

Rape and Sexual Assault in the US Military

by
A. Hewitt Rose, III

When Seaman Kori Cioca complained of her superior's constant sexually charged verbal abuse, physical fondling, invasion of her room at night, and a violent punch to the face for refusing a demand for sex, she was assigned extra duty and denied a transfer. Nothing was done to her abuser. Her chief tried to talk to the officer in charge about the abuse, but the officer said "let her burn" because "she ruins careers." Her superior then ordered her into a room alone with him and raped her. When Cioca tried to report the rape, she was told that she would be court-martialed for lying. The rapist plead guilty to only hitting Cioca and received a minor loss of pay and a 30-day base restriction. Her superiors demanded that Cioca sign a paper stating that she had an "inappropriate relationship" (consensual sex) with her rapist. When she refused, she was denied medical services for her facial injuries, further sexually harassed, and then discharged on grounds of "a history of inappropriate relationships with individuals in the Coast Guard."

During Army Specialist's Andrea Neutzling's second tour of duty in Iraq, she was beaten and gang raped by two soldiers in her unit. When she found out that the rapists were circulating a video of the rape, she reported them to her superiors in the chain of command. Her commander told her that he did not believe her because "she did not struggle enough." He did not disclose the rape to investigative services, and then downgraded the complaint from sexual assault to sexual harassment.

These are not isolated cases. Cioca and Neutzling are two of fifteen female and two male service member plaintiffs in a February 2011 class action lawsuit against former Defense Secretary Donald Rumsfeld and current Secretary Robert Gates. *Cioca et. al. v. Rumsfeld* (E.D. Va.). The suit alleges widespread sexual assault in the US military and a systemic and gross failure (a) to investigate, prosecute, and punish abusers, and (b) to protect victims against retaliation for reporting their assaults, and to provide them legal and medical support.

Government statistics illustrate the scope of problem. The Veterans Administration reported in 2008 that one in three women in the military has been sexually assaulted. The US Air Force issued a survey in March 2011 that found that 19% of female airmen have been sexually assaulted since joining the Air Force. Of that percent, 58% report they have been raped and 20% say they have been sodomized. Two percent of surveyed male airman report they have been sexually assaulted since joining. The Pentagon's Sexual Assault Prevention and Response Office (SAPRO) FY 2010 Annual Report on Sexual Assault in the Military reports 3,158 sexual assaults in the military. The report estimates that only 13.5% of sexual assaults are reported.

The nominal rate of reported assaults by the Air Force is about the same as the civilian world (17%), but the rate of reporting in the military is likely to be far less. In the military, one cannot escape one's abuser. Victims are forced to live and work alongside their abusers and, when the abuser is of higher rank, salute, "show them respect," and obey their commands. Further, there is no real justice in the military for both perpetrators and their victims, and service members know

it. The Government Accountability Office reported in August 2008 that service members avoid reporting sexual assaults because they believe nothing would be done, they fear ostracism, harassment, or ridicule, and they worry that peers would gossip. The rate of prosecution for rape is 40% in civilian courts; in 2010 it was 16% in the US Military.

Officially, the US Military recognizes that sexual assault cannot be tolerated. Secretary of Defense Robert Gates says in the SAPRO Annual Report, “[t]his type of act not only does unconscionable harm to the victim; it destabilizes the workplace and threatens national security.” That is the theory. In practice sexual assault in the US Military is treated as a public relations problem, Congressional pressure is turned aside or defied, victims are both blamed and punished if they report abuse, and perpetrators are not punished and often promoted.

The Service Women’s Action Network (<http://servicewomen.org/>) is working hard to change this dysfunctional military culture and seeks further Congressional pressure. The ISHV supports their efforts and urges its members to take action with their own Congressional representatives. The sacrifice of serving one’s country should not include rape and sexual abuse.