

Committee on Veterans and Legal Affairs

Act to fund Military Sexual Trauma Liaisons

Date: 3/5/2025

Testimony: Support of Funding for Military Sexual Trauma Liaisons – LD662

Submitted by: Gayle Cunningham, US Army veteran of ten years, and current President of the Board of Directors for the Sisters in Arms Center (SiAC). I have been an Active member of SiAC since its beginning.

One does not need to look very far to find current data on Military Sexual Trauma (MST). A quick Google search will render the statistical data that provides past and current trends most of which comes from our own government through Department of Defense reports, US Department of Veterans Affairs, and other reliable government sources.

First it is critical that we define what MST is. It includes sexual harassment and sexual assault on female or male veterans. Sexual assault includes actual or attempted rape, sodomy and other unwanted physical contact of a sexual nature. Sexual Harassment is unwanted sexual comments, activities, or threats.

Please note that military rape laws did not begin until the late 1980s. However, the most significant focus on MST has mostly occurred in the past decade with aggregate focus in recent years.

Some of you here today, are well versed on the topic. A brief synopsis for those less familiar; here is some of the most current data. Please keep in mind that it is estimated that a vast majority of cases go unreported. A 2018 report indicated that 76% of cases are unreported.

- Female MST ~41% MST male 4%
- Female Sexual Assault ~10%
- Deployed and non-deployed percentages about the same
- A report in August 2024 by the DoD found that the cases of sexual assault may be 4x higher than estimated. In 2023 DoD estimated there to be 26,000 cases, however 73,600 cases occurred.
- 76% of victims do not report a crime.
- 66% report retaliation after reporting. A third are discharge after reporting.
- 59% of assaults where from someone of a higher rank and 24% were from someone in their chain of command.
- 2024 reports highest levels of reported cases of MST in all branches. This in part is believed to be a result of greater confidence in the reporting structure and reduction of retaliation.
- 40% of homeless women have faced MST

The outcome of an individuals that has experience MST is very different and variable. No surprise that MST can lead to depression, suicide, substance use and abuse, dysfunction in relationships and support systems, PTSD, physical health problems, and mental decompensation

The Sisters in Arms Center provides housing support to Maine female veterans and their children. Having served on the board of directors prior to even being operational, I have seen many women provided safe housing, support getting linked into the VA system, and the emotional support needed to get back to living independently again. Our end goal is to not only provide housing, but to provide counseling and support to any Maine veteran that has experience MST, female and male. The SiAC does not currently have the resource to provide this level of support. Our Executive Director, Rebecca Cornell Du Houx is a licensed clinical Social Worker (LCSW), active National Guard, and prior employee of the VA, Togas as a LCSW. She is more than qualified to provide this level of service and support, however, her time is consumed with the daily operations of the house and women that live there. In order to provide counseling and mental health services the SiAC needs a house manager to assume the daily functionality of the house, an administrative position to focus on organizational functions and continued fund raising, and a part time or per diem counselor to focus on provision of mental health services.

Without the support of LD 622 the SiAC will continue to provide housing for Maine female veteran's and their children through our dedicated supporters and volunteers. LD 622 will support the SiAC in providing individual counseling and group sessions for women that have experienced MST.

Although there has been an increase in resources for homeless veterans in Maine, please keep in mind females that have experience MST will not go to a setting that reminds them of the trauma or puts them in a vulnerable position. The SiAC is currently the only option as an all-female environment and allow their children to be housed with them.

The SiAC runs mainly on a volunteer bases and donations. We all provide as much support as possible: House maintenance, cleaning, yard work, veteran activities, meeting with donors, advocating for the house and organization, and so much more. But the need is greater than what the potential is. Supporting LD 622 is supporting veterans of MST, supporting the SiAC house and homeless female veterans and their children.

Thank you for your time today. Do you have any questions?

