



Statement by TSgt Jennifer Norris, USAF Retired
Before the U.S. House Armed Services Committee
Review of sexual misconduct by basic training instructors at Lackland Air Force Base
January 23, 2013

It is with a heavy heart that I sit here today. Because, I am not only speaking for myself but I am speaking for thousands and thousands of male and female survivors, both military and civilian, whose lives have been forever altered by the military's sexual assault epidemic, a culture that punishes the victim and a broken military justice system.

My name is TSgt Jennifer Norris; I am an Air Force veteran, wife to my dear husband, Lee, national advocate for the Military Rape Crisis Center, and Protect Our Defenders Advocacy Board member. Protect Our Defenders is a place for survivors to build community, amplify our voices, provide resources, support one another and take collective action.

I want to recognize the service members who have not survived due to non-combat deaths, murder, and suicide and their families who are still waiting for answers.

Nearly six months ago, I stood outside these doors with fellow veterans and survivors, many of whom are here with me in this room today. We delivered a petition asking this Committee to hold an "open and complete" hearing into the criminal scandal at Lackland Air Force Base. Back then there were 30 victims. Six months later there are at least 59 known female and male victims. Since that day in August, according to Department of Defense estimates, roughly ten thousand more men and women in uniform have been assaulted. This is no longer a "silent epidemic."

We are hopeful, as we wrap up the day, that this hearing becomes the beginning of fundamental reform to change a military culture and fix the broken military justice system. It is our hope that this will be the first in a series of hearings to fully explore the reasons why Lackland and similar abuses are occurring and what must be done to prevent it from happening in the future. The Committee should hear from current Lackland victims and from independent experts on issues regarding victim treatment and the military justice system. The Lackland scandal must become more than another footnote in this tragic history.

As the hometown paper of Lackland AFB, the *San Antonio Express-News*, aptly put it, when writing about this hearing, "criminal trials correctly examine the acts of individuals.

Congressional hearings look at the systemic failings that trials cannot and reinforce the concept of civilian oversight. Both are needed.”

Core issues must be addressed. The military justice system elevates an individual’s discretion over the rule of law. The system is encumbered with personal bias, conflicts of interest and abuse of authority. The cycle of repeated scandals, self-investigations, and ineffective reforms - must be broken.

Because no victims from the current scandal have been permitted to testify, I will share one of their stories to illustrate the scope of this epidemic -- this is from the San Antonio Express’ Sig Christenson and Karisa King.

“A young Air Force recruit who said her basic training instructor sexually assaulted her testified....after two months of obeying his orders, she was too frightened to protest his advances in a dark supply room.

‘You’re in the worst position that you could think of. He’s your instructor,’ she said. ‘When you’re in a position like that, you don’t know what to think.’

The defense...stressed that Airman 1 never tried to stop the sexual encounter with Estacio, and one of the attorneys, Capt. Jerrold Black, asked the woman if she resisted Estacio’s advances.

‘I was too scared to,” she replied. “Sometimes when somebody’s too scared to talk, does that mean they want to do something?’

A military judge...found Staff Sgt. [Kwinton Estacio](#) not guilty of sexually assaulting [the] trainee...allowing the basic training instructor to face a maximum one-year prison sentence — rather than the 30 years prosecutors initially sought.”

Airman 1’s story is very similar to my story. I was 24 years old when I joined the military and also joined the ranks of the over half a million veterans who are victims of sexual assault in our military. I was a small town girl who had never been harmed and basically had an idyllic childhood. I did not know that this kind of behavior existed in the world, let alone in our beloved military.

I was chemically restrained and raped by my recruiter and sexually assaulted by my technical school instructor at Keesler Air Force Base. I did not report these incidents; I just sucked it up and kept my mouth shut. Why? Because I watched an airman, who is today one of my best friends, get swiftly booted out simply because she reported that one of her instructors made derogatory remarks to her during class. This girl was 19 years old. The military training managers engaged in what appeared to be a witch-hunt and looked for

anything and everything to kick her out. In the end, they were successful. Today she has severe PTSD from that experience.

As I continued on with my career with the Maine Air National Guard, I found myself in an eerily similar situation to the one I faced with the recruiter who set up the attack and raped me. My NCOIC began assigning me jobs that would isolate me so that he could make his move. He would give me the assignment then show up unexpectedly to “check in on me,” but instead forced himself on me every chance he got. Eventually, I did report these crimes. My commander did not have the authority to pursue charges against the recruiter and my technical training instructor. He did pursue charges against my NCOIC and his friend. They were charged with sexual assault. The day before the Administrative Hearing the perpetrators plead guilty. The punishment imposed by the Commander was that both were permitted to resign honorably and since my NCOIC had 18 years of service he was allowed to stay in for two more years so he could reach his twenty years. Both predators eventually received their full military benefits.

Meanwhile, my Commander was promoted and a new Commander was in charge. My NCOIC and his friend and their friends began an effort to discredit and retaliate against me. I went to a new squadron, but I was labeled as a troublemaker and my career was over.

We are hurting ourselves and society by not dealing with the fact that the current military environment provides a target rich opportunity for predators in the ranks. The predators often appear to be “great troops,” high ranking, and very charismatic and manipulative, but that is only a part of the problem.

