

Dear Senator Gillibrand,

17 July 2013

I am writing to support key changes you proposed in the Military Justice Improvement Act. After spending almost 27 years serving in the USAF, the Air Force Reserve, and the Air National Guard, with 14 of those years in command billets, I am convinced that the system of reporting, investigating and prosecuting serious offenses must change. After years of sexual harassment education, widely publicized scandals followed by corrective actions, and recent examples of system failures to address sexual harassment and assault, we should not expect lasting improvements in the military environment and culture without permanent, substantive changes in how the military services process allegations of sexual harassment and assault along with other violent crimes.

As a former commander, endorsing a change that removes certain authority from military commanders has been a tough decision. It was driven by my conviction that our men and women in uniform deserve to know, without doubt, that they are valued and will be treated fairly with all due process should they report an offense and seek help, or face being accused of an offense. When allegations of serious criminal misconduct have been made, the decision whether to prosecute should be made by a trained legal professional. Fairness and justice require sound judgment based on evidence and facts, independent of pre-existing command relationships.

As a retired general officer I attend military functions and am invited to speak at forums attended by veterans and those currently serving. I hear from a cross section of soldiers and airmen and more recently, from a group of dedicated Marine women aviators. Sadly, there are many more instances of harassment and assault than I had realized.

Sexual harassment and assault continue to poison the culture of our military, and I strongly support placing the decisions to prosecute sexual assault – and other serious crimes – with the military legal system rather than keeping it as a commander's responsibility. An improved and resourced system of well-trained investigative and legal professionals would provide assurance to all who serve that they will be dealt with in a fair, just, timely and consistent manner. This substantive and visible change will support a safer environment for all our military men and women and by doing so will contribute to a stronger and more effective force.

Sincerely,



Martha T. Rainville  
Maj Gen, USAF (Ret)  
Former Adjutant General, Vermont