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National Press Club Remarks
Military Rape and Sexual Assault Litigation
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Good morning. My name is Anuradha Bhagwati. I am a former Captain in the United States Marine Corps. I am now the Executive Director of Service Women's Action Network, a national advocacy organization that is working to transform military culture by securing equal opportunity and the freedom to serve in uniform without threat of harassment, discrimination, intimidation, or assault. In addition to policy work on military sexual violence, our National Peer Support Helpline serves military women across the globe.

Today, I stand in solidarity with the courageous women and men who have served in our nation's Armed Forces. The inspirational plaintiffs you see before you are a small handful of the tens of thousands of troops and veterans who have been sexually brutalized and physically and psychologically tortured by their fellow servicemembers while defending our nation.

Rape, sexual assault, and sexual harassment are a plague upon the United States military. A pervasive climate of sexual violence and intimidation threatens our national security by undermining operational readiness, draining morale, harming retention, and destroying lives.

As a Marine commander, I witnessed my own senior officers violate sexual harassment and sexual assault policies, shirk their responsibilities to their own troops and lie to families by ignoring reports of abuse, transfer sexual predators out of their units instead of prosecuting them, promote sexual predators during ongoing investigations, and accuse highly decorated enlisted servicemembers of lying about their abuse, simply because they were women. Any attempt to hold these officers accountable was met with threats and retaliation. I saw some of the nation's finest servicemembers leave the military after their abuse and betrayal, while their perpetrators and the officers who willingly protected them to this day remain in uniform.

Today, as the head of an organization devoted to eliminating sexual violence from our military, I see that little if anything has changed. The government has studied this issue for decades, over multiple administrations, and yet, assaults on our troops continue year after year, with no end in sight.

We have reached a crisis point with this issue. In FY 2009, 3,230 servicemembers reported rape or sexual assault throughout the military. The Department of Defense itself acknowledges that 80% of sexual assault survivors do not report the crime. If we do the math, in 2009, approximately 16,150 servicemembers were sexually assaulted.

The vast majority of victims are junior enlisted. In an institution where rank and chain of command determine your every move, sexual predators often exert power and violence over

those with the least amount of rank. There are well-founded reasons that so few women and men report the crimes committed against them. Reporting sexual assault and sexual harassment in the military is brutally intimidating at best, and a death sentence at worst. Perpetrators often guarantee a victim's silence by threat of retaliation. Also, unsympathetic commanders who fail to protect survivors are all too common. Often times, it is commanders who are complicit in cover-ups of these cases.

In this context, encouraging victims to report is irresponsible at best. And yet, the Department of Defense is relentlessly focused on getting more women and men to report, without doing anything to put perpetrators behind bars, without guaranteeing survivors' personal safety, anonymity and confidentiality, privileged communication with victim advocates, or access to a lawyer. The work of the Department of Defense's tiny "Sexual Assault Prevention and Response Office (SAPRO)" largely consists of poster campaigns, data collection, and provision of training and education materials to the armed services. It should not be a surprise that the military cannot stem the tide of sexual assault in the ranks because SAPRO has no teeth, and it has no teeth because the Department of Defense has deliberately not vested it with any judicial or law enforcement authority. SAPRO's notorious poster campaigns to "prevent" rape are rife with victim blaming and rape mythology, including a shocking poster that encourages servicemen to "wait until she's sober."

As for punishment, fewer than one in five sexual predators ever see the inside of a courtroom. Most walk away with slaps on the wrist, instead of jail time. We know that sexual predators are often serial offenders, and yet, the military not only fails to prosecute and convict most of them, it also fails to provide a sexual offender registry to civilian authorities, allowing military perpetrators to continue preying upon victims in civilian communities across the nation.

Rape, sexual assault, and sexual harassment are often career-enders for victims. Unlike in the civilian world, a military rape survivor cannot quit her or his job, or re-locate to a different community. They are often forced to live with, work with, or work under the supervision of their perpetrators. Unlike in the civilian world, survivors have no access to redress when their chain of command fails to protect them or fails to punish the perpetrator. Unlike in the civilian world, survivors have no legal right to sue their perpetrators, their supervisors, or their branch of service for damages.

It is time to finally acknowledge that the military judicial system is broken when it comes to cases of rape, sexual assault and sexual harassment, and that an alternative system must be created to guarantee accountability and justice for these crimes.

American youth should not sacrifice their right to bodily integrity when they step forward to serve our nation. They bravely and honorably volunteer to wear the uniform with the understanding that they may make the ultimate sacrifice. That is enough to ask of them. But we must not continue to subject them to sexual violence, torture, and betrayal by their fellow personnel. Your daughters and sons, your sisters and brothers, your mothers and fathers, our American heroes, deserve better.