

SEXUAL ASSAULT IN THE U.S. MILITARY

The United States must stop sexual assault in the military and guarantee justice for survivors

- In 2015, the Military Services received a total of **6,083 reports of sexual assault** involving service members as either victims or subjects in 2015. ¹ **4,736 service members reported**, also in 2015, being **raped or sexually assaulted while in the military**. ²
- However, a 2014 Department of Defense commissioned study estimated **20,300** active duty service members were **sexually assaulted**, **116,600** service members were **sexually harassed**, and **43,900** active-duty service members **experienced gender discrimination** that year. ³
- These attacks are not only taking place in war zones – there were **91 reports of sexual assault in military service academies** in 2015. ⁴
- Victims who do report these crimes rarely access justice. Of the substantiated complaints from 2015, **only 7% of perpetrators received courts-martial or discharge**, ⁵ and 2012 and 2014 studies found that **62% of service member victims of sexual assault report retaliation** in response to having reported the crime. ⁶
- Studies show that **men in the military are more likely to believe in traditional sex-role attitudes and in rape myths**, such as women “ask for it,” than a comparable group of civilian college men. ⁷ And **in military units where sexual harassment is tolerated or initiated by senior officers, incidents of rape triple or quadruple**. ⁸
- Only about **1 out of every estimated 100 sexual assaults** in the military results in the perpetrator being convicted. ⁹
- Unlike civilians, because of the Feres doctrine **servicewomen cannot seek to hold their employer** – the U.S. military – accountable through **civil litigation** for failing to protect them from sexual assault or harassment.

The United States must not discriminate against military sexual assault survivors in providing needed services:

- Sexual assault and harassment causes the same rates of Post-Traumatic Stress Disorder (PTSD) in women veterans as combat does in men. ¹⁰
- **Only 32% of PTSD claims related to sexual assault are approved** by the Department of Veterans Affairs (VA), while 54% of overall PTSD claims are approved. ¹¹
- In addition, **women veterans with PTSD** stemming from sexual assault often **receive lower compensation ratings** (which means fewer benefits) than men. ¹²
- Lay testimony is allowed as evidence to prove PTSD for all claims (e.g. combat, prisoners of war) except for “in-service personal assault” (which includes sexual assault). ¹³



FOR MORE INFORMATION ON SEXUAL ASSAULT IN THE MILITARY

- For more facts on military sexual assault, visit our partner SWAN's website.
- For more information on why servicewomen need access to civil remedies, see this op-ed by SWAN's legal director Rachel Natelson.
- For more information regarding PTSD stemming from military sexual assault and the VA claims process, read our partner SWAN's congressional testimony.

¹ Department of Defense Annual Report on Sexual Assault in the Military Fiscal Year 2015, available at: http://sapr.mil/public/docs/reports/FY15_Annual/FY15_Annual_Report_on_Sexual_Assault_in_the_Military.pdf.

² Id.

³ RAND National Defense Research Institute, Sexual Assault and Sexual Harassment in the U.S. Military (2014), available at: http://www.rand.org/pubs/research_reports/RR870.html.

⁴ Annual Report on Sexual Harassment and Violence at the Military Service Academies Academic Program Year 2014-2015, available at: http://sapr.mil/public/docs/reports/MSA/APY_14-15/APY_14-15_MSA_Report.pdf.

⁵ Fiscal Year 2015 Annual Report on Sexual Assault in the Military (2016), available at: http://sapr.mil/public/docs/reports/FY15_Annual/FY15_Annual_Report_Fact_Sheet.pdf.

⁶ DoD Retaliation Prevention and Response Strategy: Regarding Sexual Assault and Harassment Reports (April 2016), available at: http://sapr.mil/public/docs/reports/Retaliation/DoD_Retaliation_Strategy.pdf; RAND National Defense Research Institute, Sexual Assault and Sexual Harassment in the U.S. Military (2014), available at: http://www.rand.org/pubs/research_reports/RR870.html.

⁷ Marjorie H. Carroll & M. Diane Clark, Men's Acquaintance Rape Scripts: A Comparison Between a Regional University and a Military Academy, 55 Sex Roles 469, 478 (2006).

⁸ Anne G. Sadler et al., Factors Associated with Women's Risk of Rape in the Military Environment, 43 Am. J. Indus. Med. 268 (2003).

⁹ There were an estimated 20,000 military sexual assaults in 2014, and there were only 19 convictions for sexual assault that resulted in courts-martial or other discharge in 2015. RAND National Defense Research Institute, Sexual Assault and Sexual Harassment in the U.S. Military (2014), available at: http://www.rand.org/pubs/research_reports/RR870.html; Fiscal Year 2015 Annual Report on Sexual Assault in the Military (2016), available at: http://sapr.mil/public/docs/reports/FY15_Annual/FY15_Annual_Report_Fact_Sheet.pdf.

¹⁰ House Committee on Veterans' Affairs, Invisible Wounds: Examining the Disability Compensation Benefits Process for Victims of Military Sexual Trauma, "Witness Testimony of Ms. Anu Bhagwati, Executive Director, Service Women's Action Network," 7/18/2012, available at: <http://veterans.house.gov/witness-testimony/ms-anubhagwati-o>, citing Maureen Murdoch, et al., "The Association between In-Service Sexual Harassment and Posttraumatic Stress Disorder among Compensation-Seeking Veterans," Military Medicine 171, no. 2 (2006), 166-173.

¹¹ House Committee on Veterans' Affairs, Invisible Wounds: Examining the Disability Compensation Benefits Process for Victims of Military Sexual Trauma, "Witness Testimony of Ms. Anu Bhagwati, Executive Director,



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