Gayle Cunningham, OT/L

Sisters in Arms Center

Board of Directors, President

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FACTS ON UNITED STATES MILITARY SEXUAL VIOLENCE

Statistics from the 2016 – 2020 DoD SAPRO Reports and their appendices/annexes, unless otherwise noted.
<https://www.sapro.mil/reports>
Updated May 2021

Sexual Violence Remains Pervasive

- In FY18, **20,500** service members were sexually assaulted or raped including 13,000 women and 7,500 men. The rate of sexual assault and rape **jumped by almost 40%** from FY16 to FY18, and for women the rate increased by over 50% to the highest level since 2006.
- Of **women** who reported a penetrative sexual assault, **59%** were assaulted by someone with a **higher rank than them**, and **24%** were assaulted by someone in their **chain of command**.

Vast Majority of Cases Go Un-Reported

- **76.1%** of victims did **not** report the crime in FY18.

Retaliation Is the Norm

- **66%** of servicemembers who reported retaliation after filing a sexual assault complaint were **women**.
- **73%** of retaliation reports alleged that retaliators were in the reporter's chain of command.
- A **third** of victims are discharged after reporting, typically **within 7 months** of making a report.ⁱ
- Victims received **harsher discharges**, with 24% separated under less than fully honorable conditions, compared to 15% of all service members.ⁱⁱ

Low Trust and Satisfaction in System

- In FY18, over **1 in 4** victims who did not report feared retaliation from their command or coworkers.
- Nearly **1 in 3** victims who did not report feared the process would be unfair or nothing would be done.
- **Less than half** of female survivors felt well supported by their chain of command.

Conviction and Prosecution Rates

- Despite a **23% increase** in unrestricted sexual assault reports since 2015, **convictions** have plummeted by almost **80%** in the same timeframe.
- In FY20, of the **5,640** unrestricted reports of sexual assault, **225 (4.0%)** cases were tried by court

martial, and **50 (0.8%)** offenders were convicted of a **nonconsensual sex offense**.

High Demand for VA Care

- Over **1,325,000** outpatient visits took place at the VA for Military Sexual Trauma (MST)-related care in FY17, a **1.3% increase** from FY15.ⁱⁱⁱ
- Approximately **38%** of female and **4%** of male military personnel and veterans have experienced MST.^{iv}
- **40%** of women homeless veterans have faced MST.^v Veterans with an MST history are **over twice as likely** to experience homelessness.

Sexual Harassment is Alarming High

- **6.3%** active duty men and **24.2%** active duty women were **sexually harassed** in FY18.
- **1 in 5** women who experienced sexual harassment were also **sexually assaulted**.
- DoD concluded that **“sexual harassment is a leading factor affecting the unit climate on sexual assault.”**
- The majority of victims were harassed by someone in their chain of command.
- **1,021** formal sexual harassment complaints were made in FY19, a **10% increase** from FY18.

Good Order and Discipline at Risk

- Service members who are sexually harassed are at **significantly greater risk** of sexual assault.
- **More than 1 in 4** survivors of either sexual assault or sexual harassment/discrimination took steps to leave the military as a result.

Definitions: Sexual assault in the survey corresponds to crimes defined by Uniform Code of Justice (UCMJ) Article 120 (rape & sexual assault) and Article 80 (attempts). Sexual harassment is defined in federal law and military regulations and includes a pervasive and severe sexually hostile work environment that interferes with the ability to do one's job and/or sexual quid pro quo. Gender discrimination, also defined in law and regulations, refers to gender-based mistreatment that results in harm to one's career.

ⁱ Department of Defense (DoD) Inspector General, *Evaluation of the Separation of Service Members Who Made a Report of Sexual Assault* (2016), <https://media.defense.gov/2016/May/09/2001714241/-1/-1/1/DODIG-2016-088.pdf>.

ⁱⁱ DoD IG report: Veterans Legal Clinic, Legal Services Center of Harvard Law School, *Underserved: How the VA Wrongfully Excludes Veterans with Bad Paper* (2016), https://www.vetsprobono.org/library/item.655363-https://www.vetsprobono.org/library/item.655363-Underserved_How_the_VA_Wrongfully_Excludes_Veterans_with_Bad_Paper.

ⁱⁱⁱ Department of Veterans Affairs, *VA Office of Mental Health and Suicide Prevention Guidebook* (2018).

