



The Enemy Within

Nearly 20,000 service members are raped or sexually assaulted each year by predators who often evade punishment. How can the Pentagon stop them? [By James Kitfield](#)



Targeted: Many sexual predators in the ranks have gotten away with serial assaults.

LACKLAND AIR FORCE BASE, Texas—**E**very Friday, on a grassy parade ground ringed by vintage warplanes, a freshly minted class of airmen takes the oath of duty and is officially “welcomed into the blue.” Young men and women who arrived at basic training as confused and frightened individuals seven weeks earlier march by the reviewing stand in precise formation. Nowhere is the U.S. military’s unique alchemy—turning unformed young citizens into a warrior fraternity—on clearer display.

After the ceremony, families wander around Lackland in clusters, visiting dorms

where every bed and closet is organized according to strict military specification. In the mess hall, the voices of military training instructors rise above the din, shouting at trainees one moment and commending them the next—the instructors serving as mentors, role models, and even parental figures. “I constantly remind my trainers that they are the most influential person in a trainee’s life, and they must embody our core values,” said Master Sgt. Greg Pendleton, commandant of the military training instructors at Lackland. If the MTI’s fail to instill in trainees a willingness to sacrifice self for the good of the unit and submit to unquestioned authority, they will have made the Air Force weaker, not

stronger. “That’s why what’s happened here as a result of some bad apples is so disheartening,” Pendleton said. “The training corps is better than that.”

What happened is this: One instructor has been convicted of rape and multiple cases of aggravated sexual assault of female trainees, and 16 other trainers have been charged or are under investigations for crimes ranging from aggravated sexual assault to improper sexual relationships with 42 female trainees.

That places Lackland atop an infamous list of military sexual-abuse scandals, including the Navy’s Tailhook convention in Las Vegas in 1991 (83 female and seven male victims of sexual assault by more than 100 Navy and

Marine Corps aviation officers); the Army's Aberdeen Proving Ground in 1996 (12 Army officers charged with sexually assaulting female trainees); the Air Force Academy in 2003 (12 percent of female graduates reported having been victims of rape or attempted rape, and 70 percent said they had been sexually harassed); and the Marine Barracks in Washington in recent years, where the documentary *The Invisible War* interviewed five female Marines who reported having been raped (the Corps investigated and disciplined four of the women after they reported the rapes but punished none of the accused officers).

Two days after seeing *The Invisible War*, Defense Secretary Leon Panetta directed commanders to elevate all sexual-assault investigations to a reviewing authority headed by a higher-ranking colonel. He also began creating "special-victim units" in each branch. It was a start.

But the most alarming aspect of the Lackland story is its predictability, because the very values Pendleton is trying to inculcate (obedience, self-sacrifice, stoicism in the face of deprivation) are the ones that predators exploit in these scandals. The Defense Department's own data suggest that, far from representing an isolated incident, Lackland is just the latest outbreak of what Panetta has called a "silent epidemic" of sexual assault in the ranks. Based on the Pentagon's most recent survey on the issue in 2010, the epidemic affects more than 19,000 victims each year. Meanwhile, according to annual Veterans Affairs Department surveys, 20 percent of female veterans screen positive for "military sexual trauma," as do 1 percent of male veterans—many of them victims of male-on-male rape. Cumulatively, the data suggest that hundreds of thousands of current and former members of the military have been raped, sexually assaulted, or subjected to "unwanted" sexual contact. In 2010 alone, the VA conducted nearly 700,000 free outpatient counseling sessions to veterans suffering from military sexual trauma.

And the military-justice system has failed to check that epidemic. Persistent, corroborated accounts (by victims and sex-crimes experts) describe a command climate that tends to cast suspicion and blame on victims. Too often, the system treats reports of rape and sexual assault not as heinous crimes to be prosecuted harshly but as unwanted distractions from "good order and discipline" to be dealt with, hastily, at the lowest command level. Frequently, this means simply transferring or demoting suspected perpetrators for "sexual harassment" and referring distraught victims to uniformed mental-health experts who diagnose them with "personality disorders" and help wash them out of the military.

