

Angela Bapp's Testimony

House Armed Services Subcommittee on Military Personnel Hearing
"Examining the Role of the Commander in Sexual Assault Prosecutions"

April 2, 2019

Chairwoman Speier; Ranking Member Kelly; distinguished Members of the Subcommittee -- thank you for the opportunity to speak before you today as a survivor of military sexual assault. I am here to share my story and to shine light on the systemic failures that made justice impossible in my case.

I graduated in the top 3% of my class at West Point and soon after arrived at Fort Rucker, AL to begin my career as an Aviation Officer. Throughout my flight training, I became close friends with a mentor and fellow-flight school classmate of mine, who was going through a divorce. He arrived at flight school married to an officer, who was given a leadership role in our battalion. After some time, his wife became my company commander.

In a completely unrelated situation, a different flight school student sexually assaulted me. When it occurred, my classmate was the only person who I trusted enough to tell what happened to me, to discuss filing a report, and to care for my well-being. I knew that making an unrestricted report in order to hold my assailant accountable would mean that my commander would be notified and automatically involved in the matters of my sexual assault. That was enough for me to delay my reporting by several days. Despite the potential personal conflict, I trusted in her professionalism and in the system's ability to treat an issue such as sexual assault with objectivity. My trust was misplaced.

The sexual assault occurred on a Sunday, and I reported it on the following Tuesday. On Friday, I was informed that Fort Rucker's Criminal Investigative Division was investigating *me* for adultery with my commander's husband—not even three days after I reported my sexual assault.

My commander's position of authority gave her immediate access to the higher levels of my command, my prosecutor, the investigators, and my cadre members. Prior to my report, my commander contacted the prosecutor who would

eventually be assigned to my case about her personal business—seeking advice for a private investigator to investigate her husband. When her husband came forth as a witness in my case, the prosecutor linked my case to my commander's personal situation.

My commander also had a pre-existing relationship with the installation Commanding General—the two-star convening authority responsible for deciding if my sexual assault case would go to trial. She requested his audience about the matters of her divorce prior to my sexual assault investigation concluding. This too, I believe, hurt my case's ability to move forward to trial.

Unfortunately, I did not have a unit commander who was able to serve in the best interests of a sexual assault victim due to these and several other personal conflicts. The inherent conflict of interest in my chain of command made it impossible for me to have a truly objective case.

Ultimately, my case did not move forward because the system failed to provide me with a conflict-free process I deserved. As for me, I was given a General Officer Memorandum of Record, which was filed in my permanent record and effectively ended my career. A subsequent Army internal investigation into Fort Rucker found that the Command-subordinate relationship in my case showed an obvious conflict of interest which led to a lack of lower level command support for me and confirmed my complaint of feeling isolated. While the finding confirmed what I already knew, it does nothing to give me my career or life back.

I am sometimes asked what we can do together to address military sexual assaults within our ranks. First, we need to believe victims. Believing a victim does not mean charging or convicting the innocent. But the systemic fallacy of victims making false reports and accusations needs to stop. As a survivor, I was plagued by this false belief based on my personal circumstances with my commander's husband. It is absolutely disgusting and absurd that this belief is so common.

Commanders absolutely have a role in addressing sexual assault within their unit. They are still responsible for the good order and discipline, along with decency and respect that comes from their Soldiers. We need to encourage our commanders to act more, when they can, and not expect them to be professional law authorities and experts on the psychological complexities of sexual abuse.

We need to raise our commanders up to speak up, and take action when insensitive or misogynistic comments are made. And reward them when they do.

In my experience, those who utter sexually-inappropriate remarks are more likely to commit acts of sexual violence. If my assailant had been reported on the spot for every misogynistic or sexual comment, he would have been out of the Army long before he had the opportunity and access to rape me.

All I ever wanted is to serve my country, lead American Soldiers, and fly the Apache helicopter. The loss of my military career and my inability to trust larger organizations such as our military, has deeply impacted who I am today. I struggle with accomplishing even minor daily tasks, and my quality of mental and emotional health has greatly deteriorated. I deserved better, and the Army lost a warrior.

I am hopeful that my testimony here today will aid this Committee in continuing to fight the scourge of sexual assault within our ranks.

Thank you again for your time and I will be happy to answer any questions you have.