief of Staff, the MAJCOM Commanders set up teams to visit installations. Their goal was to focus on five key areas: education and training (prevention), reporting, response programs, program oversight, and recommendations. The scope of the assessment was designed to provide a holistic review of sexual assault policy and programs -- it did not attempt to assess disposition of individual cases.

The Air Force set five goals:

1. Strive to eliminate sexual assault and any climate that fosters it;
2. Ensure an environment wherein victims have confidence to report;
3. Conduct appropriate investigations and prosecutions;
4. Effectively addressing victims' health and well-being; and
5. Ensure commanders and higher headquarters oversee program effectiveness.

A headquarters Integrated Planning Team (IPT), under my supervision, was formed to: conduct a review of headquarters-level policies; conduct corporate and university benchmarking; contribute to the DoD Task Force effort; engage sexual assault subject-matter experts (external to AF); synthesize MAJCOM self-assessments; and capture findings and develop recommendations.

The IPT membership included subject-matter experts from a wide spectrum of areas dealing with sexual assault:

- Security Forces;
- Inspector General (including Office of Special Investigations);
- Surgeon General;
- Personnel;
- Office of the Chief Master Sergeant of the Air Force;
- Office of the Judge Advocate General and the General Counsel;
- Members of the Air Force Reserve and the Air National Guard; and
- The Chaplain.

The IPT conducted corporate benchmarking to identify best practices in the private sector. They contacted 30 private organizations regarding sexual assault/sexual harassment policies. The companies contacted were those identified in the Fortune and Business Week magazine listings of companies as having highly admirable business practices.

We also looked for congruencies with Air Force environment and job diversity. The majority of organizations contacted were unwilling to discuss responses to sexual assault in the workplace or they identified it as an issue that would be handed over to law enforcement should an assault occur. There were no internal methods or channels for dealing with sexual assault. Most companies focus instead on sexual harassment policies in the workplace.

In our attempt to benchmark outside of the military environment, we found the college environment the most analogous to the Air Force findings. We elicited the

assistance of Dr. Heather Schumacher-Karjane, the principal investigator and co-author of the largest study completed on campus sexual assault (*Campus Sexual Assault: How America's Institutions of Higher Education Respond*. Karjane, H.K, Fisher, B.S., & Cullen, F.T. (2002) for the National Institute of Justice, U.S. Department of Justice).

We found common characteristics in both environments. Both have large, concentrated numbers of young adults, living and working together; many on their own for the first time. The age ranges were similar. The average age of Air Force members reporting sexual assault was 22 years and subjects of investigations, 24 years. The average age range of college study populations were 16-24 years.

In both populations there was a pervasive use of alcohol. We found that alcohol was involved in at least 70 percent of the Air Force allegations.

Especially important in the finding is that in both populations, the victims knew the offenders.

In the Air Force, 85 percent of offenders were known by the victim and in college studies, 80 percent to 90 percent were known by the victim. This, along with another important factor (low sexual assault reporting rates), has significant implications for prevention, education, and possible prosecution of the offenders. Dr. Karjane's study and our own internal assessment identified similar barriers to reporting attempted or completed sexual assault (discussed below in Findings).

On 9 April 2004, we received the MAJCOM reports. Eighty-five installations were visited and/or surveyed. Attempts were made to contact over 100,000 personnel via interviews, surveys, focus groups, and feedback sessions. The HQ USCENTAF Inspector General sent a team to Kyrgyzstan, Afghanistan, Kuwait, Iraq, the United Arab Emirates, and Qatar.

On 21-22 April 2004, we conducted a two-day off-site with the MAJCOM assessment team leads, Air Staff IPT members and two outside experts: Dr Heather Schumaker-Karjane and Dr. David Lisak, a nationally renowned consulting expert in the area of non-stranger assaults (in particular, rape) and forensic expert from the University of Massachusetts, Boston. Dr Lisak has worked with the USAFA and we requested his assistance to help us understand the broader, societal, and cultural aspects of the problem that we are addressing.

As many as one in four (24 percent) college-aged women have experienced some form of completed rape or attempted rape (*Fisher, B., Cullen, F, and Turner, M (2000)*). Dr Lisak states, "Sexual violence on that scale can only exist in a culture that facilitates it." This statistic, combined with the statistic that the victims knew 80 percent to 90 percent of the offenders, compelled us to look further at our perceptions of victims and offenders.

Dr Lisak stated that only a tiny minority of rapists -- about five percent -- are stranger rapists -- such as the stranger in a ski mask who makes a blitz attack from the bushes, does not know the victim, inflicts brutal injuries, and will ultimately be incarcerated. Therefore, 95 percent of core sex offenders are non-stranger rapists whom current rape myths protect: he is a nice guy, the rape was unpremeditated, it won't happen again, both drank too much, and it was a miscommunication.