A decade of conflict has almost certainly exacerbated the scourge. The Army had to re-



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Jennifer Norris

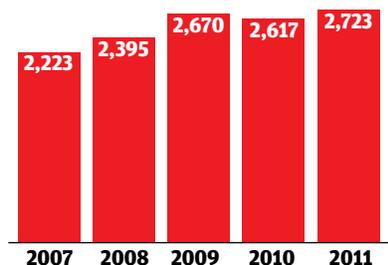
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lax its recruitment standards to fill the ranks at the height of the fighting in Iraq and Afghanistan, and an anonymous 2008 survey by the Naval Health Research Center reported that as many as 15 percent of incoming recruits had either committed or attempted rape before entering the military—twice the rate of their civilian cohorts. Counterinsurgency warfare also placed service members in a high-stress/low-oversight environment

Hidden Victims

The Defense Department counted about 2,700 victims of sexual assault last fiscal year, but because of underreporting, it estimates that there were far more—19,000.

Service-member victims in reports of sexual assault by fiscal year



Source: Defense Department, "Annual Report on Sexual Assault in the Military"

that was tailor-made for sexual predators: 25 percent of women and 27 percent of men who claimed "unwanted sexual contact" said that the assaults occurred in combat zones. Army investigators received increased reports of combat-theater rapes only after units returned to their home bases, where victims felt safer to report the assaults. (Of more than 130 women killed in Iraq and Afghanistan, nearly 40 percent died of "noncombat-related" injuries, often gunshots. Some were suicides, but others occurred under suspicious circumstances. A number of the deaths came after the women reported being raped.) "About half the women we see with military sexual trauma also have trauma from combat exposure," said Deleene Menefee, a psychologist at the VA's medical center in Houston. "On top of taking fire from the enemy outside the gates, they've had to cope with the trauma and fear of being attacked by the enemy from within."

How, in 2012, can sexual assault still be so pervasive and the military justice system's reaction so cruel that it routinely revictimizes the injured and slaps the hands of perpetrators? The answer may be a cultural blind spot similar to the Catholic Church's myopia on child molestation. Time and again, the armed services have proven unable or unwilling to grasp the extent to which their core ethos and organizational principles are vulnerable to exploitation by sexual opportunists. Indeed, viewed through a certain prism, much about military life—the lopsided power imbalances of rank, the emphasis on unit cohesion over personal welfare, the captive troops with nowhere to escape, the testosterone-fueled spirit of an overwhelmingly male profession that is heavily dependent on female volunteers—could make the military an almost ideal hunting ground for sexual predators.

FIRED FOR BEING RAPED

Jennifer Norris loved the Air Force. She planned to use it to get an education and then eventually join law enforcement. The last word she would ever have used to describe herself was "victim." Yet Norris didn't even make it to basic training before she says an Air Force recruiter drugged and raped her, a method of assault that VA mental-health experts say is common. In technical school, Norris learned from another female trainee that she, too, had been raped by the recruiter; investigators say that repeat offenders tend to follow a pattern. Two weeks before graduating from technical training, Norris was assaulted again by an instructor after turning her back to him inside a maintenance van. Still she hesitated to report the incidents. She knew she'd be labeled a troublemaker, endangering her Air Force career.

At her first permanent-duty station with a remote communications squadron in Maine, Norris encountered lots of drunken, after-



Analogue? Monsignor William Lynn was accused of protecting predators in the Philadelphia ministry.

hours partying by the noncommissioned officer cadre. In time, she says, two sergeants assaulted her, one of whom was her direct supervisor. Finally, Norris reported the latest assaults to her squadron commander. “I could escape the recruiter and the instructor and the other sergeant, but I couldn’t escape my supervisor,” Norris says. “So I reached out to the commander to help me escape.” Even though she had damning notes from her supervisor, and even though the commander took her complaint seriously, the sexual-assault charges were eventually lowered to sexual harassment. Both perpetrators got off with a demotion in rank and transfers out of the unit, she says.