^{iv} L. Wilson, “The Prevalence of Military Sexual Trauma: A Meta-Analysis,” *Trauma, Violence, & Abuse* (2016).

^v J. Pavao, J.A. Turchik, J.K. Hyun, et al., “Military Sexual Trauma Among Homeless Veterans,” *Journal of General Internal Medicine* 28 Suppl 2 (2013).

MILITARY SEXUAL TRAUMA

IN RECENT VETERANS

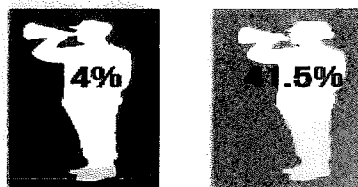
MILITARY SEXUAL TRAUMA (MST) IS THE EXPERIENCE OF SEXUAL ASSAULT OR REPEATED, THREATENING SEXUAL HARASSMENT DURING MILITARY SERVICE.

VA looked at data from the "National Health Study for a New Generation of U.S. Veterans," a survey of 30,000 Veterans deployed to Operation Enduring Freedom or Operation Iraqi Freedom (OEF/OIF) and 30,000 Veterans who served elsewhere during the same time period. The survey included questions from the VA MST clinical screen to find out if study participants had experienced sexual harassment or sexual assault.

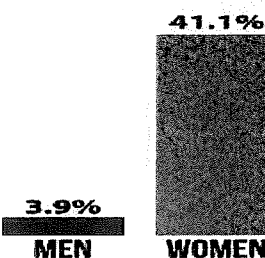
MEN VS WOMEN

● Men ● Women

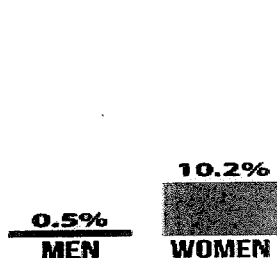
VETERANS EXPERIENCING MILITARY SEXUAL TRAUMA



VETERANS EXPERIENCING SEXUAL HARASSMENT



VETERANS EXPERIENCING SEXUAL ASSAULT

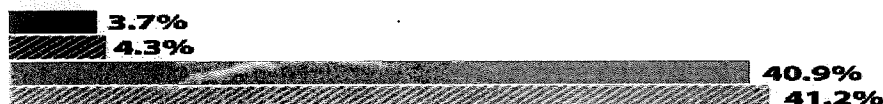


OEF/OIF DEPLOYED VS NON-DEPLOYED

VETERANS EXPERIENCING MILITARY SEXUAL TRAUMA



VETERANS EXPERIENCING SEXUAL HARASSMENT



VETERANS EXPERIENCING SEXUAL ASSAULT



Deployed men had a lower risk of MST, sexual harassment, and sexual assault compared to non-deployed men.

COMBAT EXPOSED VS NON-EXPOSED

● Men ● Women

MST

Combat exposed men were 1.57 times more likely to experience MST than those not exposed to combat.



Combat exposed women were 1.42 times more likely to experience MST compared to those not exposed to combat.

SEXUAL HARASSMENT

Combat exposed men were 1.48 times more likely to experience sexual harassment than those not exposed to combat.



Combat exposed women were 1.43 times more likely to experience sexual harassment compared to those not exposed to combat.

Veterans experiencing combat exposure during deployment had an increased risk for MST compared to those without combat exposure.



3.41X

Combat exposed men were 3.41 times more likely to experience sexual assault than those not exposed to combat.

Latest Military Sexual Assault Report Shows 'Tragic' Rise in Cases, Pentagon Officials Say

HEATHER MONGILIO

SEPTEMBER 1, 2022 8:19 PM

Sailors underway on May 24, 2022. US Navy Photo

THE PENTAGON — One in 10 female sailors experienced unwanted sexual contact in Fiscal Year 2021, one of the worst rates among the service branches, according to the Department of Defense's annual Sexual Assault and Prevention Report released on Thursday.

