## COMBAT SEXUAL ASSAULT

## **Helping Survivors Exercise their Rights**

March 21, 2021

## **Esteemed Congressional Members**

I am Lindsey Knapp and am a US Army Veteran, Attorney, and former Victim Advocate with Special Operations Command. Today, I'd like to share with you a few stories that highlight the plight that our Service Members face as they report sexual assault/harassment. And based off my 20 years of experience in this field, let you know the most effective way to fix it.

I started my military career in 2005 as a young officer, and quickly learned that I had to work twice as hard to get half as far. One of my first supervisors bought me a vibrator as soon as I made it overseas, and was so concerned about my "sexual health" that he lined up his lower enlisted Soldiers to sleep with me. His boss, the Company Commander, would wink at me every time I met with him. I was so naïve at the time that I actually believed that he must have just had something in his eye that caused him to do this every time we spoke.

After I got out of the military, I was quickly picked up by the Special Operations Command on Fort Bragg to be one of the first Victim Advocates on post. I loved the military, and had a firsthand look at how these issues were handled and was excited to make a positive impact on my brothers and sisters in arms.

But what I found was a completely different story. All of my clients were being retaliated against for reporting. They were not being believed. Command was denying them services. Command was telling them that the sex was "consensual" and not even forwarding it to law enforcement.

In one such instance, a Second Lieutenant was being raped by her Battalion Commander. The Commander was married and she was not, and the military began to prosecute her for adultery (which is an offense in the military). Despite him being the married party, he was not charged with adultery. When she changed duty stations, her adultery packet followed her. And when her new Battalion Commander read the packet, he wanted to puke. He immediately recognized that she was attempting to report a rape and was being retaliated against for it. This Commander was a great leader and immediately sent this Second Lieutenant to me for support. He did this at great risk to him, because his supervisor (and his supervisor's legal counsel) had advised him to continue the adultery investigation.

Nonetheless, I cared for this client and tried to get her services, but was immediately stopped dead in my tracks. I attempted to get this client a Special Victims Counsel (SVC), which is the Attorney that the military states that they will provide to Service Members who are reporting a sexual assault. When I went to the lead SVC on Fort Bragg to get her services, we were turned away. The Lead SVC stated that the sex was consensual and that she was not entitled to an SVC. From there, I called any SVC that would listen in hopes that one would disobey their supervisor and take her on as a client. I was lucky and found one such individual.

From there, the client was able to report the assault to CID, the Army's law enforcement arm. Long story short, the allegations made by my client were founded and the perpetrator was subsequently kicked out of the military. In an effort to correct the wrongs done against my client, she filed a complaint with the Inspector General's (IG) office stating that she was improperly denied sexual assault services (amongst other retaliatory treatment).

It then took the IG three years to investigate her claim, only to not address her allegations whatsoever. At the conclusion of the investigation, the IG came back and told her that because the retaliatory action did not involve a personnel action (such as non-promotion, non-selection, etc.) that they didn't have jurisdiction over her claim and could not action it.

Three years later.....and nothing happened. During those three years, the Lead SVC that denied my client services continued to run the SVC program for the entire installation of Fort Bragg. There are 55,000 Soldiers stationed at Fort Bragg, and it is the largest military installation in the world. Yet despite these very real, and easily verifiable allegations that the Lead SVC was denying services to clients by unilaterally deciding that the sex was consensual, the Lead SVC remained in their position for the duration of the 3-year investigation.

This story is really only the tip of the iceberg. Later, one of the Battalion Commanders in my unit was accused of sexual harassment. After the claimant came forward, I advised the Brigade Commander (the Battalion Commander's boss) that he should be moved from his position until the investigation was complete. Keep in mind, that this recommendation was a very standard and non-controversial request. Those in a position of power who are accused of such things are routinely placed on the civilian version of "administrative leave" until the completion of the investigation.