In reality, based on Dr Lisak's studies, the non-stranger rapist knows the victim, uses alcohol and other substances to make the victim more vulnerable, premeditates the

rape, uses calculated force, is a serial offender (to include children), and is seldom incarcerated.

His study also indicates that the average serial rapist victimizes 14 separate women and children. Non-stranger rapists do not wear ski masks; they come from all walks of society and all races/ethnicities. They are able to function because they rely on facilitators--those who perpetuate an environment that enables them to assault by reinforcing their behaviors, and bystanders, those who have knowledge of the incidents and dangerous environments, but fail to act. The information and insight provided by Dr Lisak's study, has profound implications for prevention, investigative and judicial processes, and understanding and caring for the victim.

Emerging from the two-day offsite, we identified major findings that are critical and need our immediate attention. The findings and proposed recommendations were presented at a four-star summit (CORONA TOP) on 18 May 2004. A plan was approved, with timelines, to undertake specific actions within 90 days, culminating in a four-star summit in the fall.

The Assistant Vice Chief of Staff and myself will oversee the follow-on effort. The following describes the Air Force findings and the CORONA TOP approved actions that we will undertake to address the findings.

1. POLICY AND LEADERSHIP:

Finding: Lacked Cogent AF-wide Sexual Assault Policy. No single headquarters office was designated to develop, promulgate, and maintain policy. There is no specific Air Force policy addressing sexual assault. We lack a compelling message, and policy is key to that message. Key sexual assault terms/concepts require further definition. For example, we need to clearly distinguish sexual harassment from sexual assault. We need to clearly define confidentiality, privacy, and anonymity.

Finding: Commanders Were Not Aware of the Prevalence of the Sexual Assault Problem. Commanders are dealing with sexual assault as a crime, on a case-by-case basis, not as a cultural issue. The incidents of reported sexual assault at most installations are statistically insignificant enough so as to not raise an alarm. According to the Federal Bureau of Investigation (FBI), sexual assaults are the most underreported violent crime in the nation. Low reporting rates created a false sense of security. The fact that they are so underreported masks the prevalence of the problem.

Finding: Existing databases lack integration. We found that there are several existing databases addressing investigation, prosecution, and medical care that provide installation case management information. However, these databases are not integrated to provide trend analysis and oversight information at higher levels where consolidated information may provide an indicator of a problem within the Air Force.

Finding: "Environmental" Issues. Focus groups raised a number of dorm issues that will be reviewed: concern that dorm policies are evolving rapidly in response to emphasis on sexual assault issues; alcohol use in the dorms; and dorm occupancy policies.

Finding: Resources – MAJCOMs concerned about "out-of-hide" solutions. The MAJCOMs know that long-term institutional change will involve resources that are not currently available. They recommended that we consider combining sexual assault

initiatives with similar programs, such as domestic violence, to provide the same level of support while making the best use of resources and trained responders.

Plan for Improving Policy and Leadership.

Responsibility for policy development and oversight of Air Force policy and program implementation is vested with me, as the Assistant Secretary of the Air Force (Manpower and Reserve Affairs). Due to the multiple functional agencies (e.g., Surgeon General, Chaplain, AFOSI, Judge Advocate) associated with day-to-day implementation, the Chief and his senior leaders are discussing where to most effectively vest functional responsibility for support of commanders, and policy implementation at the Air Staff, MAJCOM, and Wing level.

Develop an Air Force prevention and response policy that focuses on cultural and institutional change.

We asked Ms Deborah Tucker, Executive Director of the National Center on Domestic and Sexual Violence and Co-Chair, DoD Domestic Violence Task Force, to review our findings and provide us advice, based on her experience, about how best to attack the issue on the institutional level and help us better understand the issues from a victim advocate's perspective.

She advised us to address institutional and individual attitudes and beliefs and to identify concrete behaviors that will achieve higher standards, which in turn will ensure that young women and men will continue to want to join and remain in the Air Force.

These objectives must be implemented through leadership, policy, and training. We will be working with OSD, in particular, to emphasize total force and joint solutions. *Development of a communications strategy to re-orient AF culture into a proactive force that refuses to accept or facilitate sexual assault behavior and one that emphasizes behavior that respects the dignity of each Airman.*

We will promulgate policy throughout the command structure and begin the education process necessary to:

- Enhance commanders' understanding of the crime; and
- Raise awareness among Airmen at all levels that being a facilitator or a bystander harms a fellow Airman and ultimately weakens the team.

We will pursue internally and with OSD the means to integrate reporting and tracking databases and develop an enterprise-wide database for information sharing and program management, especially at MAJCOM-level and higher.

A team will review Air Force "environmental" issues and examine existing dorm and alcohol policies. We will identify the resources needed to sustain a continuous and consistent prevention and response program.