That's an increase from 7.5 percent of female sailors in FY 2018, according to slides from a DoD briefing Thursday afternoon. FY 2021 saw 2.1 percent of male sailors experiencing unwanted sexual contact, the worst among the military branches, not including the Coast Guard, which is not part of the report. The 2.1 percent is an increase from 1 percent in FY 2018, the last year the survey was conducted.

Overall, 8.4 percent of female service members and 1.5 percent of male service members experienced unwanted sexual contact, according to the report.

The numbers across the military branches point to the problem getting worse. Sexual assault rates are up, the percentage of people reporting sexual assault is down and trust in the military when it comes to protecting victims is at an all time low.

The Marine Corps had the highest percentage of women experiencing unwanted sexual contact, with 13.4 percent. The Navy's rate was the second highest.

It was the worst year since 2006 in terms of prevalence rates for women, said Beth Foster, executive director for Force Resiliency, during the press briefing. It was the second worst year for men.

"These numbers are tragic and extremely disappointing," Foster said. "On an individual level, it is devastating to conceptualize that these numbers mean that over 35,000 service members' lives and careers were irrevocably changed by these crimes. These events not only have an impact at an individual level, but they also degrade our readiness and ability for the department to conduct our mission," she said.

Across all the services, 8.4 percent of women and 1.5 percent of men said in a survey that they experienced unwanted sexual contact, one way the DoD is attempting to measure just how common sexual assault is among service members.

For FY 2021, the DoD used a new survey, which was easier to use than older versions. Due to the change in methods, the SAPR office could not do an apples-to-apples comparison of the previous year in a way that would be statistically significant, said Ashlea Klahr, the director of the Health and Research Office at the Office of Peoples Analytics.

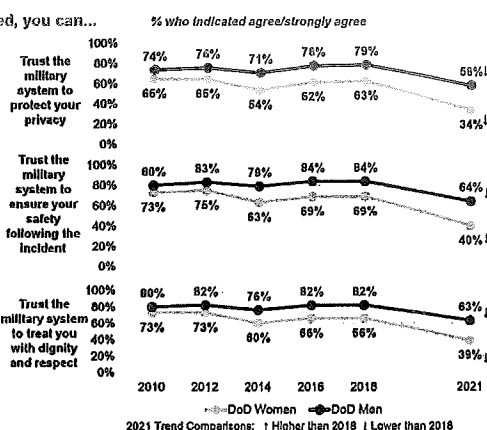
Even with the change in methods, the DoD still set a new "high water mark" for sexual assault prevalence, said Nathan Galbreath, SAPRO acting director.

The second metric used by the DoD is the number of reports, Galbreath said. In FY 2021, the DoD received the highest number of sexual assault reports, but the percentage of reports compared to the prevalence rate decreased. Instead of one in three service members reporting sexual assault, it was one in five this past year. In the Navy specifically, there were 1,883 reports of sexual assault, an increase of 9.2 percent from FY 2020, according to the report.

There were 1,329 Navy unrestricted reports, which are the reports that can be investigated, of sexual assault in the past fiscal year. The Navy received 554 restricted reports, which are cases where the victim is given resources but does not move the case beyond the report.

If you are sexually assaulted, you can...

- Decreased trust often impacts military service as a retention issue.
- Changes recommended by Independent Review Commission on Sexual Assault in the Military (IRC) to military justice and response system intended to restore Service member trust.
- Prevention and climate IRC initiatives also target improved trust in the workplace



Trust in the military support systems for sexual assault is at ten year low. SAPR Report Graph

“The findings of the Annual Report on Sexual Assault in the Military for Fiscal Year 2021 underscore that the crimes of sexual assault and sexual harassment are pervasive and remain persistent and corrosive problems,” Navy spokesperson Lt. Alyson Hands said. “We can and must do better to stop sexual assault and sexual harassment behaviors before they begin.”

A survey of sexual assault prevalence in the military found that trust in the services to handle sexual assault sharply declined among female service members.

Less than 40 percent of female service members trusted the military to treat them with respect and dignity. Sixty percent of female service members also did not trust that the military would ensure their safety after reporting a sexual assault.

