



1 December 2015

## SEXUAL ASSAULT



**COURT-MARTIAL:** At an October 2015 Court-Martial in Wiesbaden, Germany, a Sergeant assigned to 1-214th Aviation Regiment was convicted by an enlisted panel of one specification of abusive sexual contact in violation of Article 120, and one specification of sexual assault in violation of Article 120.

**SENTENCE:** Confinement for 1 year, reduction to E1, total forfeiture of pay and allowances, and a dishonorable discharge.

**FACTS:** In 2014, the Sergeant grabbed the breast of a female Soldier while she was asleep after a night of drinking in his home. When the Victim woke up, the Sergeant followed the Victim to the bedroom. There the Sergeant proceeded to sexually assault the female Soldier by penetrating her vulva with his penis, without her consent.

**OBSERVATIONS:** A sleeping person cannot consent to sexual contact or sexual acts. 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. The military justice process still allows for a thorough and fair investigation into allegations of sexual assault.

"Military members and adult dependents 18 years and older who have been sexually assaulted, may contact the Brigade Sexual Assault Response Coordinator, Victim Advocate, healthcare provider, CID, Staff Judge Advocate, Military Police, Behavioral Health, or Chaplain. They may also call the DoD Safe Helpline from Germany by dialing 537-SAFE (7233) or 0611-143-537-SAFE (7233). The telephone number is accessible via DSN, landline, and mobile, 24 hours a day."

For more guidance on reporting options and rights, visit

<https://www.safehelpline.org/>