The military justice system is broken. In my work as an advocate, it breaks my heart to see this same kind of behavior in 2013 that existed when I joined the service. I know how painful it is to be violated by another and then disregarded and thrown away, as if you are the troublemaker. It was something I never expected after reporting a crime, a felony crime. The country is losing good and valuable troops.

And we all know commanders at all levels are just as capable as their juniors of committing these offenses. Thirty-nine percent of female victims report that their perpetrator was of a higher rank and 23% report it was someone within their chain of command. We have seen too many instances where a bad command at all levels can and does end a good soldier's career. How many cases of sexual assault did General Jeffrey Sinclair, who faces a court-martial for allegedly sexually assaulting his subordinates, sweep under the rug?

And, good commanders are being placed in impossible positions. They are not trained in the modus operandi of predators, they often fall victim to their manipulation, as they are often regarded as “great troops.” This often results in commanders ignoring the problem, thereby punishing the victim. And when victims are punished, perpetrators go free and

everyone knows it to be the case -- trust, the essential ingredient to an effective, functioning military, is undermined.

The Air Force's official report on Lackland, as in other reports of previous scandals, indicates there is a failure of leadership. How many times will Congress hear from the military that its leadership has failed, before Congress institutes fundamental change to address this crisis? Meanwhile, people are suffering, people are dying, and people are becoming disabled due to the prolonged exposure to the abuse, harassment, sexual violence and retaliation by their own military family, at all levels in the chain of command.

As the scandal at Lackland continues to unfold and the Air Force's report makes clear, it is far too easy for an 18-year-old kid that joins the Air Force to be sexually abused by the one person in their life that has the most control over them. MTIs use a directive training method and that means trainees don't have an opinion. They must do as they are told; as Airman 1's Lackland experience that I shared with you highlights. That is beat into your head from the very beginning. I cannot imagine, based on my experience with predators, how trapped I would have felt if my basic training instructor abused his power and threatened me with the fact that he could end my career with the stroke of a pen. Abuse of authority exists throughout all levels of command. The trainee instructor dynamic at Lackland is but one example.

And how many of the commanders above these Lackland MTIs were complicit in turning a blind eye or simply going along to get along? How long did it last? The self-investigations always stop short. Why didn't the Air Force interview victims to determine if any of them tried to report or feared doing so and if so why?

I know that many of those Lackland victims wanted to protect their careers and did not believe they would receive a fair shake, so they remained silent. We are speaking for them. And, we are speaking for the thousands of survivors who feel the same way that I do and will continue to speak out and mobilize until individual discretion, bias and conflict of interest embedded in the military justice system is removed from the reporting, investigation and prosecution of these violent crimes.

We know all too well that this isn't just an Air Force problem. This is an Armed Services problem. Congress has the responsibility. Congress established the Uniform Military Code of Justice. And as a democratic institution, you have the sacred responsibility of civilian oversight of the Department of Defense, on behalf of the people who elected you.

We need you to face this systemic crisis within our military and fundamentally fix it.

As a survivor, an advocate, and an activist, I regularly see well-intentioned reforms fall short. Laws passed by Congress are ignored or inconsistently applied, unnecessarily

encumbered or not implemented. Recently the Military Rape Crisis Center and Protect Our Defenders worked on a case of a young airman who tried to obtain an Expedited Transfer after two assaults. For eight months, she and her parents repeatedly asked for a transfer. They were told there was no such thing, not eligible, then denied because of med hold. It was only granted after intervention by a Senator and then a member of this committee, to simply follow a law passed by Congress.

Restricted reports were legislated in the hope that more victims would confidentially come forward to receive needed medical and psychological care. No criminal investigation is initiated and no perpetrator is named. Far too often, we have been told that confidentiality is not maintained, the victim does not receive adequate support or care, and is still subject to retaliation. According to the DoD's own data 47% of service members are afraid to report, because of what happens to those who report. And of course the unintended consequence of this policy is that perpetrators remain free to repeat the crime. And when they retire these predators come to live in your neighborhoods.

The Wingman or "Battle Buddy" policy that was part of the Air Force's recommendations for fixing the Lackland scandal places the burden on the potential victim. This policy requires trainees of both genders to be accompanied at all times. The way it is structured, it becomes a vehicle for holding victims accountable for having been attacked. Air Force Sgt. Jennifer Smith, who had gone to the gym alone to exercise when she was assaulted, did not report the crime at the time. According to her administrative complaint, copies of which you all were given, "she knew that the Air Force would blame her, the victim, and reprimand her for not having a "Battle Buddy" with her at all times." We have heard many similar reports from other survivors.

According to victims and their families, victims' confidential communications with psychotherapists and other medical personnel, and their medical records, are regularly inappropriately disclosed. Their right to legal counsel provided by S1565b passed by Congress December 31, 2011 (NDAA 2012) was intended to provide legal assistance to sexual assault victims to protect their privacy and privileges in courts-martial proceedings. But currently S1565b is being misinterpreted and some JAGS are refusing to provide assistance to help victims protect their privacy rights. The Air Force recently announced it intends to correct this and provide legal assistance to victims, but there is push back from the other services. It has even been alleged that the law was only intended to assist the victim in writing the rapist out of their will or to break a lease to allow a victim to move away from the rapist.

This is clearly not what Congress intended. And the Air Force's new Special Victims Counsel (SVC) program to provide legal aid to victims is important but it will be dependent on a particular military judge's support to permit a SVC to act on a victim's behalf. And the Navy

VWAP (Victim Witness Advocacy Program) has good protections in place but many trial shops fail to use it.