What happened next felt like another assault. “The whole squadron basically turned on me like I was a leper or something,” Norris says. She eventually transferred to another unit and tried to pretend that the assaults never happened, but she nearly had a breakdown as a result of posttraumatic stress. According to VA health care experts, women suffering from military sexual trauma frequently develop depression and other severe health disorders, and many contemplate suicide.

When Norris had to renew her Air Force security clearance, she admitted on the paperwork that she had received mental-health counseling for PTSD. She refused to release her medical records to a clearance investigator, essentially ending her career. She was separated from the Air Force after 15 years in the service, five years before she could collect full retirement benefits. “Basically, I was fired for being raped,” Norris says, “while three of the four people who assaulted me retired with full military benefits.”

She was just the tip of the iceberg. Petty Officer 3rd Class Jenny McClendon’s ordeal began during an overnight shift on a Navy ship at sea, when a petty officer 2nd class began forcefully groping her. She asked not to serve night watches with him, but the request was denied. Eventually, she says, he raped her. McClendon reported the attack directly up her chain of command, but her senior chief accepted the man’s denials and refused to take the word of a lower-ranking woman. When the assaults continued, McClendon went all the way up to the ship’s captain, who ordered a criminal investigation. Nevertheless, the case lacked evidence because the ship carried no rape kits (despite a mixed-gender crew). The perpetrator finally admitted to “consensual sex” and got knocked down one rank.

McClendon says she was assaulted again by an investigator while based in Norfolk, Va. This time, when she reported the attack, her lieutenant called her a “whore” and sent her to a Navy therapist, who suggested that she was a bad fit for the Navy. “Essentially, I was diagnosed with a personality disorder for failing to adjust adequately to being raped,” McClendon says, even though “borderline psychotics ... could never make it through boot camp.” According to a Freedom of Information Act request by the Vietnam Veterans of America, the military discharged more than 31,000 service members because of “personality disorder” between 2001 and 2010. As CNN reported recently, however, the Defense Department does not keep figures on how many of those discharges involved sexual-assault victims.

It happens to men, too. Brian Lewis says a senior noncommissioned officer in his chain

of command raped him on a warship. He reported the attack to both his master chief and the ship’s executive officer, who discouraged him from asking for a formal investigation. After Lewis was essentially told to get over it, he started carrying a pocketknife. (“It’s a hard thing to be at sea and be afraid of somebody,” Lewis says. “There’s no place to run on a 1,000-foot ship.”) But when the captain found out, Lee was thrown off the ship. Then he, too, was diagnosed with a personality disorder and separated from the Navy. (Although uniformed women are sexually assaulted at a higher rate than men, the total number of male victims is actually higher because there are so many more men in uniform; of the 19,000 estimated assaults each year, more than 11,000 target men.)

Today, Norris volunteers full time for a Military Rape Crisis Center,

where she hears stories like these constantly. “They all have a common theme: Military men and women who are attacked by sexual predators and who report it are met with disbelief and skepticism, blamed for the crime, and disposed of one way or another,” she says. And others just keep quiet because they’re “afraid of retaliation by the predators in the ranks.... It’s a problem in every branch of service.”

One person who takes the problem seriously is Russell Strand, a civilian who developed the Army’s sexual-assault investigations course at the Military Police School at Fort Leonard Wood, Mo. His program, which the Pentagon is considering as a potential model for training special-victims units, makes clear that sexual predators are often able to exploit aspects of military life—and to manipulate the military criminal-justice system in ways that make potential victims even more isolated and vulnerable. “From their first talk with a military recruiter, service members are told they are joining a values-based family that adheres to a warrior ethos of never leaving your battle buddy behind, and that necessarily creates a high degree of trust,” Strand says. “It also encourages people to let their guard down and potentially sets them up for victimization. And when someone is victimized in that environment, it’s doubly devastating, because they are not only betrayed by someone they trusted but they are also often blamed for an incident that tears at the cohesion of the unit, and thus come to blame themselves.”