The least amount of trust was in the military’s ability to keep their privacy protected. Only 34 percent of women believed the service would protect their privacy. This can prevent someone from wanting to go forward with a legal case, said retired Air Force Col. Don Christensen, the president of military sexual trauma advocacy group Protect Our Defenders.

He cited cell phones as an example. An investigation might require a phone download, which could ultimately result in the defense having access to a victim’s text messages.

“And the average person, I don’t care how straight and narrow you are, do not want people reading your private texts and everything else,” he said.

Men, on the other hand, trusted the military much more with sexual assault, with 64 percent saying they believed the military would ensure their safety and 58 percent saying they thought the military would protect their privacy.

While sexual assault is more common for women, it also affects men, who tend to experience stigma around sexual assault, Christensen said.

There’s a culture of disbelief about male sexual assault victims, Christensen said. While there are approximately 19,255 men who said they experienced sexual assault in FY 2021 alone, the majority of cases that go to court-martial will have female victims, he said.

And that stigma plays out in the reporting, with 16 percent of male service members reporting sexual assault in FY 2021 compared to 33 percent of female service ones. For the Navy, 12 percent of male sailors reported sexual assault, while 28 percent of female sailors did.

Reporting a sexual assault, especially in an unrestricted case, comes with its challenges for victims, especially if they do not trust the system. One in three women report retaliation of some sort after making a sexual assault report, Galbreath said.

The DoD found that female victims tend to not want to testify in the cases because they do not want their morals questioned as part of the court-martial, he said. If a victim does not participate it can be nearly impossible to move forward with a case because of the accused’s right to face their accuser.

In FY 2021, 31 percent of cases had victims who declined to participate. Cases that are referred to court-martial also decreased in FY 2021, down to 42 percent from 49 percent in FY 2020, as the military sees a downward trend continue.

The Navy saw an increase in the percentage of victims who declined to participate, 8.7 percent vs. 6 percent in FY 2020.

Command action was taken in 434 out of 770 sexual and non-sexual assault cases, according to the Navy-specific appendix. Of the 434 cases, 81 were referred to court-martial, where 51 cases went to trial. The Navy saw 35 convictions in sexual assault cases in FY 2021.

There were 15 sailors separated in FY 2021 due to sexual assault charges — five came from court-martial results, the others from nonjudicial punishment.

The military is currently in the process of implementing several changes as a result of the Secretary of Defense's Independent Review Commission of Sexual Assault in the Military, Foster said.

There were 82 recommendations that Defense Secretary Lloyd Austin has approved.

The Navy has already started to work on these recommendations, Hands said, including establishing a dedicated prevention workforce focused on sexual assault and harassment.

"Eradicating sexual assault and other harmful behaviors is a top priority for the Navy and senior leaders are deeply committed to taking unprecedented action through strategies that promote prevention, force resiliency and warfighting readiness," she said in the statement.

Austin started addressing sexual assault on his first day in office, Galbreath said. One thing that Galbreath said he noticed in his 15 years working on military sexual trauma is that there is funding and resources under Austin's Defense Department.

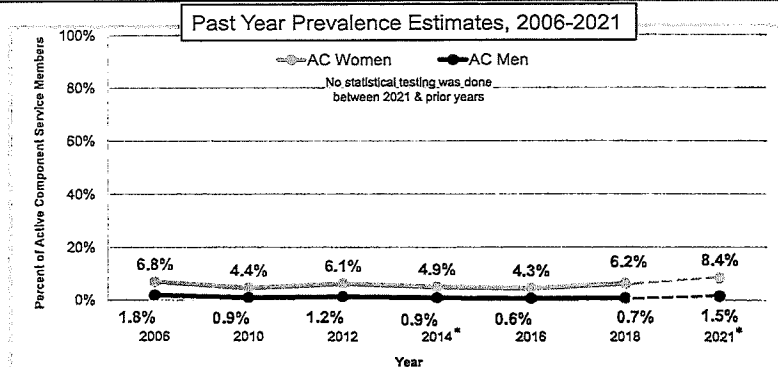
Christensen is hopeful for change as a result of the reforms the military has pledged, but he is still hesitant.