2. PREVENTION, EDUCATION, & TRAINING

Finding: Education, Training and Prevention Were Primarily Focused on Sexual Harassment in the Workplace – Not Sexual Assault. There is no clear AF-wide sexual assault policy/message reflected in current training. Sexual assault education is sporadic; for example, basic military training (BMT) includes a portion on sexual assault awareness while other professional military education classes include it with sexual harassment. Some installations have developed specific training and programs, (e.g.,

Nellis AFB, Nevada Sexual Assault Prevention Program), which we identified as best practices.

In response to the recent issues pertaining to sexual assaults at the AF Academy, HQ AFOSI established an *Advanced Sexual Assault Investigations Workshop* conducted at the Air Force Academy. A multi-functional team of first responders attended the training and the following topics were covered during this course: Victim Awareness, Trauma, Sensitivity; Legal Perspective/Challenges; Effect of Drugs/Alcohol on Assaults; Sexual Assault Investigative Protocol; Biological/DNA Evidence; Crime Scene Documentation; Cold Case Approaches.

Based on positive feedback from the Air Force Academy course, HQ AFOSI is in the process of developing an annual course to be held at each of our MAJCOM Regional Headquarters. Training for judge advocates begins in the basic Judge Advocate Staff Officer Course at the Judge Advocate General's School and also includes specialized training in such venues as the Legal Aspects of Sexual Assault Course; trial advocacy courses and workshops; implementation of the Victim's Rights and Restitution Act for judge advocates, paralegals and victim witness assistance liaison officers; and training for staff judge advocates at all levels.

With the assistance of Anne Munch, Director, Ending Violence Against Women Project and Colorado prosecutor, we gained additional information regarding the importance of understanding sexual assault as a criminal act (in particular rape), and training investigators and prosecutors in the societal held beliefs/myths that often influence juries, judges, and case decisions.

In the focus groups, young Airmen were quick to point out that creative, targeted training programs will be required to shift cultural thinking; today's "death by Powerpoint" methodology will not be sufficient for institutional change.

Plan for Improving Education and Training. We are developing an education and training strategy that will establish a training baseline and a multi-tiered program for all personnel (recruits to senior leaders). In doing so, we will ensure the delivery of a common message to everyone. The strategy will include interactive training programs that target career transition points (BMT, AFROTC, OTS, SOS, ACSC, ALS, NCOA, SNCOA, and First Sergeant School). We also will continue to enhance training for key first responders and will expand training to include victim advocates and other caregivers.

3. REPORTING

Finding: Confidentiality - Victim's Lack of Privacy Most Frequently Quoted Barrier to Reporting Sexual Assaults. The scope of sexual assault is difficult to quantify. According to the *Fisher* study referenced earlier on the *Sexual Victimization of College Women*, a national Department of Justice sponsored study of more than 4,000 college women showed that under five percent of rape or attempted rape victims reported the incident to police. A similar study (*Koss, M.P., Gedyg & Wisniewski - 1987*), sponsored by the National Institute of Mental Health, also showed that only five percent of college students ever report incidents. Most college-aged victims do not report the incident.

The most common reasons given for non-reporting is lack of privacy, embarrassment, lack of confidentiality, or lack of an anonymous reporting option. This lack of a protected disclosure enables other reporting barriers. For example, in Air Force

focus groups, Airmen feared that identification as a victim would reduce their image in the eyes of the commander and other unit members. Others thought their peers and superiors would think they should be able to handle it and not complain. Men thought they would be considered homosexual if they reported. Some were concerned about the operational impact, that is, “Will I be allowed to complete training?”

A key issue emerged from this finding that is unique to the military structure. Air Force commanders have an obligation to maintain good order and discipline, get offenders off the street, and preclude further attacks. Reluctance by victims to report incidents reduces the likelihood of cases that require investigation.

Plan for Enhancing Reporting. We will work with officials in the Office of the Secretary of Defense to design and deploy a system of reporting that:

- Maximizes reporting rates while balancing victim confidentiality; and
- Balances the victim’s need to control the information that he or she shares with the commander’s accountability and responsibility for good order and discipline of the unit, which is accomplished through investigation and prosecution of offenders.

This must be accomplished in coordination with the Office of the Secretary of Defense and should be consistent across the Department of Defense. It supports the larger objectives of: (1) getting victims into care; and (2) isolating the offender and holding the offender accountable. Once a victim has decided to report, we must provide privacy procedures that limit the disclosure of information.

4. RESPONSE.

Finding: Current Sexual Assault Response Programs Emphasize Investigative/Judicial Processes. Air Force-wide, the response to an alleged sexual assault has primarily focused on the investigation and subsequent judicial process. The Victim Witness Assistance Program (VWAP) has been implemented but execution is somewhat inconsistent. The VWAP liaison provides investigative and legal support related to the Uniformed Code of Military Justice (UCMJ) case. There is, however, an imbalance between investigative/judicial needs and sustained victim support/care.