The criminal-justice system often compounds the injury to victims by failing to recognize the unique nature of the crimes. Strand says there is more bias against the sexual-

assault victims than with any other crime, which is one reason these crimes are also the most underreported. Defense Department figures indicate that just 14 percent of victims report their assaults. (An estimated 46 percent of civilians report sexual assaults, according to the Justice Department.)

Too often, investigators also misread victims traumatized by their attacks. According to Strand, sexual-trauma victims react in ways that law-enforcement officers are trained to equate with lying: They often have elevated blood pressure, their skin is moist, and they make “inconsistent statements” because of a frontal-brain shutdown caused by the psychic trauma, leaving only the “primitive brain” to establish a memory of the attack. Strand’s research builds on the work of David Lisak, an associate professor of psychology at the University of Massachusetts, who for 20 years has studied sexual predators who commit acquaintance rape; and of Dr. Jim Hopper, a clinical instructor in psychology at Harvard Medical School, who has explored the impact of child abuse on memory and emotion. Based on their research, Strand developed the “forensic experiential trauma interview” technique. “We have to stop treating victims of rape and sexual assault as witnesses to their own crime,” Strand says. “They didn’t witness the attack; they experienced it. And that’s very different.”

In any case, a sexual-assault victim’s re-



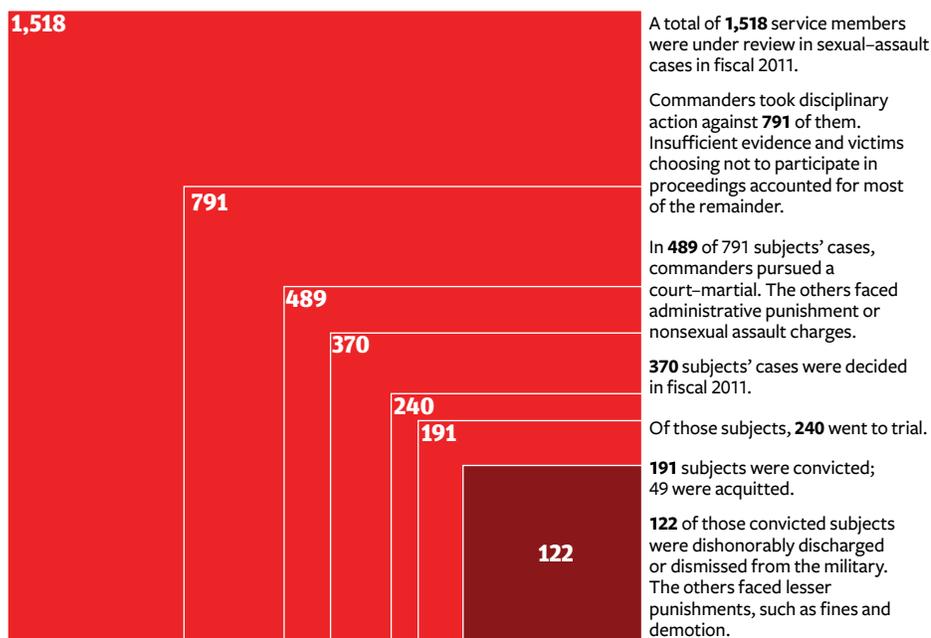
“I was diagnosed with a personality disorder for failing to adjust adequately to being raped.”

Jenny McClendon

To Catch a Predator

The military booted out just 15 percent of the 791 people it disciplined for sexual assault in fiscal 2011.

