**Opening Statement of Chairwoman Jackie Speier**

**Military Personnel Subcommittee Hearing**

 **“Military Service Academies’ Action Plans to Address the Results of Sexual Assault and Violence Report at the Military Service Academies”**

**February 13, 2019**

**~\*~**

I would like to welcome everyone to this afternoon’s Military Personnel Subcommittee hearing. Thank you to our witnesses for your participation on this serious matter.

Before we address the topic before us, I want to take a moment to say I am deeply troubled that the Department of Defense refused to allow Dr. Van Winkle and the Superintendents to testify alongside non-governmental experts. The Department testifies before this committee at Congress’s invitation and on Congress’s terms. We have a constitutional responsibility to provide oversight as we see fit. This cannot be overridden by some un-written, nonsensical rule. Further, the Department’s unwillingness to sit next to and engage in dialogue with experts who have suggestions on how to fight this scourge sends the wrong signal about how seriously it takes this problem.

I was profoundly unsettled when I read the *Annual Report on Sexual Harassment and Violence at the Military Service Academies.* The resultsshow that after a decade-plus of concerted efforts to address sexual harassment and assault, the problem has only gotten worse. I believe we all appreciate how alarming these numbers are. I cannot stress enough that this survey is among the best measures of the prevalence of unwanted sexual contact and harassment at any university, company, or organization.

The survey has been administered for over a decade with the same questions and an expert-approved measurement. 68% of students participated. This isn’t a blip, a “me too” bump, or some accident. It’s a clear illustration of a destructive trend and systemic problem.

The report says that in four years occurrences of unwanted sexual contact increased from 327 to 747, more than doubling. The term unwanted sexual contact refers to a range of sex-related offenses that the UCMJ prohibits, including unwanted touching and penetration of suggestive areas. What makes this even more disturbing is that the number of reported sexual assaults occurring at the academies remained stagnant at 92, though the overall share of unrestricted reports relative to restricted decreased. Only 12% of assaulted individuals formally reported. Low reports should be no surprise given that half of those who reported were retaliated against. 37% of those who reported experienced social ostracism, reflecting a culture defined by victim-blaming. Out of these 747 plus assaults and 69 unrestricted reports, the academies only convicted four perpetrators last year. Victims report at their own peril, because they are more likely to face consequences than perpetrators.

The cases of Ariana Bullard and Stephanie Gross, former West Point students who have previously appeared before this subcommittee, demonstrate the problem. Ariana, a top swimming recruit, was ostracized by her peers when she reported that fellow swim team members had sexually harassed her as a freshman. She had to train alone. Stephanie was violently raped the same year and an investigation found insufficient evidence to bring charges against her rapist.

After Stephanie was raped again, she considered not reporting, fearing that, again, no one would believe her. Stephanie reported anyway and her attacker was convicted of assault, but not sexual assault. Stephanie and Ariana faced mounting retaliation in the form of mental fitness and drug tests until they chose to leave the Academy. This type of treatment for the brave few that do report deters the rest.

Meanwhile, half of all women at the academies reported being pervasively or severely sexually harassed in the 2017-18 academic year. That’s right, half. That’s 1,622 future officers who start their career being harassed by their peers. None of them reported formally. Not one. Harassment is often a precursor to assault.

Only 56% of students think their peer leaders make honest and reasonable efforts to stop assault. And despite the Department touting relatively high trust in uniformed leadership, that number, 70%, is worse than two years ago.

I shudder to think about what it must be like to be a student at the academies, especially a woman. To live, study, and learn in an environment where harassment is so pervasive, expected, and accepted that half of all women are harassed, and none report. Maybe women are handling some of this themselves, but that’s because they don’t think anyone else will.

My colleagues and I recommend high school seniors for admission to the academies. They are consistently among the best, brightest, and most accomplished young people in our communities. Earnest, respectful, and dedicated. And then they go away to school and we get this. I wonder if we’re missing something when we recommend them, if we should look more closely at their moral fitness, or if the culture at these schools is that corrupting. Perhaps it’s both.

I do know this: three out of the four individuals I recommended for admission this year, at the suggestion of my local board of academy grads, are women. Women will continue to attend the academies and serve our country. All three Academies’ freshmen classes have at least 24% and I understand that next year the number will grow. We need to do better by them.

These results don’t call for tweaks and adjustments. The Superintendents have been touting incremental fixes made after this survey was administered, but there is no reason we should expect adjustments to change the overall trend. This report is a scathing indictment of the academies’ culture, approach to prevention and response, and ability to hold violators to account.

We need to expand our toolbox and use both carrots and sticks to hold perpetrators accountable and deter others through serious repercussions.

Academy leaders must promote a strong culture of dignity and respect, educate students on right and wrong, and have zero tolerance for violations. The Superintendents have said they’re doing much of this, but the problem has gotten worse. Leaders must enforce this culture and earn students’ trust by making good on promises to impose severe penalties on predators. They must treat survivors uniformly, modeling best practices from other academies. And they must address the issues that stem from over 25% of students being problematic drinkers.

We also need to think seriously about how the academies and Department of Defense itself should be held accountable for this failure. Current efforts are woefully inadequate and seem to be making the problem worse, not better.

Today, we will have two panels. During the first panel, we will have the opportunity to hear from outside experts who have dedicated their careers to these sensitive issues. During the second panel, the Department of Defense and the Superintendents of our military service academies will explain why their current approaches to this problem have failed and how we can rethink our approach to sexual violence at our academies. I look forward to hearing from all of our witnesses today.