Defense Secretary Panetta and many Secretaries before him have declared a policy of “zero tolerance,” yet recent DoD actions challenge that notion.

In December 2011, a federal judge dismissed a class action lawsuit (*Cioca v. Rumsfeld*) filed on behalf of 28 assault victims against the military for failure to protect them, provide justice and for the retaliation they suffered. The judge agreed with the military defense attorney’s argument that “the alleged harms are incident to plaintiffs’ (victims) military service.” Had I known that rape is dismissed by the military as an “occupational hazard,” I would not have joined.

It is a national security risk not to do something about the sexual assault epidemic. It adversely affects unit cohesion and undermines mission readiness. People’s lives, livelihoods, dreams, and careers are being thwarted, at the discretion of one person in the chain of command. Is it too much to ask for some checks and balances? Our Constitution guarantees Americans basic human rights. These rights should be extended to our military personnel.

Last year, Secretary Panetta opined that the core of the problem is a lack of convictions, which he says, “must be improved.” Yet, in September 2012, the Secretary proposed the President sign an Executive Order, which would have effectively eviscerated the Military’s Rape Shield Rule. The rule (MRE412) as currently applied is deficient in protecting victims. Protect Our Defenders took action. We wrote the President and we wrote the Secretary asking him to rescind the request. We subsequently learned it was not included in the order, but why is it that we must remain ever vigilant to protect the few rights that exist for victims in the military?

Over twenty years ago, In September 1992, according to the LA Times, “several lawmakers” in response to the Tailhook scandal “proposed stripping the armed services of their role in probing sexual molestation cases.” The patience and deference that congress and the American public have shown the Defense Department in giving it the opportunity to fix this problem, has come at great cost to our service members, veterans and ultimately to our society.

I loved serving our country. Like so many service members who are victims of this violent crime, I did not want my career ended. We ask that in 2013 you provide more oversight and leadership and no more half-measures or empty promises. The military leadership has failed me and too many of our daughters, sons, husbands, wives, friends and neighbors who only wanted to serve our country.

This crisis cannot be effectively addressed incrementally. Retired Brigadier General Loree Sutton recently said, "The only credible solution is an independent special victims unit completely outside the (unit) chain of command, under professional civilian oversight." We agree.

We ask you, as our elected representatives, please don't let this wait one day more. God bless America and our brave men and women in uniform.

NOTE: Norris personal story attached with supporting documentation

My Personal Story

TSgt. Jennifer Norris, US Air Force, retired

I am older now and I have had a lot of time to reflect back on what happened to me. And it is now evident to me that I am one of many who have experienced the same kind of treatment simply because I reported sexual assault by a fellow, higher-ranking soldier.

I was raised by a father who worked hard as a logger his entire life. He taught me early in my childhood that I was equal with my brothers. I was expected to help prepare the firewood every season, I was expected to help mow the fields, and I was included in any and all activities. I grew up in a small town and never once experienced someone trying to harm me in a violent way or discrimination based solely on my gender. I grew up with a sense of confidence and determination that I could do anything I wanted to with my life. That is the American dream, right?

I learned quickly after joining the USAF that I had stepped into a whole new world, one that eventually made me feel like I was dealing with an underground mob. Shortly after I enlisted, I was invited to a "new recruit" party. I was really excited to attend so that I could meet others who were also going through the excitement and fear of becoming a soldier. Instead I became the victim of a calculating predator who used the "party" as a way to set up his attack. And, as I commonly see in many of the cases in my work with the Military Rape Crisis Center, he used alcohol as his weapon. When he was unable to pressure me to drink, he used whatever means necessary to incapacitate his victim. When I was raped, I was chemically restrained and could not move; yet I knew what was happening to me. At Protect Our Defenders and the Military Rape Crisis Center, we frequently see this same modus operandi.

I didn't report that crime and here is why. I could not face that it happened. I didn't want to start out my military career like that and so I determined that I would never talk about it to anyone. From that day forward, I avoided the recruiter at all costs and soldiered on. I have never seen him since.

I had an amazing basic training experience at Lackland. My military training instructor was SSgt Knight and that professional NCO taught me how to be a good follower and he also believed in my leadership skills.

The majority of the people that I served with were amazing, inspiring individuals who truly were dedicated to the mission. But just like me, there are far too many who fall victim to manipulation and abuse of authority by perpetrators who are higher ranking and have

more credibility with those who are in charge. We have no choice but to acquiesce when under the leadership of a heavy fisted Chain of Command.

I was assaulted a second time at Keesler Air Force Base after Basic Training by my instructor. I was attending Satellite and Wideband Communications technical school. I was there for 6 months. While there, I learned very quickly that if you reported sexual harassment, assault, or were offended by someone's lewd and crude remarks that you will be quickly turned out of the Air Force. So, I planned to get through it, go back home and serve with the Maine Air National Guard, where I thought I would be safe. I just sucked it up and kept my mouth shut so I could graduate. I watched an Active Duty Air Force female, who to this day is one of my best friends, get swiftly booted from the military, after she reported that one of her instructor's made derogatory remarks to her during class. This girl was 19 years old. The military training managers engaged in what appeared to be a witch-hunt and looked for anything and everything to kick her out. In the end, they were successful. Today she suffers severe PTSD from this experience.

