



NEWS

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Military Sexual Assault Lawsuit Dismissed *SWAN regrets case's dismissal, but continues to move forward with on ongoing efforts to reform the military's handling of sexual assault*

Washington, DC – The Service Women's Action Network (SWAN) is greatly disappointed by Judge Liam O'Grady's dismissal of *Cioca v Rumsfeld*, a groundbreaking lawsuit against the U.S. military. The case was filed earlier this year by 28 survivors of military sexual assault, both men and women, holding former Secretaries of Defense Robert Gates and Donald Rumsfeld responsible for the military's inadequate protection of troops from sexual violence.

In his two page ruling, Judge O'Grady described the sexual assaults detailed in the case as "troubling" but ruled in favor of Rumsfeld and Gates, citing the military's immunity from external judicial review in cases of injury incurred "incident to service." Read the official dismissal order [here](#).

"The dismissal of this case completely unacceptable and a tragic comment on the issue of military sexual assault," said Greg Jacob, policy director for the Service Women's Action Network (SWAN). "As someone who has served in uniform, I find the very notion that being sexually assaulted is part and parcel of military service truly disgusting. The military can function properly, succeed on the battlefield and win wars without troops sexually assaulting one another."

. "It is now practically impossible to get the judicial system to provide any remedy for those that have been victimized by the inadequate military system," noted Rebekah Havrilla, a SWAN staff member and a plaintiff in the case

"The real heroes in this case are the plaintiffs: brave men and women who stepped forward, told their stories and demanded accountability from those in charge," Jacob said. "The real impact of this case will be felt for years to come. It has produced a

groundswell of public support and elected officials are now committed to fixing what is clearly a broken military system.”

This year Congress is moving forward with legislation that will help prevent sexual assault in the military. SWAN has been instrumental in getting several bills introduced that will reform both the handling of military sexual assault cases and increase protections for sexual assault survivors. The efforts are getting results: The current National Defense Authorization Act contains several sexual assault reforms; Secretary of Defense Leon Panetta has announced work on a new DOD-wide sexual assault policy; and yesterday President Obama signed an executive order that provides for increased protections for sexual assault victims serving in uniform.

Founded by women veterans in 2007, the Service Women’s Action Network has advocated for women and men who have experienced rape, sexual assault and sexual harassment in the military through policy change, legislation, public education and community programs.

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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