However, the Brigade Commander did not take my advice, and rather he made this Battalion Commander his new Deputy Commander. This was a promotion, and it also made him my new supervisor. Let's recap. After a Battalion Commander was accused of sexual harassment, his boss promoted him and made him my boss. I reported this to my next higher command and was told by the Executive Officer for 1st Special Forces Command that my Brigade Commander could absolutely do that and "that was why he got paid the big bucks."

Of note, the allegations against this Battalion Commander were founded and he was also kicked out of the military as a result. And, while this officer was my supervisor, I was attempting to provide services to the Second Lieutenant that I described above. Despite this, my command, and the command above me, found no conflict of interest and considered it business as usual.

While all of this was occurring, I was being gas lit. I would raise my concerns to anyone who would listen. I would constantly be told things like "that's just not the way we do things around here Lindsey." And then I'd promptly be sent on my way. For a while, I believed that. I thought that I just needed to learn how to do my job better, and maybe I just didn't understand how things actually worked. Until...I went to law school.

While I was working as Victim Advocate at Fort Bragg, I was attending North Carolina Central University's Evening Law Program, and drove 2 hours to class three nights a week in order to complete my degree. After I graduated and passed the Bar Exam, I was still determined to make an impact on the lives of the Service Members that I worked with.

This led me to apply for the Sexual Harassment/Assault Response and Prevention Program Manager position on Fort Bragg. With that position, I would have the power to properly advocate for all survivors on Fort Bragg.

Not only did I have 20 years of professional experience in this field, but I was also on the Executive Committee for the local Rape Crisis's Center Board of Directors. I was steeped in the community and not only knew all the players, but knew law enforcement and had worked with every partner within a 50-mile radius.

After a lengthy selection process, which ended with being interviewed by a panel of senior leaders, I was unanimously selected to lead Fort Bragg's sexual response program. After my selection, they began the standard background checks that are required for such a position. Then only days before I was to begin work, they rescinded the offer stating that it was a mistake that my resume even made it to selection, and that I was not even minimally qualified for such a position.

The person that they subsequently chose for the position was a Retired Sergeant Major from Special Operations Command, who had no legal experience, was not an Attorney, and had only been working in this field for the last few years. Despite being grossly more qualified than him, and making it through a very rigorous selection process where a panel unanimously chose me over him, somehow I magically made it to the end to be told that I'm not even minimally qualified to have such a position. That assessment is misogynistic at worst and discriminatory at best.

Nonetheless, I still carried on. I continued to advocate for my clients and tried to make an impact on each and every person I met. And I did. I had the privilege of advocating for Erin Scanlon, who was sexually assaulted by a member of Delta Force (https://www.fayettevillenc.gov/Home/Components/News/News/3846/1969?arch=1&npage=32).

Everything that could go wrong with her trial did (<a href="https://abc11.com/iamvanessaguillen-pfc-vanessa-guillen-vanessa-erin-scanlon/6290432/">https://abc11.com/iamvanessaguillen-pfc-vanessa-guillen-vanessa-erin-scanlon/6290432/</a>).

When she first reported her assault, she had no idea who the perpetrator was. She did not know he was currently in the military. After she reported, she quickly learned his status. And after the military learned that a member of Delta Force was being accused of rape, they then stopped participating in the investigation and walked away.

Because of our close relationships with local law enforcement, the Fayetteville Police Department immediately picked up the case and ran with it. They discovered that the location of the assault was place that had already been on their radar, a junkyard that had been unlawfully hosting gatherings and serving alcohol. The owner of the property, the Delta member that raped Erin, had previously been cited for this unlawful activity. Despite Special Operations Command being aware of this unlawful activity by one of their own, they continued to allow Delta members to throw parties at this junkyard. This blind eye led to Erin's rape.

And the tragedy of this story was only beginning. Next, local law enforcement asked the military for access to several other Service Members who were at the junkyard the night of Erin's rape. Local law enforcement was doing their due diligence and attempting to interview and gather evidence. However, the military refused to assist and did not allow the Fayetteville Police Department to interview these witnesses because of their status in Delta.