The commands also identified issues with the timeliness of processing the rape kits by the U.S. Army Criminal Investigation Lab (USACIL), which in turn impacted investigations. The Air Force recently funded ten additional DNA and trace technician spaces for the U.S. Army Criminal Lab to assist them in decreasing the amount of time it takes to process sexual assault kits and evidence.

Finding: Victim Care Was Inadequate. Multiple agencies oversee sexual assault victim treatment and investigation in parallel. There is no AF policy that fully integrates victim response. The Office of Special Investigations, the Security Forces, the Judge Advocates Office, the Chaplain, and the hospital Life Skills Clinic are all involved in responding to a victim of sexual assault, but each office has a distinct process and reporting structure that, with few exceptions, is not integrated to provide the best support.

Until directed by Secretary Roche and General Jumper on 1 April 2004, no AF-wide victim support program existed. Some installations had implemented local programs.

Reliance on community resources is high but can be improved through use of formal care agreements. On 15 March 2004, the Surgeon General’s office encouraged all medical treatment facility commanders to contact local rape counseling centers and,

where there were no existing relationships, to invite them to join in education of medical provider staff.

Sexual Assault Nurse Examiner (SANE) availability varies within the communities where Air Force bases are located. SANEs are used in AF investigations whenever possible; however, the volunteer status of the SANE often leads to longer processing, particularly in an off-base hospital. At overseas bases, off-base services are lacking, limited, or non-existent.

Our research (*Trauma and Recovery, Judith Herman, M.D.*) and information from experts indicates that recovery from non-stranger rape takes longer because the victim's perception of security is shattered; violation of trust can affect relationships for years. This has implications for continuity of care.

We found limited victim support after the judicial process had ended and when the victim was transferred to another installation. NOTE: Recognizing an immediate need to address victim care, on 1 April 2004, as an interim measure until the AF assessment was complete, Secretary Roche and General Jumper required the commands to establish Victim Support Liaisons at each base who report to the Vice Wing Commander. A basic model and guidelines for victim support were provided as an interim measure pending results of the Air Force assessment.

Plan for Improving Response. Establish a Victim Advocate Coordinator and/or response teams and ensure maximum use of base resources to mitigate all victim care issues (e.g. domestic violence, child sexual abuse). The coordinator, working with individual victim support liaisons, would seek to improve coordination among all agencies involved in response; to provide victim feedback; to avoid activities that create re-victimization; and to provide continuity of care so as to effectively address the victim's health and well-being.

We must fully utilize community resources by expanding existing relationships with community resources for training and response. We must enhance understanding of VWAP and its integration with other victim support and care activities. We will continue to enhance investigation and prosecution techniques through the assistance of experts in prosecution and forensic evidence.

5. AEF/DEPLOYMENT CHALLENGES

Finding: AEF/deployed Environment Creates Unique Challenges for Sexual Assault Prevention and Response. Prevention efforts and training must be completed before deployment. Current training in deployment preparation is sporadic or does not occur. Forty-percent of deployed commanders were not commanders at their home stations. Some loss of unit integrity in the deployed environment impacts continuity of programs and may influence a victim's willingness to report this traumatic event, especially to someone with whom the victim has not developed a trusting relationship at their home station.

Deployments, particularly in a joint operational environment, require Airmen to learn a new environment, develop new working/living relationships with peers, and adjust to a new supervisor, sometimes from another Service. The close living environment, on- and off-duty, has the potential to breed fraternization and cause discipline problems at the home station.

Limited resources for victim support are compounded by intense mission focus. Medical issues may be exacerbated in the AOR. Primitive conditions/infrastructure hampers collection, proper storage, and maintenance of evidence.

Standardized policies and procedures in a joint environment are needed.

Plan for Responding to AEF/Deployment Challenges. We will: standardize sexual assault prevention and reporting policies during AEF/deployment. Establish a point of contact for oversight within the air component. Standardize oversight and accountability in the combat environment and engage in an integrated joint approach with sister services in a deployed environment. Require mandatory pre- and post- deployment training. Ensure that all commanders and personnel receive appropriate training, instruction on reporting and care, and develop scenarios as part of the AEF work-up.

SUMMARY:

Sexual assault prevention and response challenges our Air Force to do our best for our people and their families. In meeting this challenge, we have an opportunity to lead the way in developing the largest institutional response to sexual assault in our nation's history – and together with our sister services and OSD leadership, we will commit to leading the way. That is not our primary reason for committing to this path, however.

Our primary reason is to ensure the mental, physical, and spiritual well-being of our Airmen, so that they will remain convinced that we always take care of our Wingman. 