A few very significant things happened while I was at Keesler. One of the female airman that I was going to school with admitted that she had sex with her recruiter. This conversation was in the presence of another Maine Air National Guardsman who shared that the same recruiter who raped me had also sexually assaulted his cousin, who as a result did not join the military. When he explained to me how it occurred, my blood began to boil with rage because I recognized the pattern immediately. The recruiter had done the same thing to me and I determined I was going to press charges against him, when I returned home, to stop him from harming anyone else.

The Post Traumatic Stress, which I didn't realize I had, kicked in to overdrive after learning this information. I wanted to take action. I did an impulsive thing. I called up the recruiter who raped me and told him I was going to press charges against him and that I knew what he had done to another girl as well. He quickly hung up on me. My thinking was maybe just maybe he would be too scared to try this again.

About two weeks before graduation from Keesler, I was performing a maintenance loop on a mobile satellite communications van as part of the testing to move on to the next block. I had it down. I loved my job and everything stuck. For this test, we needed to step inside the enclosed satellite communications maintenance van. The instructor shut the door and stood there with his clipboard behind me while I configured the van. Shortly after starting the task, he came up from behind me, attacked me, pushed me into the wall of the van, rubbed his groin area on my body and whispered in my ear, "let me help you, let me help you." Those words trigger me to this day.

I got angry, I flipped out and pushed him away and told him not to touch me ever again. He was surprised and didn't say a word. My fight or flight response had kicked into overdrive

and my anxiety was so high that I was shaking while I finished configuring that van and waited for him to give me permission to leave the enclosed van. But, I did it. I passed the test.

Unfortunately, it did not end there. This TSgt told me to stay behind after class. Because I could not disobey a direct order without consequences, I stayed only for him to tell me that he was going to fail me for attitude even though I passed the final test. I immediately broke down and started crying. All I could say is why are you doing this to me? Why? I begged him to reconsider. He told me to report the next morning an hour before the rest of the class and he would reconsider. I did not do as ordered and I never saw him again.

Instead of going to school the next morning, I instead went to the Air National Guard liaison, who I had established a nice relationship with, and I informed her that my instructor wanted to fail me for attitude, despite passing my test. The Guard gave the TSgt. a call. He acquiesced and I was told to report to my next class. While at Keesler, I never saw him again. I did not report this crime for a number of reasons. First I witnessed first hand what happens when you report that type of behavior. Second, I was only two weeks away from graduation, and, third, I did not want an investigation launched and risk being stuck on that base with that predator. Lastly, I did not want to be stigmatized as a female who alleges sexual assault before I had even entered the operation Air Force. These fears and attitudes exist to this very day.

When I got back to the Maine Air National Guard, the recruiter was gone. He had quit his full time AGR position, which rarely happens in the National Guard. He was a MSgt and he effectively gave up his career and his retirement. He moved to North Carolina. I was so relieved that he was gone. Again, I did not report because I knew I could potentially lose my career. I let myself become excited about starting my new career. I planned on staying in for 20 plus years and despite being raped and assaulted in the first year of my career, I loved being in the military, I loved my job, and I loved being a part of a family and a team.

I thought I would be safe at the Maine Air National Guard. The Commander put me to work as soon as I got back from Technical School to help me transition back into civilian life and I totally excelled and became a superior performer. As a result, unbeknownst to me my Commander asked my NCOIC to coordinate hiring me as temporary federal technician. My NCOIC notified me and began the hiring process. I was ecstatic beyond belief and made the most money I had ever made for doing a job I loved!

Shortly after beginning my job, I noticed that the Maintenance Superintendent, also my NCOIC, and boss began treating me differently than the guys. It made me feel uncomfortable, because I didn't want the guys I worked with to be resentful. But, I also knew that I was a great troop, so I ate up all the extra responsibility that was assigned thinking he must recognize that I am a true leader. No, that was not the case at all. Eerily

similar to the recruiter, my NCOIC was beginning to set up his attack. He began assigning me jobs that would isolate me so that he could make his move. He would give me the assignment, then show up unexpectedly to “check in on me,” but instead forced himself on me every chance he got. I could not escape. The abuse escalated over time and he became more abusive the more I resisted and told him NO. His attitude was that I should be flattered that he wanted me. I was in pain. I was there to do a job, to serve my country, why must I deal with this?

The more I fought him off and begged him to stop, the more he would escalate. He regularly forced himself on me, but when I fought back, he called me names and belittled me. He would tell me that my breasts were too small and tell me that it would be in my best interest. I was too scared to report this behavior because he was the Commander’s right hand man. And in the military, rank does come with its privileges including the higher rank you are the more credibility you have with the Commander. After what happened with the recruiter and the technical school instructor, I was already fearful of rank and abuse of authority.

Meanwhile, while my NCOIC was sexually assaulting me and abusing me during the week, there was another National Guardsman, who was considered a weekend warrior, doing the same exact thing to me. I did my best to stay clear of both but they would sneak up on me when I was least expecting it. It was like it became a sick game for them. To this day, I cannot handle anyone coming up behind me or hovering near me. I watched both of them escalate while I felt powerless to do anything about it, if I wanted to save my career. After a while, they did it in front of people as well and nobody said or did anything. Why would bystanders put their career at risk for me? I felt totally isolated.