The perpetrator in this case was arrested for rape shortly after Erin made her report. After he posted bail, he continued to throw unlawful parties at this junkyard, and was cited for this yet again after his release on bond. The military was aware of each time he was cited, his arrest, and his release on bond. Despite all of this, Special Operations Command did nothing to curb this behavior.

Of note, during this time, the Command Sergeant Major of 1<sup>st</sup> Special Forces Command was relieved of duty following allegations of sexual harassment (<a href="https://sofrep.com/news/dick-pic-six-the-7th-special-forces-group-sex-and-blackmail-network/">https://sofrep.com/news/dick-pic-six-the-7th-special-forces-group-sex-and-blackmail-network/</a>). The leadership in Special Operations had gotten so toxic that the then Secretary of Defense, Secretary Mattis, spoke with them to curb this behavior threatening his intervention (<a href="https://www.nytimes.com/2018/12/07/us/politics/niger-mattis.html">https://www.nytimes.com/2018/12/07/us/politics/niger-mattis.html</a>).

And yet, the toxic leaders remained. Notwithstanding all of these setbacks, Erin's challenges were far from over. After the military stonewalled the investigation, local

enforcement carried on and the District Attorney (DA) prepared the case for trial. Approximately a week before the DA was set to begin trial, the military knocked on their door and now requested that they take the case back and prosecute it on base.

For the last two years, the military had done nothing to assist with this matter. But now that a member of Delta was about to tried publicly for rape, they were scrambling to get the trial back on post.

The DA's office at the time didn't realize the ill intent, but rather looked at this as an opportunity to allow another jurisdiction to take a case off of their already robust case load. Consequently, the DA agreed to release the case back to Fort Bragg.

On Fort Bragg, the trial was horrific. Erin was questioned for more than 8 hours, and an ambulance was nearly called due to a panic attack on the stand. At the Judge's dismay, we immediately pulled her from the stand and tried to keep her from going into shock. We threw ice packs on her and watched as her eyes began to roll to the back of her head. Because of the quick thinking of her advocates, we were able to keep her conscious, and then prepared her to go back on the stand. The Judge then allowed the Defense to hold up her underwear in the courtroom, while she was on the stand, for God and everyone to see. She was berated, humiliated, and treated with the utmost disrespect.

But it didn't even end there. The Judge was openly hostile to her Special Victim's Counsel (SVC), saying things such as "I guess you just think that you can do whatever you want." The Defense, picking up on this hostility, motioned the court to pierce the veil of confidentiality between Erin and her SVC, and asked to put the SVC on the stand so the SVC could testify against Erin. The Judge granted this motion, and the SVC did in fact testify against Erin. The military found that Erin's Constitutional right to an Attorney was irrelevant, and since the Judge already didn't like SVC's, he seemed delighted to tear aware Erin's Constitutional protections.

At the end of the trial, the perpetrator was acquitted. But if were being honest, did Erin ever stand a chance? The military couldn't even protect her Constitutional right to an Attorney, let alone care for her in any way.

After the trial, I was deflated, to put it mildly. There were so many injustices during this trial that couldn't just be chalked up to a disappointing verdict. So, I wrote a letter to the Commanding General of US Army Special Operations Command outlining these concerns. And do you know what happened? They accused me of sending classified material over an unclassified network and placed me on Administrative Leave for the next two years, until they subsequently terminated me for such in July 2020. CBS Evening News with Nora O'Donnell subsequently did a story on this (<a href="https://www.cbs.com/shows/cbs-news-specials/video/pvG6A72KJKNGUq7YrWjirtgDX3v2BWG0/norah-o-donnell-reports-sexual-state-s

<u>assault-in-the-military/</u>), which led the Secretary of the Army responding that this conduct was unacceptable and could not continue. But no action was taken to re-instate me, apologize, or assist with any of the clients I was advocating for. We got lip service and gas lit, which is what we always get.