"So much of it's gonna depend on whether or not leadership has the right attitude, when it comes to implementing these reforms," he said.



Sexual Assault/Unwanted Sexual Contact (USC) Past Year Prevalence Estimates

- In 2021, 8.4% of active duty women and 1.5% of active duty men indicated experiencing at least one USC in the year prior to being surveyed.
- The 2021 survey results cannot be scientifically compared to prior years' results; DoD lost the ability to conduct scientific trend analyses due to a government-directed change in sexual assault metric.
- Other indicators of an unhealthy military climate trended upward in FY21: rates of being victimized by misconduct highly correlated with sexual assault (i.e., sexual harassment, gender discrimination, and workplace hostility) increased for women.
- The USC prevalence rate measured in FY21 disrupts over a decade of trended measurements, and presents the Department with a new sexual assault baseline for forthcoming prevalence surveys.



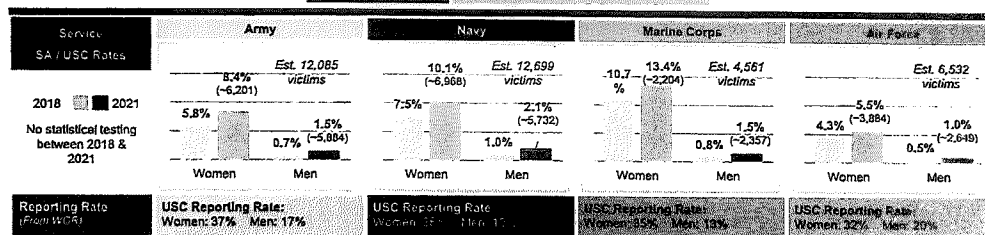
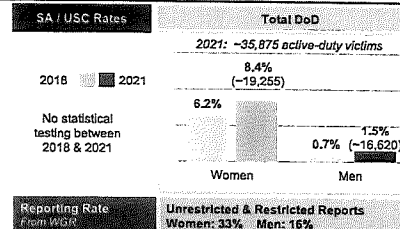
*Denotes a metric change

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USC Past-Year Prevalence: Force-Wide Estimates

- We estimate about 35,900 active duty members experienced USC in 2021 (roughly 19,300 women and 16,600 men).
- Surveys cannot determine whether every experience met legal criteria for sexual assault, but all experiences likely contributed to a climate of distrust and fear.
- USC rates were highest for female marines and male sailors; lowest for airmen/guardians.



*Note: The rates shown above reflect the USC hierarchy of 1, penetrative, 2, attempted, and 3, non-penetrative; these are the official rates by type for 2021 WGR.

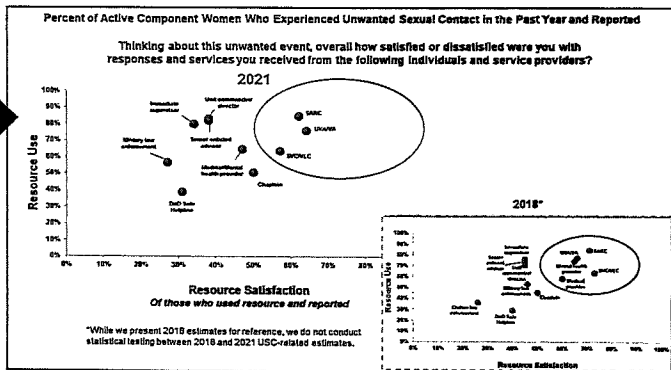
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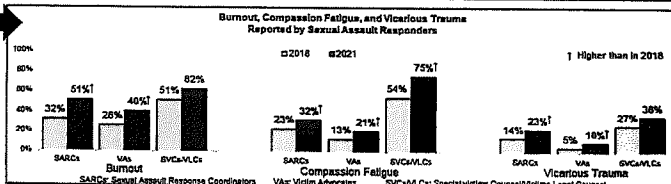
Resource Satisfaction and Responder Stress

Results from the 2021 Workplace and Gender Relations Survey (WGR) and the 2021 QuickCompass of Sexual Assault Response Personnel (QSAR)

- WGR surveys ask victims which resources they use and their satisfaction
- Resources most used with highest satisfaction in upper right quadrant
- Satisfaction with responses and services appear to be on a decline in 2021, compared to 2018



- QSAR surveys assess first responders' training, workload, resourcing, and job experiences.
- In 2021, responders reported higher levels of burnout, compassion fatigue, and vicarious trauma than in 2018.
- COVID mission impact noted by responders as prime stressor.



