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MN Sen. Klobuchar Introduces Legislation Calling for Permanent Retention of Military Rape, Sexual Assault and Sexual Harassment Records

Service Women's Action Network Applauds Bill as "Critical Step" for Veterans Seeking VA Benefits, Criminal Charges Against Perpetrators

New York, NY – Today, the Service Women's Action Network (SWAN), strongly applauded the introduction of legislation by United States Senator Amy Klobuchar (D-MN) that would require the Department of Defense (DOD) to establish a unified system to permanently store and retain digital records in all cases of military rape, sexual assault and sexual harassment. Currently, there is no uniform manner across the various military branches of service for the retention of such documentation.

In fact, existing policies require that documentation in these cases, including completed investigations, forms, witness interviews and forensic evidence, be destroyed entirely in one to five years. This is a problem for servicemembers who later seek disability compensation from the Department of Veterans Affairs (VA) for PTSD or other health issues caused by sexual trauma, or those who seek to pursue legal action against the perpetrator.

“The Department of Defense's annual report on sexual assault in the military, released last week, showed that in 2010 alone, approximately 19,000 servicemembers were raped or sexually assaulted during their service to our country,” said Anu Bhagwati, a former Marine Corps Captain and executive director of the Service Women's Action Network. “For literally tens of thousands of survivors of military rape, sexual assault and sexual harassment, this legislation is a critical step to ensuring the documentary evidence of the incident won't end up in some garbage can or incinerator. These documents are absolutely vital for veterans not only when they file service connected disability claims with the VA, but also when survivors choose to pursue further legal action against their rapists or harassers.”

During a press conference today in Minnesota, United States Senator Amy Klobuchar (D-MN) announced the introduction of legislation that would require the Department of Defense to:

- Implement a unified method across all the service branches to ensure the permanent, digital storage of documentation related to cases of rape, sexual assault and sexual harassment;
- Enable lifetime access to the documentary evidence by the victim, to include use in the submission of VA disability claims or in court proceedings;
- Ensure Congressional oversight by requiring the Department of Defense to report to Congress on its implementation of the legislation.

“On behalf of servicewomen and men across the country, we applaud Senator Klobuchar for her leadership on this issue and urge other Members of Congress to support this legislation. Never again should a servicemember who has been a victim of military rape, sexual assault or sexual harassment have to hear that their records were lost or destroyed due to the serious level of incompetence in the current system,” Bhagwati concluded.

In testimony before the House Committee on Veterans Affairs “Claims Summit 2010”, SWAN addressed the issue of records retention stating, “To ensure that records of harassment and assault complaints may be accessed in support of VA claims, the military should incorporate [these] files into the proposed Joint Virtual Lifetime Electronic Record.” To read the full testimony go to: <http://servicewomen.org/wp-content/uploads/2011/01/RachelNatelsonVeteransClaimsTestomony.pdf>.

To read *Rape, Sexual Assault and Sexual Harassment in the Military: The Quick Facts*, SWAN’s expert analysis and overview of the problems and egregious acts committed against men and women in uniform, please go to: http://servicewomen.org/wp-content/uploads/2011/02/R-SASH-Quick-Facts-02_12_11.pdf.

Service Women's Action Network (SWAN) is a national human rights organization founded and led by women veterans. SWAN's vision is to transform military culture by securing equal opportunity and the freedom to serve in uniform without threat of harassment, discrimination, intimidation or assault. SWAN also seeks to reform veterans' services on a national scale to guarantee equal access to quality health care, benefits and resources for women veterans and their families. You can follow Service Women's Action Network on Twitter at <http://twitter.com/servicewomen>, or on Facebook at <http://www.facebook.com/servicewomen>.

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