My family came to the United States from Norway, so I am as stubborn as the days are long. I have a never-ending fire that burns inside me that simply won't let me lay down my sword and allow my clients to be slaughtered. So even though I was placed on Administrative Leave and subsequently fired, I kept advocating for my clients.

While on Administrative Leave, I met with GEN Garrett, the 4-star Commanding General of US Army Forces Command, and his then Sergeant Major, SGM Grinston, who is now the Sergeant Major of the Army. They agreed to meet with us only AFTER Congresswomen Jackie Speier flew from California to Fort Bragg, met with them personally, and implored them to meet with us to address our concerns. After her visit, GEN Garret and SMA Grinston met with us, only to disregard our concerns and not action a single one of them.

During our meeting, they were unprepared, dismissive, and extremely condescending. GEN Garrett would say things to us like "we're not going to help you if you keep that attitude." And SMA Grinston simply didn't believe us when we told stories about the retaliation our Service Members faced. SMA Grinston said things such as "that just wouldn't happen," or "do you complain this much when local law enforcement makes a mistake?" Want to hear what 45 minutes of mansplaining looks like by some of the most powerful leaders in the US military? Don't worry, I recorded the meeting and can make it available at your request.

But this isn't the first time that a Senior Leader has treated us this way. Right before I was placed on Administrative Leave, I attended a Sexual Assault Review Board (SARB) hosted by the Commanding General on Fort Bragg, LTG Paul LaCamera. For those unfamiliar with a SARB, it is a monthly meeting held at every military installation where Commanders go over the current open cases. There are no client names discussed, and the intent is to ensure that each Service Member has been provided all the services that they need. This meeting is mandated by DoD policy and is actually quite well intentioned.

At this particular meeting, LTG LaCamera asked his Commanders what they had planned to do for Sexual Assault Awareness Month in April. The 101<sup>st</sup> Airborne Division Commanding General was pretty proud of himself and stated that he was going to bring the Tennessee Titans cheerleaders on post to boost morale in April. But because he was so conscious of sexual assault in the military, he was going to have the cheerleaders wear yoga pants instead of their usual uniform.

After the rest of the Commanders talked about what they were doing, LTG LaCamera asked the folks sitting in what I call "the cheap seats" if they had any feedback. Those not sitting

at the head table are in the cheap seats, and in the cheap seats were nearly every Victim Advocate on Fort Bragg. When LTG LaCamera finally asked for our input, I stood up and asked the 101<sup>st</sup> Commanding General if he felt that bringing the Tennessee Titans cheerleaders on post would create any barriers to reporting sexual violence?

The room immediately went silent. The 101<sup>st</sup> Airborne Division Commanding General began to mumble, stumble, and attempt to talk about the morale boost it would bring. Next, the 82<sup>nd</sup> Airborne Division Commanding General chimed in and stated that he should be getting "hazard pay" to be a part of this conversation. Hazard pay? Are you kidding me? Hazard pay is an additional payment that our Service Members are given when they are deployed to a combat zone. And the Commanding General of one the largest and most powerful fighting forces in the world just stated that talking about sexual violence in the military is the same as being shot at in combat. As someone who has lost more friends overseas than I can count, this statement spits on their service and laughs at the sacrifice they have made.

Next, the Lead CID agent decided that it was time for his to offer feedback and stated that this was a conversation that would be better held "offline." CID offered this up in an effort to allow the Senior Leaders in the room to save face, and further silence the strong advocates who were doing exactly what the military was paying them to do.

I would be remiss if I didn't take a moment to hail the 44<sup>th</sup> Medical Brigade Commander, the only female Commander in the room. When asked what she was doing for sexual assault awareness month, she talked about the "difficult conversations" that needed to be had, and that she would be conducting training that would encourage a robust dialogue so that they could really make some lasting change. I reminded the Commanding Generals that we were having such a difficult conversation now. And that if they were truly trained to fight and lay down their lives for their brothers and sisters in arms, then they could have this difficult conversation and talk about how they are creating barriers for Service Members to report sexual violence.