Military subjects in sexual-assault cases, fiscal 2011



Source: Defense Department, “Annual Report on Sexual Assault in the Military”

sponse to the trauma should not be interpreted as a personality disorder. Medically speaking, a personality disorder is a long-standing pattern of maladaptive behavior, not something caused by a recent psychological condition such as sexual trauma. Figures compiled by Yale Law School’s Veterans Legal Services Clinic under a Freedom of Information Act request, and reported by CNN, also indicate that the armed services are disproportionately applying such diagnoses to women. Women make up 21 percent of the Air Force but account for 35 percent of the personality-disorder discharges; they’re 16 percent of the Army but 24 percent of such discharges; they’re 17 percent of the Navy but 26 percent of discharges for personality disorder; and they’re 7 percent of the Marines but 14 percent of such discharges. “There may be some symptoms sexual-assault survivors exhibit that overlap with personality disorder, but a good clinician will take into account recent stressors to distinguish between reaction to a recent trauma and a long-standing personality disorder,” says Margret Bell, acting director of the Military Sexual Trauma Support Team at the VA’s Office of Mental Health Services.

One reason commanders might be reluctant to believe victims’ stories is that sexual offenders are far more manipulative and deceitful than most other criminals, not only in grooming their potential victims but also in convincing the entire chain of command that they could not be capable of such a crime. As a career investigator, Strand has compiled a disturbing profile of these uniformed sexual predators. They are such masters of the “hidden persona,” he says, that their colleagues and commanders are often happy to offer positive character testimony to investigators and courts-martial. “We talk to a lot of acquaintances and look at all the potential cases in their past because, frankly, we usually find that sexual offenders have more than one victim,” Strand says. “They are often serial offenders who have assaulted other adults, children, even animals.”

THE LACKLAND PREDATOR

Warning bells went off almost as soon as Staff Sgt. Luis Walker arrived in the summer of 2010 as a military training instructor at Lackland, which graduates 35,000 airmen each year. Despite completing the 16-week MTI course and passing a behavioral screening exam, by that fall Walker was already engaged in an inappropriate relationship with a young trainee on Facebook, something explicitly forbidden by Air Force regulations. Walker was given a letter of reprimand and removed from the squadron, but for only half the recommended 60-day period. He was not recertified, as regulations require, before being put in charge of trainees again.

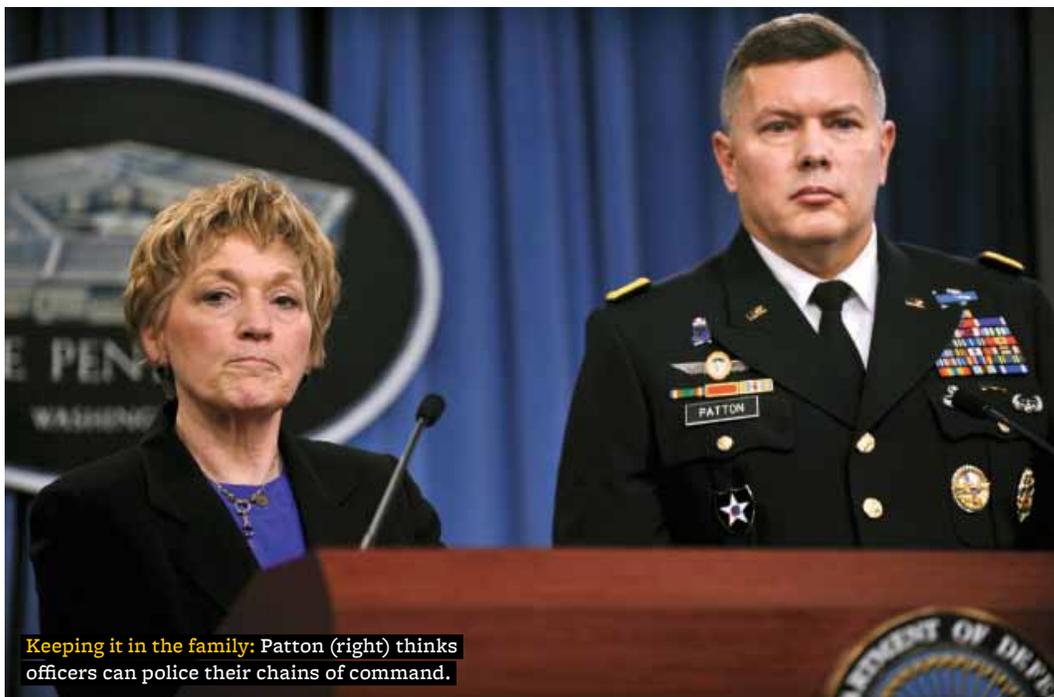
In the late spring and early summer of 2011,