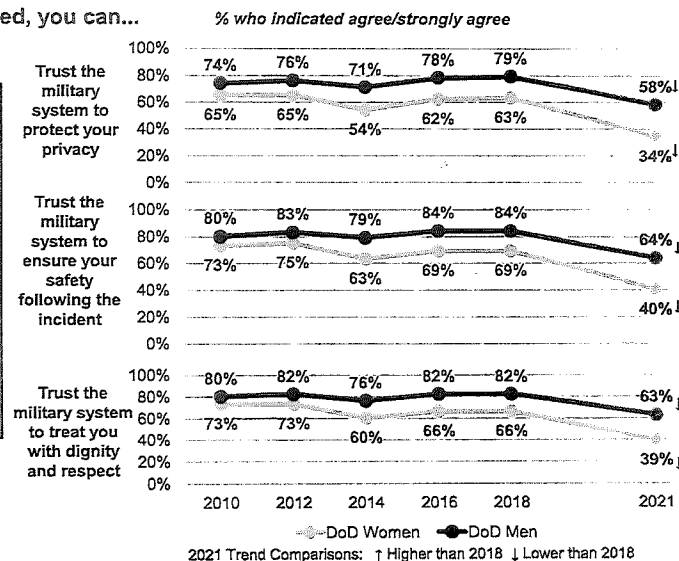
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Trust in the Military System

If you are sexually assaulted, you can...

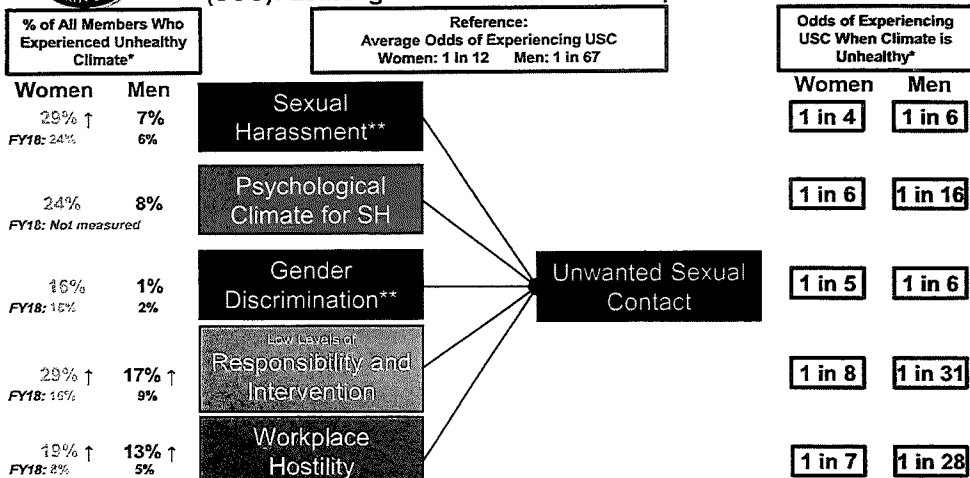
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Assessment and Impact of Climate on Unwanted Sexual Contact (USC): Leading Factors for Active Component Members



- Most key indicators of unhealthy command climate highly correlated with USC increased between 2018 and 2021
- Experiencing a behavior highly correlated with USC also increases the odds of having experienced USC
- Ex: For women who experienced sexual harassment, their risk of also experiencing USC tripled, from 1 in 12 to 1 in 4.