Next, LTG LaCamera stated that he "could see both sides of the argument," and the matter closed. But did the Tennessee Titans cheerleaders still visit the 101<sup>st</sup> Airborne Division for Sexual Assault Awareness Month? You bet they did (<a href="https://www.tennesseetitans.com/news/titans-visit-with-soldiers-families-at-fort-campbell-443090">https://www.tennesseetitans.com/news/titans-visit-with-soldiers-families-at-fort-campbell-443090</a>). So much for not creating barriers to reporting sexual violence. I guess that isn't as important as watching a bunch of attractive women bounce around your installation in an effort to stroke your ego.

After the SARB was complete, I was immediately sent home, placed on Administrative Leave, and subsequently fired. If a Victim Advocate cannot speak truth to power in the forum that the military created for us to do so, then what recourse do our Service Members have? When they see what is happening to those who are supposed to be advocating for them, what incentive do they have to report their sexual assault?

The answer is none. It further isolates our Service Members and further allows our Commanders to sweep sexual assault under the rug. This can happen because there are no available procedures that hold them accountable. None.

The military will tell you that I am wrong, that I could file a complaint with the IG and that the IG would promptly look into and address my concerns. Well, I filed an IG complaint about this three years ago. The IG has yet to call me to get my sworn statement, and has not provided me with a closure letter, or correspondence of any kind. Every time I email them to get an update, they state they are working on it. What are they working on? What they are doing is waiting for these Senior Leaders to retire so that they don't have to action any of my very real and very legitimate claims.

So again I ask, what recourse do I have? What recourse do my Service Members have? The answer is that we have none. The policies and procedures that the military has put into place have no teeth, and Senior Leaders that skirt the system can do so without any accountability whatsoever.

This is why I still fight, undeterred and unshaken. In an effort to continue to help others, I founded Combat Sexual Assault, a non-profit organization that empowers survivors of military sexual trauma by helping them overcome barriers to obtaining justice (<a href="http://combatsexualassault.org/">http://combatsexualassault.org/</a>). I now advocate for current Service Members and Veterans who have faced retaliation for reporting. Many of my clients were actually kicked out of the military for reporting a sexual assault. When they reported the assault, CID charged them with making a false statement, and they were kicked out of the military as a result. This in turn made them ineligible for Veterans Benefits. I petition the Board of Corrections for Military Records to upgrade their discharge, and once successful, I help them apply for the Veterans Benefits that they've earned and deserve.

Ironically, the Department of Defense is more than aware that they have a problem of kicking Service Members out of the military for reporting their rape. Because of this, they have issued the following policy guidance

(<u>https://dod.defense.gov/Portals/1/Documents/pubs/Clarifying-Guidance-to-Military-Discharge-Review-Boards.pdf</u>) that allows the Veteran a great deal of leeway in the evidence that they are able to submit when petitioning for a discharge upgrade on the basis of a prior sexual assault.

This is clearly not a problem that the DoD is unaware of. They quickly kick our Service Members out, and because of policies such as this, I can easily get their discharges upgraded. But why put our Service Members through this process to begin with? I currently have a client that was exposed to burn pits, and then kicked out of the military after she was accused of making a false statement after she reported a violent rape that she endured in a combat zone. Her discharge has since been upgraded, and she is now receiving Veteran's Benefits, but the delay in her care for exposure to burn pits has made her condition terminal. She is dying and is currently

living on borrowed time. And for what? All because she reported a violent rape? You have got to be kidding me.

But she's not the only one. I have another client who after reporting that she was being raped by her supervisor, was immediately retaliated against by Command. They tried to get her not to report, they disclosed her location to the perpetrator and placed her life in danger. After all of this, she went to the local courthouse and was granted a Civilian Protective Order. The Judge even checked the box that the basis of the protective order was for "sexual assault." She then requested an Expedited Transfer to another unit, away from the perpetrator and the retaliatory chain of command. And guess what? Her command denied the transfer stating that the sex was consensual, and she was not assaulted.