One night when my NCOIC attempted to rape me in a drunken rage, I started screaming and someone heard me. I escaped but I fell apart. I turned into an emotionless robot. I continued to do a good job but I was dying inside. My attitude began to suffer. I was looking for a way out. One day, one of the professional NCOs in our squadron approached me and said he was concerned about me. I had just received an award for Superior Performer during an Operational Readiness Exercise, but I wanted to get out and he wanted to know why. All it took was that one person showing genuine concern and care for the floodgates to open.

I immediately started crying and opened up to him forgetting that by military law, he was supposed to report any crimes that he became aware of. I begged him not to report because I was afraid that it would end my career. He told me if I did not report that he would. I then reported all four of the perpetrators to my Commander.

The Commander initially doubted me. It was not until after I provided him with proof that he raised from a seating position in anger and screamed with powerful emotion, “he

betrayed me.” The Commander then told me he had instructed my NCOIC to hire me because of my excellent work performance. We discussed the recruiter and he admitted he was confused why the recruiter suddenly gave up his career and retirement, but it all made sense to him now. All of these predators appeared to be stellar troops. All of them had histories of sexually assaulting others.

In many ways, I am one of the lucky ones, which is sad to say. My Commander believed me. He did the best he could to handle the case against my NCOIC and his friend given the complexities involved. He strove to be fair, neutral, and impartial. I was forced to leave the Squadron if I wanted to be safe, while he conducted the investigation. Because he could only investigate on Guard weekends, the case got dragged out for months. While I was isolated at Headquarters, the two predators were able to stay and inject their version of how things went down. They had all that time to convince many in the squadron that I was the bad guy. After they admitted guilt the day prior to the administrative hearing, they were both forced to leave my squadron and I was allowed to return.

Sounds like a success story right? Wrong. My Commander deemed the crimes sexual assault. When the crimes were reported to the Adjutant General for the state, it somehow became sexual harassment. Our only recourse was to file an EEO complaint. I filed the complaints against two of the four perpetrators, because we didn’t have jurisdiction over the Active Duty Air Force Technical School Instructor and the Recruiter had skipped town. I had no one assisting me.

I was contacted by the one of the perpetrator’s lawyer both on the phone and in writing. I never responded. While waiting for the investigation to conclude, I was physically attacked by a friend of one of the perpetrator’s. I pressed charges but unfortunately the civilian authorities did not pursue the case. I told my Commander and he said there was nothing he could do because it happened off base. The day before I was to go to the Administrative Hearings for the “trial” of my NCOIC and his friend both of them copped a plea. They agreed to the punishments that the Commander recommended. The Commander told me they were willing to plead guilty. He asked if I was okay with it so he could proceed with removing them from the Squadron. I was so tired and beat down by this point that I just wanted it to be over. I wanted to go back to work and resume the career that I loved. When I agreed to the terms of the punishment it caused the EEO complaint to be withdrawn. Therefore, the Maine Air National Guard either didn’t have to report the crimes at all to the Pentagon or they could report the crimes as sexual harassment.

The punishment imposed by the Commander was that both perpetrators were permitted to agree to resign in lieu of Administrative Hearings, which would have become a matter of public record. I wasn’t offered the chance to proceed with a court martial. I was glad they were gone, but the reason I pressed charges was to prevent any other woman from having

to go through this. My efforts were futile. I was told that because my NCOIC had over 18 years of service that he was allowed to stay in the military until he reached his twenty years. When he reached his twenty, he would be forced out. No sex offender record, nothing. Because we didn't have as much evidence against the other perpetrator, the National Guardsman, he was kicked out of the Maine Air National Guard and given a LOR. He was discharged honorably; he joined the New Hampshire Air National Guard. Ironically, the last time I saw him he was in charge of a training conference I was attending and he was a MSgt working at the Pentagon. Both of these perpetrators retired with full military benefits. Meanwhile, I was retaliated against by the enlisted Chain of Command.

In 2006, The NCO in the Maine Air National Guard, who had me physically beat, was found guilty of manslaughter and leaving the scene of an accident in another case. But because he had a top-secret security clearance he somehow got off. And as I went back to my squadron, I had to work with this man. I tried to pull myself together and continue with my career, but instead I was met with resistance from almost everyone I encountered. I was the bad guy, because I made the predators lose their jobs. As a cruel joke, men literally hugged the wall as I passed by pretending I might falsely accuse them of assault. I was treated like a leper. I was pulled from leadership positions. I was denied training I needed to become eligible for my SSgt stripe. I continually asked to complete my training and was called a spoiled brat, by the Officer in Charge. And I was assigned menial tasks that isolated me. By this time, the Commander who investigated the case had been promoted to Headquarters and a new Commander was in charge. He depended heavily on the enlisted chain of command and was willing to sell me out for the mission.

I felt like an outcast and people did not hide their disdain for me. I had no more fight left in me. I didn't want to give up my career, so I transferred to the Massachusetts National Guard, which was a four-hour drive one way. It was the only way to continue my career progression and promotions. I needed to remain in the same career field, at least until I was a TSgt.

I went from one snake's pit to another. My old squadron called up my new squadron and informed them that I was a troublemaker. A person, in my enlisted chain of command, shared this with me when I asked why everyone was treating me so badly. I was met with resistance from the get go, despite the fact that I was a super troop and worked very hard at my job. While serving at the Massachusetts Air National Guard, I experienced gender discrimination. I was held to double standards. If others came in late, it was no big deal. If I came in one minute late, I was getting hauled into an office for a big meeting with 3 or 4 people. My new Commander recognized my skills and considered me a subject matter expert. He even hired me during the week to help keep things running smoothly because of the multiple deployments the squadron endured after 9/11. I helped keep things running smoothly back home and continued to train all the new airmen that came into the

squadron. We had a lot of folks leave after their first deployment and the only ones left were the ones who wanted to be there. As a result, we got a lot of new airman.