two female trainees related Walker's sexual misconduct to another MTI and a fellow trainee; they alerted Lackland officers. Eventually, a seven-person military jury heard testimony from 10 female victims. They described how Walker would lure trainees into empty offices or dormitories and, according to four victims, use his position of authority to intimidate them into sex. (To protect their identities, victims are not named.) One victim testified that Walker forced himself on her even as she pleaded with him to stop. None of the victims initially reported the assaults for fear of forfeiting their Air Force careers. In July, Walker was convicted of rape, aggravated sexual assault, and aggravated sexual contact; he was sentenced to 20 years in prison.

By the time of Walker's conviction, however, Lackland investigators had uncovered evidence of sexual misconduct by 17 instructors involving 42 female trainees. Charges range from rape and unwanted advances to inappropriate sexual relations and social-media contact. In one early case that investigators fear may be a harbinger, Staff Sgt. Peter Vega-Maldonado pleaded guilty to a single inappropriate relationship and, after receiving 90 days confinement and agreeing to testify against his fellow instructors, was granted immunity from further prosecution. Vega-Maldonado then admitted to having nine other inappropriate sexual relationships with trainees.

This should not be possible. MTIs are banned from being in a room alone with a trainee. They can't even be with multiple trainees behind closed doors. At least two MTIs are supposed to serve on night duty so that nobody has sole responsibility. Nevertheless, officials do not always follow policy. "We are still a microcosm of America," says Lt. Col. Jeffrey Greenwood, a training squadron commander at Lackland. "Bad stuff happens outside these gates, and some of that bad stuff gets inside the gates in the form of people who don't believe the rules apply to them."

The Air Force has now launched four investigations of Lackland, and investigators are reaching out to nearly 1,000 trainees who passed through the base. Col. Glenn Palmer, the top commander of basic training at Lackland, and Col. Eric Axelbank, commander of the training wing involved, have both been relieved of duty and transferred, as have the commander and senior noncommissioned officer of the squadron in which nine of the accused instructors served. The Air Force is also studying whether personnel cuts re-



Keeping it in the family: Patton (right) thinks officers can police their chains of command.

duced oversight of the noncommissioned officer corps at the base, and why the divorce rate for trainers is more than double the Air Force average. Commanders created a 24-hour hotline where victims can leave anonymous tips about training officers' misbehavior.

For victims' advocates, the familiar feel of Lackland—women of younger age and lower rank assaulted by older men with more authority in their chain of command—is evidence that the chain cannot be trusted to deal with sexual assault. Local commanders with little relevant expertise are given broad authority to dispose of cases however they see fit. They can decide how and whether to prosecute or when to accept a lesser plea.

That system is inherently unjust, says Nancy Parrish, director of Protect Our Defenders, a group that advocates on behalf of military sexual-assault victims. She points out that of the 3,122 reports of rape and sexual assault in the ranks in 2010, only 240 cases eventually led to trials and only 191 perpetrators were convicted by court-martial. "Often the sexual predator is a friend, drinking buddy, or favored subordinate of the commander, who simply cannot accept the idea that this person might be guilty of such a crime," Parrish says.

After her group presented a petition with more than 20,000 signatures to the House Armed Services Committee, Chairman Buck McKeon, R-Calif., announced on Wednesday that the panel will hold open hearings on Lackland. The Pentagon's Workplace and Gender Relations Survey says that 39 percent of victims report that their attackers were of higher rank and 23 percent report that the perpetrators were in their direct chain of

command. The military system cannot let local commanders have their way, Parrish says, adding that "so-called reforms are designed to give a perception of legitimacy to a system that has none."