She then filed an IG complaint, and even with the backing and support of the DoD Sexual Assault Prevention and Response Office, the IG upheld Command's decision and offered her no assistance.

So, I say again, what recourse do our Service Members have? Where a civilian Judge finds enough evidence to issue a protective order, but the military feels that no such evidence exists to simply transfer her to a new base? This is incredulous, and further highlights the plight our Service Members currently face.

And last, but certainly not least, I would be remiss if I didn't mention Cpl Thae Ohu. What has happened to Thae is what happens when a strong woman of color stands up for what is right and relentlessly reports the wrongs done against her.

Thae is a Marine who is currently in solitary confinement after a PTSD flashback of her rape. Thae was raped by her supervisor, a fellow Marine who currently serves as a legal professional at the Pentagon. After having a flashback and lashing out on her then boyfriend, local authorities arrested her on a misdemeanor domestic violence charge and immediately released her so that she could check into a mental health facility.

Thae's mental health was in rapid decline, and the local authorities had previously been called to her residence when she attempted suicide. She needed help, and local law enforcement knew it. Her then boyfriend knew it. And all parties supported her in her recovery. That is, except for the Marine Corps. After local law enforcement released Thae, and after she checked herself into a mental health facility, the Marine Corps picked her up, upcharged her with attempted murder, and placed her in the brig in solitary confinement on June 19<sup>th</sup>, 2020, where she remains.

She remains in solitary confinement as her rapist remains free. The Marine Corps quickly swept her allegations of sexual assault under the rug, and they continue to break Thae down by denying her the proper mental health treatment that she needs.

Prior to her being placed in the brig, the military themselves acknowledged the need to medically retire Thae for PTSD and had begun the process to do so. Yet now, they've locked her up, denied her proper medical treatment, and for what? For reporting one of their own, an up and coming legal professional currently working at the Pentagon.

We are advocating for her immediate release so that she can receive the treatment that she needs. We fear that we may lose her to suicide and the Marine Corps seems more than happy to allow this to occur. Her story has been covered at length at the below links:

https://justiceforthaeohu.org/

https://thewarhorse.org/retaliation-gag-order-marine-corps-silences-woman-sexual-assault-victim-thae-ohu-investigation/

https://www.pilotonline.com/military/vp-nw-thae-ohu-gag-order-20201110-yacqaoiwzfakjg6abfve4lqen4-story.html

https://thewarhorse.org/senior-marine-corps-legal-counsel-ridicules-defendant-thae-ohu-court-martial-hearing/

In sum, we are at a crossroads. Those that are sweeping these allegations under the rug and retaliating against Service Members are not lower enlisted, they are our Senior Leaders. Our Senior Leaders are well aware that they will not be held accountable for their actions. They have no incentive to do the right thing when they control the process. This is why our commanders cannot be a part of the adjudication process. This is why they can't be in charge of reporting or investigation these crimes. And when our Service Members experience retaliation, they need a path that actually holds these leaders accountable. And this process needs to be outside of DoD. Our Service Members and Veterans need a path to sue the military for monetary damages for their negligence.

If I worked for any other corporation and was raped on the job and could show that the corporation did not follow its own policies and procedures and negligently swept this crime under the rug, then I could sue the corporation for damages. The corporation knows this, thus giving them a strong incentive to do the right thing. No such protections exist for our Service Members due to what has been coined as the "Feres Doctrine."

The Feres Doctrine is a Supreme Court case that was actually quite well intentioned. When it was decided in World War II, the idea was that they didn't want Service Members to be able to sue their Commanders if they made a bad decision in the heat of battle. Makes sense, right? You want your military to fight the enemy and not worry about being sued on the back end.

The military is now the largest employer in the world, and if they are retaliating against folks for reporting being assaulted, our clients aren't afforded much recourse. But their civilian counterparts are protected, and since there is no such incentive in the military, this is where the problem lies.