My new squadron Commander recognized that I was a superior performer and promoted me to SSgt shortly after transferring to that base. The Maine Air National Guard would not give me my SSgt stripe claiming that I lacked leadership skills, despite the fact that I was an Airman Leadership School instructor, not only met the standards but exceeded them, including going to Airman Leadership School in person, unlike a lot of National Guardsman. And, I had to fight the Massachusetts Air National Guard for my TSgt stripe despite the fact that I had not only met the standards but also far exceeded them. I had become a very effective satellite communications trainer and had a record set up time. The straw that broke the camel's back was the day that my NCOIC told me that he was going to make one of the Airman that I trained the Team Chief. I had 8 years in the field, while this airman had only two. I demanded to see the First Shirt regarding this issue because I didn't want to turn this into an EEO issue.

My Chain of Command eventually acquiesced and gave me my TSgt stripe and the Team Chief position. I was the most qualified to do the job. But, this job came with big consequences. Instead of supporting me in my position, I was overworked, blamed for things out of my control, and not respected. I was left with no support or direction so I had to come in during the week and teach myself. After teaching myself, I would then create standard operating procedures to help train my troops. I always trained myself out of a job because I took serving seriously. If anything was to happen to me, I needed to have people that could seamlessly pick up where I left off.

After months of setting me up to fail they threatened to pull my TSgt stripe from me as a punishment for "substandard performance." They had been planning it for quite some time because by this time, they had the Commander on their side and I didn't stand a chance. As a result, I filed an EEO complaint against my NCOIC for gender discrimination. I chose to report informally because I had been through a formal reporting process before. I did not have the energy.

My Commander conducted his investigation and determined that my allegations could not be substantiated, but in the same breath told me that I could have anything I wanted. All I wanted was to go to my planned NCO Academy School and be transferred out of that squadron. I also no longer wanted to work for my abusive and belittling boss and refused to return back to satellite communications. Again, not a huge victory but at least I was able to escape that horribly oppressive environment. By this time in my career, I was beginning to unravel and feel completely ready to break. I decided to transfer back to the Maine Air National Guard and this time I chose a critical career field where women might be treated a little better than in the maintenance field. My boss was promoted to SMSgt shortly after.

I met my husband at Keesler while attending another training school in 2001. We finally made the commitment to one another in 2005 even though I realized I was severely damaged by the rape, sexual harassment, sexual assault, abuse, retaliation, and gender discrimination. Love is the only thing that pulled me through this relationship, because I was literally incapable of having interpersonal relationships. I was hardened, damaged, hyper vigilant, and defensive.

Because of him, I reached out to the VA when I found out that they finally were treating Military Sexual Trauma. I have been getting counseling and treatment at the VA since 2006. As a result of getting that help, I was forced to list on my security clearance form that I was receiving counseling for military sexual trauma. The security clearance folks wanted a release of information signed so they could gain access to my medical records from the VA. I signed them, out of fear. But, they then called the VA and revoked it, essentially ending my career. I did not want to jeopardize my future career opportunities because I had been labeled and diagnosed with PTSD from military sexual assault.

After being medically retired from the Air Force for PTSD due to MST, I felt like a fish out of water. I had no purpose in life. I was taking a ton of prescription medications, to help me feel less angry, depressed, and help me live without constant anxiety and fear. I felt like I had lost my life's dream and there was no reason to live anymore. I came very close to ending my own life, because I felt broken, damaged, and unsure of myself. I literally felt like I was invisible and what I thought or felt did not matter. I wanted to die because I basically got fired for being raped.

After retiring from the military in 2010, had it not been for my work with the Military Rape Crisis Center and Protect Our Defenders and organizations like SWAN, I don't know if I would be here today.

Working with veterans and active duty personnel who are victims of military sexual assault, I came to recognize that I had been shamed into silence. My fellow veterans helped me find my voice again.

If anyone ever tells you that women are the weaker sex, don't you believe it.



CAMP KEYES, AUGUSTA, MAINE 04333-0033

15 January 1999

MEMORANDUM FOR Brigadier General George Christakos

FROM: TAG, Maine National Guard
BLDG 7, Camp Keyes

SUBJECT: Appointment of Administrative Board

1. An Administrative Board is hereby appointed IAW ANGI 36-2503, paragraph 3 to determine whether the following airman should be administratively reduced in grade IAW ANGI 36-2503, paragraph 4.3, Failure to Fulfill Noncommissioned Officer Responsibilities:

TSgt [REDACTED]

2. The following members are appointed to the board:

- | | |
|--------------------------|---------------|
| A. Lt Col Michael Bassi | President |
| B. Lt Col Peter Washburn | Member |
| C. Lt Col Gerry Bolduc | Alternate |
| D. CMSgt Linda Wiggin | Member |
| E. CMSgt Deborah Smith | Member |
| F. Capt John Batherson | Recorder |
| G. Col William Dubord | Legal Advisor |
| H. SSG Keith Waye | Reporter |

3. Board members will base their decision in this matter on the applicable regulations and the evidence presented at the administrative board. They shall bring to the deliberation their experience and mature judgement free of any bias or predisposition as to whether or not the administrative reduction in grade is or is not an acceptable remedy in this matter. Specifically, the board will answer the following:

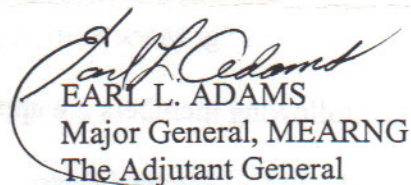
A. Did TSgt [REDACTED] sexually harass a coworker on several occasions during the time period of July to September 1998?