REFORM OR ELSE

It may be too early to say that for sure. The Pentagon has implemented substantial changes in the last year: Cases of rape and sexual assault have been elevated to a special court-martial headed at least by a colonel or a Navy captain, raising the rank of the presiding officer and taking responsibility away from the lower command rungs. Victims can already report assaults anonymously to a Sexual Assault Prevention Coordinator in every command, but a new "expedited transfer" policy will allow victims who file open reports of sexual assault to request an immediate transfer from their unit or base. The Pentagon plans to create special-victim's units in each armed service, with investigators and prosecutors specially trained to deal with sexual-assault cases.

Maj. Gen. Gary Patton, the director of the Pentagon's Sexual Assault Prevention and Response Office, argues that these reforms will make commands more responsive to sexual-assault cases and ensure that investigations are more independent. "In the first hours and days after a reported assault, commands need to take care of the victims and be responsive to their charges, creating a climate where other victims will feel safe coming forward and sending a message to potential predators that these crimes will be investigated thoroughly and those found guilty will be punished," he says. He disputes the notion that military culture enables sexual predators. "From the first



Formation cessation: A Lackland graduation ceremony.

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Master Sgt. Greg Pendleton, a military training instructor at Lackland

day we lace on the boots, we adopt a warrior ethos of teamwork, unit cohesion, and taking care of our battle buddy, wingman, or shipmate. And sexual assault is an affront to all of those core values.”

Senior uniformed leaders reject calls for an independent, civilian agency within the Defense Department to handle sexual-assault cases. The whole point of a Uniformed Code of Military Justice, they say, is to give commanders specially tailored tools and norms to ensure the fitness of their units. “To remove the disciplinary tool from [the chain of command] in sexual-assault cases would be to handicap their ability to enforce standards,” Patton says of commanders. “The chain of command owns the problem of sexual assaults, and the only way to address them is to get the chain of command to fix it.” Maj. Gen. Leonard Patrick, the Second Air Force commander in charge of training at Lackland, echoes the point: “Without aggressive chain-of-command follow-up, we would only have convicted Walker,” the first trainer accused. “None of these victims and witnesses came forward on their own until investigators reached out [and] determined to see how deep this problem runs.”

But it’s not just victims’ advocates who remain unconvinced that the Pentagon’s reforms will solve a problem this pervasive and persistent. Rep. Jackie Speier, D-Calif., a member of the Armed Services Committee, has taken to the House floor 23 times to read the stories of victims into the Congressional Record. She has introduced a bill that would hand responsibility for sexual-assault cases to an independent civilian agency within the Defense Department.

The problem of sexual predators in the military has festered for 25 years, Speier says, and even though Congress holds hearings about each scandal, it always moves on to other issues. “The Pentagon responds much like the Catholic Church—moving people around like shuffling cards in a deck and tinkering at the edges with so-called reforms,” she says. More people should be bothered, she argues, by the fact that only 14 percent of victims report these crimes. “We should be troubled that when victims are deposed, they are asked about their sexual histories, as if that were relevant to being raped, and that there are no sentencing guidelines for military juries in sexual-assault and rape cases, where the predators often get

slapped with 30 days in jail or demotion in rank, and then it’s business as usual.” For that reason, Speier points out, Australia, Canada, and Great Britain have removed these cases from the military chain of command.

The U.S. armed forces have always been a microcosm of American society, reflecting its strengths and often magnifying its weaknesses. The military struggled with racism in the ranks in the 1960s and 1970s; with an epidemic of drugs and drunk driving in the 1970s and 1980s; with integration of gay and lesbian service members in the 1990s and 2000s. When the services have decided enough is enough, they have solved social issues that have bedeviled the civilian world. In other cases, the military has been dragged along, such as when Congress interceded against Pentagon protests with the landmark Goldwater-Nichols reforms in 1986 to end dysfunctional service rivalries. That history suggests that the Defense Department could indeed deal with sexual predators on its terms and truly demonstrate zero tolerance of sexual predators who betray the military’s own values. Otherwise, the Pentagon should be prepared to stand down, and let others lead the way. ■