



# 17 Veterans Sue Pentagon Over Rape Cases

15 Female and Two Male Veterans File Lawsuit Against Pentagon Officials, Claiming Sex Assault Cases Were Mishandled

By ARLETTE SAENZ

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Fifteen female and two male veterans accused the military of ignoring reports of sexual abuse and rape by fellow service members in a federal class-action lawsuit filed today, hoping they will pressure the military to change the way sexual assault cases are handled.

"This is a story that only begins with rape and sexual trauma. It's a story about the failure of one of the most trusted institutions in American life -- our military," said Keith Rohman, president of Public Interest Investigations in Los Angeles, the lead investigators on the litigation.

The lawsuit, which names Defense Secretary Robert Gates and his predecessor Donald Rumsfeld as defendants, details 16 alleged sexual assault cases that occurred in the Army, Navy, Marine Corps, Coast Guard and Reserves that the plaintiffs say military commanders mishandled.

In many of the cases, the alleged victims were forced to continue to live among and work alongside the people they said assaulted them.

Each of the allegations of sexual abuse occurred while the service members were on active duty, including some in Afghanistan and Iraq.

In the most recent assault case described in the lawsuit, one plaintiff, an aviator in the Navy serving at Tinker Air Force Base in Oklahoma, was drugged and gang raped by two of her colleagues just this past December, ending her career in the military.

Last year, the military received 3,292 reports of sexual assault involving service members according to military data. Victims have the option of filing a "restricted" report that remains confidential and allows them to receive medical attention without triggering an investigation.

An unrestricted report prompts an investigation to pursue the assailant but does not guarantee confidentiality.

In 2006, Sarah Albertson, then a 22-year-old corporal in the Marine Corps, said she was raped by a fellow Marine, who held a higher rank.

Hesitant to file the report, she waited two days following the assault to report it to her command at the urging of a friend in whom she confided.

"I was having a lot of breakdowns at work and I wasn't able to function because of what had just happened, and I had confided to a friend at work what had happened and she actually made the call," Albertson said.

After she reported the alleged assault to her command, they ordered her to not discuss it with anyone else and to "respect" her alleged assailant and follow his orders since he outranked her. Even her peers urged her to remain silent.

"I had friends, even people who were supposed to have my back telling me, 'It sucks, and it's wrong what they're doing to you, but at the same time you need to suck it up and not tell anybody because it'll make the Marine Corps look bad and it'll hurt recruitment efforts,'" Albertson said. "I talked to lawyers back then, but they all told me they couldn't touch the case because I was military, that if I had been civilian, it would have been no problem."

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For two years, Albertson was forced to work alongside and live one floor below the man she said attacked her, even though a military counselor assigned to the case advised command to separate the two of them.

Albertson said the stress she endured as a result of the case caused her to become depressed and gain weight, causing command to enroll her in a Body Composition Program, where her weight, diet and exercise regimen would be monitored.

But then the man she said had attacked her was promoted to head of the Body Composition Program, charged with supervising all members of the program on a daily basis, including Albertson.

"I had to report to him every day about my body, my weight loss and my running programs and my nutrition, and I had to go to him to tell him about all that kind of stuff, and he was given the authority to ask me those kinds of questions and check in on my body," she said.

The Navy Criminal Investigative Service investigated the assault charges, but Albertson's command did not allow prosecution and instead promoted the man she had accused of rape.

"In case after case, the perpetrator is not only not punished, they frequently are promoted," said Eleanor Smeal, president of the Feminist Majority Foundation. "They're frequently still made to command the person that has been their victim. This is an outrage, the process must change."

Pentagon spokesman Geoff Morrell said sexual assault stems from a broader problem permeating society and that Gates is working to ensure the military does its best to prevent cases of sexual assault from occurring.

"That means providing more money, personnel, training and expertise, including reaching out to other large institutions such as universities to learn best practices," Morrell said. "This is now a command priority, but we clearly still have more work to do in order to ensure all of our service members are safe from abuse."

In 2005, the Department of Defense implemented a sexual assault prevention and response policy aiming to provide victims with a comprehensive support program and offering prevention programs and encouraging bystander intervention.

Before the suit, the Pentagon already planned to launch a victim-support hotline this spring that will allow victims to "click, call or text" from anywhere in

the world at any time to obtain anonymous and confidential support, according to a fact sheet provided by the Defense Department.

The Pentagon plans to launch the Defense Sexual Assault Incident Database to improve the collection and management of case data in the next year.

The plaintiffs and advocates are urging the military to change the way sexual assaults are handled in the military, asking officials to develop a system of reporting that allows the victim to go outside of the chain of command as well as breaking a culture some say promotes sexual violence.

"Rape, sexual assault and sexual harassment are a plague upon the United States military," said Anuradha Bhagwati, executive director of Service Women's Action Network. "A pervasive climate of sexual violence and intimidation threatens our national security by undermining operational readiness, draining morale, harming retention and destroying lives."

Panayiota Bertzikis said she was serving in the Coast Guard when she was raped by a shipmate while on a recreational hike in 2006. He never faced prosecution, and Bertzikis said she endured harassment and assault from other colleagues.

Bertzikis left the Coast Guard in 2007 and founded the Military Rape Crisis Center, which has served more than 5,000 service men and women and their families affected by sexual assault.

Albertson left the Marine Corps in 2008 and has since been diagnosed with post-traumatic stress disorder. She now lives with her husband in Montana, where she is in college studying family and consumer sciences and volunteering at a rape crisis center.

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Albertson and Bertzikis said they hope their willingness to come forward with their stories will offer other victims the strength to report their sexual assaults amid the military's mishandling of sexual assault cases.

"Hopefully, it's kind of encouraging to think that there might be somebody else somewhere who might find this beneficial and encouraging for them and that they might be able to find strength in what we're doing," Albertson said.

*Luis Martinez contributed to this report.*

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