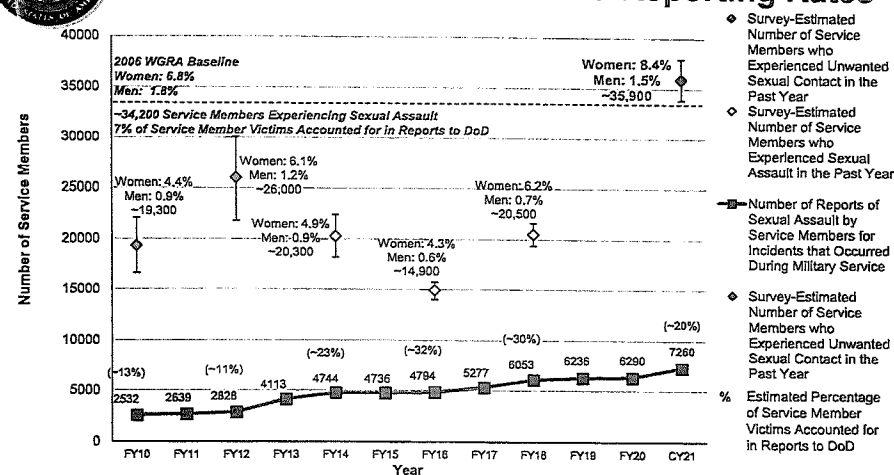
↑ Higher than 2018 ↓ Lower than 2018

*Variables selected in order of importance. Models controlled for race/ethnicity, service, program, and deployment.
**Unhealthy climate for areas defined as follows: Workplace Hostility: mean score 3 or higher; Responsibility and Intervention: mean score less than 2; Psychological Climate for SH: mean score less than 3.
***Sexual harassment and gender discrimination are defined as experiences of the behaviors which meet criteria for inclusion in the past year rate.

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Sexual Assault Prevalence and Reporting Rates

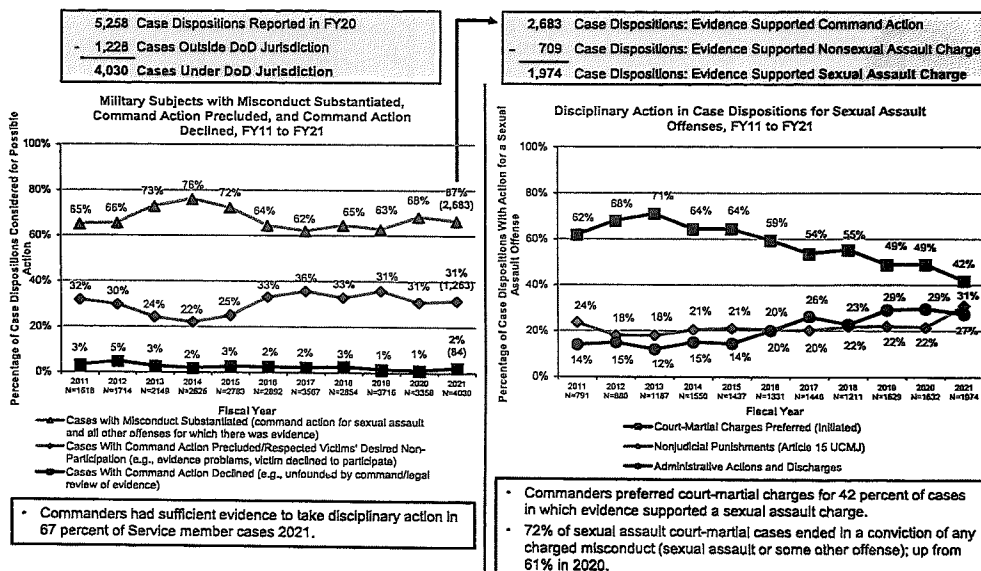


- The Department assesses progress with sexual assault via two primary metrics:
 - Prevalence (i.e., estimated total of Service members experiencing SA measured by scientific surveys – desired state is decrease)
 - Reporting rate (i.e., percentage of victimized Service members making Restricted and Unrestricted Reports – desired state is increase)
- In 2021, about 1 in 5 Service members reported their incident to a DoD authority (~29 percent of women and ~10 percent of men)

6



Sexual Assault Case Outcomes



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