Now the military will tell you that his level of accountability is a bad idea, and that it would deteriorate good order and discipline. And I ask, if they are raping our Service Members all the time, how could it deteriorate any worse?

Moreover, if they had this under control, it would be under control by now. If it was working, it would be working. If we measured their success at handling sexual assault the same way we measure their success at winning wars, hundreds of Senior Leaders would have been fired by now. And were not asking that they take away Command authority from crimes that would be considered a misdemeanor anywhere else. They can keep DWIs, not showing up to work, or when their Service Members fail a drug test. But under no circumstances should they be handing sexual assault, rape, or any other violent crime. They have already demonstrated that they cannot handle this problem. How much more data do we really need?

I'll leave you with this last example to really drive this point home. Let's just say for a moment that we have a Commander that's integrity shines so bright that it gives you a sunburn. This is the Soldier of Soldiers who always makes the right choice. And let's say he learns that one of his Commanding Generals is sexually assaulting one of their far more junior officers. And let's say that this Commander is livid, orders a thorough investigation, and that states that he wants the accused Commanding General to be prosecuted to the fullest. Well, I don't know about you, but that's exactly what I want my commander to say. I want them to believe the victim, investigate fully, and action these claims.

But because the Commander is also a part of the judicial process, this is seen as "undue command influence," and the Commanding General that raped his subordinate will be able to be acquitted as a result. Don't believe me? That's exactly what happened with Brigade General Sinclair of the 82<sup>nd</sup> Airborne Division when he was charged with raping his female subordinate. He was acquitted because the Commanding General for XVIII Airborne Corps wanted BG Sinclair to face justice (<a href="https://www.usatoday.com/story/news/nation/2014/03/20/sinclair-general-affair-subordinate-army-sexual-assault/6557033/">https://www.usatoday.com/story/news/nation/2014/03/20/sinclair-general-affair-subordinate-army-sexual-assault/6557033/</a>).

Even when the military tries to hold those accountable, they just can't. They can't because they are too close to the process. It would be like the Judge in a civilian trial looking at the Prosecution and telling them that they want the Defendant prosecuted to the fullest extent of the law. If that happened in any courtroom in America, it would automatically result in a mistrial. But we allow the military to be in charge of the Judge, Jury, Prosecution, Defense, and the entire process. How can it possibly be executed in a fair and unbiased way? The answer is

that it can't. It just can't. And it can't even work when the Commander that is charge of the process is the best leader in the free world.

At this point, you may be asking what is the way out? It's by-passing comprehensive legislation that takes this entire process outside of the chain of command, and by giving Service Members and Veterans a path to hold their leaders accountable. By getting rid of the Feres Doctrine so that our Service Members can be protected the same way that every other American in the United States is protected. Our Service Members have already sacrificed so many of their rights to serve in the military. Why should they now have to sacrifice holding their leaders accountable when they are covering up rape?

The military has already acknowledged that their Service Members are more likely to be raped by one of their own than to be killed by the enemy (<a href="https://www.pbs.org/newshour/show/victim-advocates-say-u-s-military-gets-an-f-on-sexual-assault-prevention">https://www.pbs.org/newshour/show/victim-advocates-say-u-s-military-gets-an-f-on-sexual-assault-prevention</a>). This is incredulous. And if Service Members were able to hit our Commanders in their pocketbooks, just imagine how fast this issue would be irradicated?

In sum, if the military could have fixed this problem, they would have done it by now. They have paid millions of dollars for study after study. No more studies are needed. They already have all the data that they need. And the data all points to same conclusion. Military leaders need to be removed from this process, and they need to be held accountable for their actions. They need to be held to the same standard that all of their civilian counterparts are being held too. They need to stop acting like they are above the law, and to care for our Service Members.

Thank you for taking the time to read my input. I am humbly standing by for your questions and feedback. Any and all substantiating documents to corroborate my claims is available upon request.

Respectfully,

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