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David Chu and Debby Tucker Discuss the Pentagon's New Sexual Assault Policies

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MELISSA BLOCK, host:

This is ALL THINGS CONSIDERED from NPR News. I'm Melissa Block.

MICHELE NORRIS, host:

And I'm Michele Norris.

This week, the Pentagon introduced a tougher policy for dealing with sexual assault while acknowledging that the military has had serious failings in handling such crimes in the past. In recent years, scandals have cast new light on the scope and severity of sexual crimes against women in the military. Over the past decade, more than 140 female cadets reported that they were raped or assaulted at the Air Force Academy in Colorado. And since August 2002, at least 273 sexual assaults have been reported in Afghanistan, Kuwait and Iraq.

David Chu is the Pentagon's undersecretary of Defense for personnel and readiness, and he is responsible for carrying out the new policies.

Mr. DAVID CHU (Pentagon's Undersecretary of Defense for Personnel and Readiness): First of all, let me emphasize that as before, our ultimate goal is prevention. And our emphasis throughout is that sexual assault is a crime. Second, we want a process in which, if the individual prefers, she or he can report confidentially until they are ready to make what we would call an unrestricted report--meaning a report with regard to investigative authority. And we like to encourage such reports to investigative authorities because without such reports, you can't prosecute the alleged offender.

We must be consistent and uniform in the way we do this. And that starts with the very definition of what is sexual assault. I think it's interesting that people weren't all that clear exactly what was included in the term. And we weren't clear ourselves. We had slightly different definitions

across the military services. And it will be the foundation of another key element of our effort, and that is education, starting with initial training but recurring throughout one's military career.

NORRIS: I just want to make clear...

Mr. CHU: Yes, ma'am.

NORRIS: ...now that there is a uniform definition for what constitutes a sexual assault across all services, at every base, on every ship...

Mr. CHU: Right.

NORRIS: ...could you tell us exactly what that is?

Mr. CHU: It is intentional sexual contact through the use of force or the threat of use of force, or abuse of authority, or where the victim cannot or does not consent.

NORRIS: Now these policies will provide a cloak of confidentiality for women who step forward and report sexual assault. But there has been a fear that victims who do come forward would be subjected to intimidation and embarrassment and sometimes harsh treatment from superiors or commanding officers, the very people who decide whether a charge merited an investigation. Will there be sanctions for commanding officers who don't follow these policies to the letter of the law?

Mr. CHU: Well, of course there will be, as we hold our commanders responsible for any other misconduct on their part. But let me come back to both the term you used and to the process. I'd rather not call it a cloak of confidentiality because it makes it sound like the victim is reluctant or is trying to hide. What we want to offer people is a sanctuary. This is a traumatic event. You need to get yourself back to a place where you can make a sound decision about how you want to proceed. You need to know what your options are. The commander, in fact, would not be a person to which you would normally go for a confidential report. And so we are going to expand the set of confidential authorities from the chaplain, which is where we now are limited, to include certain medial personnel and victim advocates who will be appointed and perhaps some other personnel as well. We're still working out the final details of how this is actually going to function.

NORRIS: Well, you know, on this question of sanctuary, a Veterans Affairs study found out that three-quarters of the women surveyed who said that they were assaulted did not report that incident to a ranking officer. And so now if you create an environment where it's easier for women to step forward, you may find that you see a spike in the number of incidents reported, that...

Mr. CHU: Absolutely right. This is a classic – you're right on the mark, ma'am. A classic situation where if you create a more trusting atmosphere, you're going to see them come forward. And that's what we want them to do. We know from these surveys we discussed earlier

that the actual incidence of sexual assault is higher than the reported incidence. And that difference is indicative of a set of problems we need to correct.

NORRIS: One thing that became clear upon examining the string of assaults at the Air Force Academy in Colorado is that commanders there realized that they had to deal with a culture that was hostile toward women and dismissive of women who were victims of sexual assault. And the commanders there acknowledge that changing that culture, a deeply ingrained culture, would be very, very difficult. You're talking about a shift in attitude across the board, across all services. How difficult will this be, to change a culture that's deeply ingrained and is still overwhelmingly male?

Mr. CHU: Well, I think I would challenge your presupposition that this is a culture hostile to women. Actually, I am impressed in the military at the degree to which women are accepted full members of the team. It's a different institution from 25 years ago.

That said, these are important changes in how people behave. Our challenge is to go from a low rate that's roughly comparable to a college campus, as best we can tell from looking at the civil literature on this subject, to a rate that's substantially below what's true of civil life. And ultimately, of course, we'd like to get to zero. That would be the long-term goal.

NORRIS: Undersecretary Chu, thank you so much for speaking with us.

Mr. CHU: Thank you so much, ma'am. Appreciate the opportunity.

NORRIS: David Chu is the Pentagon's undersecretary of Defense for personnel.

As he mentioned, one key policy on sexual assault has not yet been issued. It deals with confidentiality. The Pentagon says it's still trying to reconcile the need for confidentiality with codes of military justice. That delay concerns Debby Tucker. She helped develop the new policies on sexual assault. She's also the executive director of the National Center on Domestic and Sexual Violence. Tucker says even once a full policy is implemented, a change in military culture won't happen overnight.

Ms. DEBBY TUCKER (Executive Director, National Center on Domestic and Sexual Violence): I think it'll take time, as any change does. But even for those victims who do not go on and make an official report, there are two very important outcomes. One is that we have a service member who received appropriate supportive services after this traumatic event. That means we have a soldier, sailor, airman or Marine who is stronger and who is more capable of recovering from the sexual assault incident.

The other outcome we have is greater information about the true nature of sexual violence within the military community. If you're an installation commander at Ft. Hood up the street from me in Killeen, Texas, and you have 10 sexual assault reports a year that come to you officially, but you have 50 that come to you unofficially from the victim advocates, you have a much clearer idea about the true nature of the problem on your installation.

NORRIS: The Pentagon inquiry that you participated in found that the military was slow to recognize the seriousness of the problem of sexual abuse within the ranks. There will be skeptics who say that the Pentagon, which once turned a blind eye to this problem, is now paying lip service to the problem, but they'll look in coming months to see specific things. I'm wondering what you will be looking for. What will you need to see as evidence that this policy is working?

Ms. TUCKER: Well, I guess I will need to see that the confidentiality and privacy portions that are so critical to the success of this entire effort are actually extracted from the Office of General Counsel and issued. If that doesn't happen, it weakens all the rest of these important changes that are proposed. So I'll be looking for that. I'll be looking for what kind of training, what specific educational initiatives will be taken to support commanders and to support law enforcement.

NORRIS: I know that you were an official participant in these panels and in the task force. And I want to ask you to take that hat off and just speak to me as someone who is an advocate for women's issues and domestic violence. Looking at this policy, do you like what you see? Is your glass half empty or half full?

Ms. TUCKER: I think my glass is about 75 percent full. Until I see the confidentiality piece, I have to hold back my full support. And I guess my pure victim advocate position would be that the Office of General Counsel needs to be taken by storm, tell them to get off their lawyerly asses and get the policy out of there.

NORRIS: Debby Tucker, thanks so much for talking to us.

Ms. TUCKER: Thank you.

NORRIS: Debby Tucker is the executive director of the National Center on Domestic and Sexual Violence.

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