B. If so, did those actions constitute Failure to Fulfill Noncommissioned Officer Responsibilities?

C. If so, should TSgt [REDACTED] be administratively reduced in grade to Staff Sergeant (E-5)?

4. The board will convene on Saturday, 6 March 1999 at 1300 hours in the TAG Conference Room, Building 7, Camp Keyes, Augusta, Maine. Uniform will be Service Dress/Class A. The respondent will be referred to the board via separate correspondence.

5. Report of proceedings will be summarized and submitted to this Headquarters within five (5) working days following the board.


EARL L. ADAMS
Major General, MEARNG
The Adjutant General

cc:

LTC Peter A. Golding
Capt John Batherson
1LT Brian Molloy
101 ARW Commander
265 CBCS Commander
Board Members



CAMP KEYES, AUGUSTA, MAINE 04333-0033

15 January 1999

MEMORANDUM FOR Brigadier General Christakos

FROM: TAG, Maine National Guard
BLDG 7, Camp Keyes

SUBJECT: Appointment of Administrative Board

1. An Administrative Board is hereby appointed IAW ANGI 36-2503, paragraph 3 to determine whether the following airman should be administratively reduced in grade IAW ANGI 36-2503, paragraph 4.3, Failure to Fulfill Noncommissioned Officer Responsibilities:

MSgt [REDACTED]

2. The following members are appointed to the board:

- | | |
|--------------------------|---------------|
| A. Lt Col Michael Bassi | President |
| B. Lt Col Peter Washburn | Member |
| C. Lt Col Gerry Bolduc | Alternate |
| D. CMSgt Linda Wiggin | Member |
| E. CMSgt Deborah Smith | Member |
| F. Capt John Batherson | Recorder |
| G. Col William Dubord | Legal Advisor |
| H. SSG Keith Waye | Reporter |

3. Board members will base their decision in this matter on the applicable regulations and the evidence presented at the administrative board. They shall bring to the deliberation their experience and mature judgement free of any bias or predisposition as to whether or not the administrative reduction in grade is or is not an acceptable remedy in this matter. Specifically, the board will answer the following:

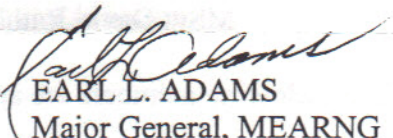
A. Did MSgt [REDACTED] sexually harass a subordinate during Annual Training in July 1998?

B. If so, did those actions constitute Failure to Fulfill Noncommissioned Officer Responsibilities?

C. If so, should MSgt [REDACTED] be administratively reduced in grade to Technical Sergeant (E-6)?

4. The board will convene on Saturday, 6 March 1999 at 0800 hours in the TAG Conference Room, Building 7, Camp Keyes, Augusta, Maine. Uniform will be Service Dress/Class A. The respondent will be referred to the board via separate correspondence.

5. Report of proceedings will be summarized and submitted to this Headquarters within five (5) working days following the board.


EARL L. ADAMS
Major General, MEARNG
The Adjutant General

cc:

LTC Peter A. Golding
Capt John Batherson
1LT Walter F. McKee
101 ARW Commander
265 CBCS Commander
Board Members

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
Military Bureau
State Headquarters, Maine Air National Guard

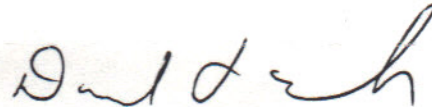
6 March 1999

MEMORANDUM FOR Major Lathrop, 265 CBCS/CC C-2 7-11 99
SRA Stowell, 265 CBCS JAS 16 MAR 99
IN TURN

FROM: HQ MeANG/CSE
Building 10, Camp Keyes
Augusta, Maine 04333

SUBJECT: EEO Complaint

1. Reference the EEO complaint submitted by SRA Stowell against TSgt [REDACTED]
2. The Assistant Adjutant General, Air has approved the following actions to resolve this issue:
 - A. Letter of Reprimand from Squadron Commander to TSgt [REDACTED]
 - B. Immediate resignation by TSgt [REDACTED] from the Maine Air National Guard.
- 3.. If these actions are an acceptable resolution to the EEO complaint, request SRA Stowell sign the attached letter and return to me as soon as possible.
4. POC is the undersigned at (207) 626-4248 dsn 476-4248 or E-Mail dmccormack@MEBGR.ang.af.mil.



