



## 22 December 2014

# ABUSIVE SEXUAL CONTACT



**COURT-MARTIAL:** At a November 2014 Court-Martial in Wiesbaden, Germany, a Captain assigned to Headquarters and Headquarters Battalion, US Army Europe was found guilty by the military judge of abusive sexual contact in violation of Article 120.

**SENTENCE:** He was sentenced to 15 months confinement, a reprimand, and to be dismissed from the service.

**FACTS:** In January 2013, the Captain was at the apartment of a woman he had previously dated. After she told him she no longer wanted to be in a relationship with him, they began to watch a movie together as friends. While watching the movie, he began to inappropriately touch her. Although she pushed his hand away and said, "No!" he continued to make advances on her. He then shoved his hand down her pants and into her underwear against her will, while she tried to pull his hand out of her pants. She did not report the incident until the summer of 2013.

**OBSERVATION:** A current or previous dating relationship does not equate to automatic consent to sexual contact. Army policy promotes sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes. Commanders must be committed to eliminating incidents of sexual assault through a comprehensive policy that centers on awareness and prevention, training and education, victim advocacy, response, reporting and follow-up. Although years had elapsed between the incidents and the eventual unrestricted reports to authorities, the military justice process still allows for a thorough and fair investigation into allegations of sexual assault.

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If you have been sexually assaulted, contact your Brigade Sexual Assault Response Coordinator, Victim Advocate, healthcare provider, CID, Staff Judge Advocate, Military Police, Behavioral Health, or the Chaplain. You may also call the DoD Safe Helpline from a DSN line at 94-877-995-5247 (toll free) or 001-877-995-5247 (not toll free).

For more guidance on reporting options and rights, visit  
<https://www.safehelpline.org/>

**Teal Hash # 14-005**