



Threshold
GlobalWorks

26 August 2013

Dear Senator Gillibrand:

I write to express my strongest support for your bipartisan leadership with respect to the worsening debacle involving sexual assaults occurring in our military. By way of introduction, I retired from active duty service in 2010 following almost 30 years in the United States Army and count it as my greatest privilege to have served in our nation's preeminent institution, shoulder to shoulder with exemplary leaders, service members, family members and communities. My respect for the enormity of the military's ongoing global mission and its extraordinary record of accomplishment under the most demanding of circumstances remains profound and heartfelt.

It is in this spirit that I heartily applaud your efforts to achieve fundamental reform of the military justice system concerning two vital changes: 1) Granting disposition authority to trained independent lawyers, who will now be responsible for deciding whether to prosecute sexual assault cases; and 2) Assigning convening authority for judge / jury pool selection and final sentence determination to senior officers who are not in the same chain of command as either the victim or the accused. Failure to achieve these reforms would be a further tragedy to an already sorrowful history of inattention and ineptitude concerning military sexual assault.

In my view, achieving these essential reform measures must be considered as a national security imperative, demanding immediate action to prevent further damage to individual health and well-being, vertical and horizontal trust within units, military institutional reputation, operational mission readiness and the civilian-military compact. Far from 'stripping' commanders of accountability, as some detractors have suggested, these improvements will remove the inherent conflict of interest that clouds the perception and, all too often, the decision-making process under the current system. Implementing these reforms will actually support leaders to build and sustain unit cultures marked by respect, good order and discipline.

I would add one further stipulation to the current legislative proposals under consideration: to require a 5-year independent review of how the reform measures have affected progress in a number of critical areas. Metrics would include sexual assault incidence, reporting and prosecution trends; leader / service member / family member perspectives; and unit command climate assessments (including data on bullying, suicide, homicide, sexual harassment, accidents and other high risk behaviors). This independent review requirement would allow all concerned to assess the impact of the reform initiatives and provide timely data to guide future legislative and policy changes as deemed appropriate.

Thank you for your fearless leadership on behalf of all who serve our country.

Respectfully yours,

Loree Sutton, MD
Brigadier General, USA (Retired)