DONALD L. MCCORMACK, Lt Col, MeANG
Executive Support Staff Officer

Atch:
Letter of Acceptance

cc:
Lt Col Golding, w/o Atch
Capt Batherson, w/o Atch

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT

Military Bureau

State Headquarters, Maine Air National Guard

3 March 1999

MEMORANDUM FOR Major Lathrop, 265 CBCS/CC *see sum 99*
SRA Stowell, 265 CBCS *JAS 6 MAR 99*
IN TURN

FROM: HQ MeANG/CSE
Building 10, Camp Keyes
Augusta, Maine 04333

SUBJECT: EEO Complaint

1. Reference the EEO complaint submitted by SRA Stowell against MSgt [REDACTED]
2. The Adjutant General has approved the following actions to resolve this issue:
 - A. Voluntary reduction of MSgt [REDACTED] to grade E-6 (TSgt),
 - B. Immediate resignation by MSgt [REDACTED] of full-time technician position,
 - C. Reassignment or attached MSgt [REDACTED] to a Maine Air National Guard unit not in South Portland, Maine for Unit Training Assemblies and Annual Field Training,
 - D. Agreement by MSgt [REDACTED] to retire from the Maine National Guard immediately after reaching 20 years of creditable service when service time has been verified by Headquarters, Maine Air National Guard.
3. By approval of these actions, The Adjutant General has revoked the Administrative Board scheduled for 6 March 99.
4. If these actions are an acceptable resolution to the EEO complaint, request SRA Stowell sign the attached letter and return to me as soon as possible.
5. POC is the undersigned at (207) 626-4248 dsn 476-4248 or E-Mail dmccormack@MEBGR.ang.af.mil.



DONALD L. MCCORMACK, Lt Col, MeANG
Executive Support Staff Officer

Atch:
Letter of Acceptance

cc:
Lt Col Golding, w/o Atch
Capt Batherson, w/o Atch

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
Military Bureau
265th Combat Communications Squadron (ACC), Maine Air National Guard
South Portland ANG Station, Maine

6 MAR 99

(Date)

MEMORANDUM FOR Hq MeANG/CSE

FROM: 265 CBCS
50 Western Avenue
South Portland, Maine 04106-2499

SUBJECT: EEO Complaint

I accept the actions of The Adjutant General in resolution of my EEO complaint against MSgt [REDACTED] and I hereby withdraw my complaint.

Jennifer A. Stowell, SRA
JENNIFER A. STOWELL, SRA, MeANG

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
Military Bureau
265th Combat Communications Squadron (ACC), Maine Air National Guard
South Portland ANG Station, Maine

16 MAR 99
(Date)

MEMORANDUM FOR Hq MeANG/CSE

FROM: 265 CBCS
50 Western Avenue
South Portland, Maine 04106-2499

SUBJECT: EEO Complaint

I accept the actions of The Assistant Adjutant General, Air in resolution of my EEO complaint against TSgt [REDACTED] and I hereby withdraw my complaint.

Jennifer A. Stowell, SrA
JENNIFER A. STOWELL, SRA, MeANG

LIPMAN & KATZ, P.A.
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KEITH R. VARNER
RONALD E. COLBY III
WALTER F. MCKEE
KAREN E. LIPMAN
TRACIE L. ADAMSON
JOSEPH B. CAMPBELL
(OF COUNSEL)

February 11, 1999

SrA Jennifer Stowell
7 Pleasant Street, Apt. 6
Portland, Maine 04101

Dear SrA Stowell:

As you may know, I represent MSgt [REDACTED] in connection with an allegation of sexual harassment by you. A hearing has been scheduled to take place on 6 and 7 March 1999 at which I expect you will be testifying.

Needless to say, the allegations you have made are very serious and are of great professional and personal concern to MSgt [REDACTED]. I understand you have spoken with Lt Col McCormack, LtCol Wholly, Capt Batherson as well as other individuals about your allegations. I would like to speak with you about your allegations as well.

I am more than willing to meet you at a mutually convenient time and place of your choosing to discuss these matters. You are more than welcome to have an attorney there at the meeting as well as anyone else that you might want to have there to make you feel more comfortable. In short, I am willing to accommodate you in whatever way I can if you will simply speak to me about these serious charges. I am certain that if you were in the same position MSgt [REDACTED] was, you would want the same courtesy.

Please contact me at the above address and telephone number at your earliest convenience so we can set this meeting up. If nothing else, I would at least like to speak with you over the phone about your allegations. I look forward to hearing back from you.

Respectfully,



Walter F. McKee
1LT, MEARNG
JA, Defense Counsel

WFM/kab

(1998)

Page 1 of 3

Jennifer,

I thought about our talk the other night alot! Here are my thoughts. We are all human and we have a very short time on earth. When we go, all that we have to take with us is our experiences and memories

We have choices and we sometimes make ~~the~~ wrong ones. But normally they are very few. We just tend to dwell on them to much because of our human nature.

So we should experience life and just sometimes go with our urges. What have we to lose.

Maybe just, maybe we miss out on that one ~~chance~~ chance, or one good memory of enjoyment or happiness that stays with us for life. Is it worth possibly

missing out on a good thing.

I have made some bad choices. But I wouldn't give them back if I could. They are part of me and were mostly fun.

So if you are attracted to a guy then see where it goes. Do they say, you will never know what is behind a closed door unless you open it. What if it is that one chance of happiness. Experience life no matter where it takes you.

My only regrets are my 'what ~~if~~ if's. What if I had gotten out of my car and go to that woman's car when I had that electrifying urge. I will never know. I will always wonder though.

It is not a bad thing to follow our animal instinct. Most

(1998)

Page 3 of 3

of the time it is great fun.

See ya Thursday



P.S. Live Life no Whatifs