



**THE BLOG** 03/26/2012 12:03 pm ET | Updated May 26, 2012

## “Ask Her When She’s Sober”



By Marty Kaplan

Until Marine Lance Corporal Maria Lauterbach and her unborn child were murdered by Marine Corporal Cesar Laurean and buried in his backyard, her congressman, Mike Turner, had a record like any other garden variety Republican warrior on women. With his 100 percent perfect opposition to women’s freedom of choice over their reproductive systems, Turner’s Dayton, Ohio-area constituents had been represented by just the kind of disciplined hard-core conservative that John Boehner and Eric Cantor rely on.

But Turner’s efforts to get Lauterbach’s murderer extradited from Mexico, where the dual national had fled, eventually brought him to do something that Boehner and Cantor despise. Before she was killed, Lauterbach had filed a claim at Camp Lejeune alleging that Lauren had raped her. That’s how Turner’s involvement with her murder — spurred by a request from her family — also became an education in the sexual violence plaguing the military, leading him to join with Massachusetts’s Democratic Rep. Nikki Tsongas to introduce legislation expanding rights and protections for service members who have been the victims of sexual assault.

With Turner’s co-sponsorship, the bill — providing victims the rights to legal counsel, to a base transfer and to maintaining confidentiality when speaking with Victim Advocates — gained the right to be called “bipartisan,” which in this scorched-earth season of relentless Republican opposition to virtually anything any Democrat supports is tantamount to political treason.

It should be a no-brainer for Republicans to battle the epidemic of sexual violence that is devastating our armed forces. In fact, it shouldn’t be a partisan issue at all.

The statistics are sickening. Nearly 19,000 Americans in uniform were raped in 2011. Over the past decade, a female soldier in Afghanistan or Iraq was more likely to be raped by another soldier than to be killed by the enemy. During her military service, the likelihood that a woman will be the victim of a sexual assault is up to twice the lifetime incidence among the general population. As many as one in three women leaving the service say they’ve experienced military sexual trauma, which is the leading cause of PTSD among women veterans. And it’s not just women: In 2010, some 50,000 male veterans screened positive for military sexual trauma.

An invisible war is being waged against our troops. I call it that because *The Invisible War* is the title of a harrowing documentary about military sexual assault in the armed forces that I saw recently. It debuted at Sundance and will be released in June. People at the screening I attended were moved to tears by what rape victims in the armed forces have had to endure; they were inspired by the victims’ courage and patriotism and they were enraged by the Pentagon’s decades of failure to stop the violence.

Secretaries of Defense and top brass have long insisted that official policy is zero tolerance of rape. But 19,000 in one year is a long way from zero. Why is it so bad?

Start with a culture that stigmatizes and retaliates against victims. As few as 13.5 percent of military rapes are reported. Accusers are called sluts who were asking for it and cowards for complaining when they get it. Ariana Klay, a Marine whose story is told for

the first time in "The Invisible War," was stationed at the Marine Barracks in Washington, D.C., base to the iconic white-gloved precision Silent Drill Platoon. Her home a few blocks from the base is where Klay says a senior Marine officer and a friend of his raped and threatened to kill her if she reported them. After she did, a "Hurt Feelings Report" appeared on the Facebook page of the base's director of protocol. The form asks the complainant to name the "Real Man who hurt your sensitive little feelings," and to check off the "reasons for filling out this report"; options included "I am a pussy" and "I am a little bitch." Much worse happened to her than being ostracized, but that detail, contained in a federal lawsuit that she and seven other women filed, conveys what victims are up against.

But the problem is more than the culture. It's built into the structure of the military justice system, where the process for prosecuting rapists is run by the same chain of command that includes and often protects the rapists. The victim remains stationed on the same base as her assailant. The people assessing her truthfulness are the same people who are in charge of her career, and whose own careers would get a black eye if it came to light that sexual predators were tolerated under their command.

Without an independent judiciary, it's no surprise that only eight percent of sexual assault allegations in the military are prosecuted, compared to five times that figure in the civilian world. Fewer than 21 percent of those go to trial. Only two percent of reported assaults result in conviction. But a staggering 90 percent of those who report a sexual assault against them are involuntarily discharged, often with a suspect "personality disorder" diagnosis. They're not only sluts; they're nuts.

Instead of aggressive prosecution, the Pentagon's strategy has been prevention. The campaign slogan adopted by the military's Sexual Assault Prevention and Response Office says it all: "Ask Her When She's Sober." It is, as a New York Times editorial put it, "a grotesque parody of an etiquette poster." You know she's asking for it, dudes — that's what wearing makeup, or wearing a tank top and gym shorts when she exercises, are telling you. You just need to know that it's not the alcohol that's talking.

In January, Defense Secretary Leon Panetta became the most recent in a long line of officials vowing change. Pledging to implement provisions resembling some in the Turner-Tsongas bill, he announced more funds for training investigators and judge advocates to prosecute crimes, and more opportunities for victims to report crimes and request speedy transfers, as long as their reports aren't confidential. Stronger - because unlike Panetta and Turner-Tsongas, it deals with some of the structural problem of military justice — is the bill introduced by Rep. Jackie Speier (D-CA) and 120 co-sponsors that would take reporting, oversight, investigation and victim care out of the normal chain of command, and put jurisdiction in a newly created office made of civilian and military experts.

So far only one Republican has signed on as a co-sponsor of the Speier bill. If the GOP were smart, it would jump at the chance to stand up for women in the military. It shouldn't have to take something like a constituent's murder to get more Republicans to notice how unjustly and indecently some of the best and bravest Americans in uniform are being treated.

*This is my column from The Jewish Journal of Greater Los Angeles. You can read more of my columns here, and e-mail me there if you'd like.*

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