

Hearing Title: Fort Hood 2020: The Findings and Recommendations of the Fort Hood Independent Review Committee

Date: Wednesday, December 9, 2020 1:00PM

Location: Room 2118 Rayburn House Office Building

Chairwoman Speier, Ranking Member Kelly, and Distinguished Members of the Subcommittee:

Thank you for the opportunity to appear before you to discuss the findings and recommendations of the Fort Hood Independent Review Committee.

The Secretary of the Army appointed five members who join me today, Jonathan Harmon, Carrie Ricci, Queta Rodriguez, Jack White, and myself as Chairman, to the Committee in July of this year. The Committee Members have broad expertise with organizational dynamics, the law, and government investigations, and a combined 75 years of experience as active-duty military and law-enforcement personnel.

The Committee was directed by the Secretary of the Army to “conduct a comprehensive assessment of the Fort Hood command climate and culture [], and its impact, if any, on the safety, welfare and readiness of our Soldiers and units.” In addressing this mandate, the FHIRC determined that during the time period covered by the Review, the command climate relative to the Sexual Harassment/Assault Response and Prevention (SHARP) Program at Fort Hood was ineffective, to the extent that there was a permissive environment for sexual assault and sexual harassment.

The Committee’s Report sets forth specific Findings which demonstrate that the implementation of the SHARP Program was ineffective. During the review period, no Commanding General or subordinate echelon commander chose to intervene proactively and mitigate known risks of high crime, sexual assault and sexual harassment. The result was a pervasive lack of confidence in the SHARP Program and an unacceptable lack of knowledge of core SHARP components regarding reporting and certain victim services. Under the III Corps SHARP Program, the Sexual Assault Review Board (SARB) process was primarily utilized to address administrative and not the actual substantive aspects of the Program. While a powerful tool by design, the SARB process became a missed opportunity to develop and implement proactive strategies to create a respectful culture and prevent and reduce incidents of sexual assault and sexual harassment. From the III Corps level and below, the SHARP Program was chronically under-resourced, due to understaffing, lack of training, lack of credentialed SHARP professionals, and lack of funding. Most of all, it lacked command emphasis where it was needed the most: the junior enlisted ranks.

A resonant symptom of the SHARP Program’s ineffective implementation was significant underreporting of sexual harassment and sexual assault. Without intervention from the NCOs and officers entrusted with their health and safety, victims feared the inevitable consequences of reporting: ostracism, shunning and shaming, harsh treatment, and indelible damage to their career. Many have left the Army or plan to do so at the earliest opportunity.

As part of the command climate, the issues of crime and Criminal Investigation Division (CID) operations were examined. The Committee determined that serious crime issues on and off Fort Hood were neither identified nor addressed. There was a conspicuous absence of an effective risk management approach to crime incident reduction and Soldier victimization. Despite having the capability, very few tools were employed at Fort Hood to do so. Both the Directorate of Emergency Services (DES) and the CID have a mandate and a role to play in crime reduction. Each contributed very little analysis, feedback and general situational awareness to the command toward facilitating and enabling such actions. This was another missed opportunity.

The deficient climate also extended into missing Soldier scenarios, where no one recognized the slippage in accountability procedures and unwillingness or lack of ability of NCOs to keep track of their subordinates. The absence of any protocols for Soldiers who fail to report resulted in an *ad hoc* approach by

units and Military Police (MP) to effectively address instances of missing Soldiers during the critical first 24 hours, again with adverse consequences.

Consistent with the FHIRC Charter, the Report sets forth nine Findings and offers seventy Recommendations. The Findings of the Committee discuss: (i) the ineffective implementation of the SHARP Program at Fort Hood, due to a command climate that failed to instill SHARP Program core values below the Brigade level; (ii) evidence that incidents of sexual assault and sexual harassment at Fort Hood are significantly underreported; (iii) the structural flaws of the Army SHARP Program; (iv) the inefficiencies of the CID that adversely impacted accomplishment of the CID mission at Fort Hood; (v) the mechanics of the Army's adjudication process involving sexual assault and sexual harassment which degraded confidence in the SHARP Program; (vi) the deficiencies of the Fort Hood Public Relations & Incident Management; (vii) the lack of established protocols and procedures for first line supervisors regarding identification of "failure to report" situations that might involve missing Soldiers and defining appropriate actions in the critical first 24 hours; (viii) the fact that the criminal environment within surrounding cities and counties is commensurate with or lower than similar sized areas, however, there are unaddressed crime problems on Fort Hood because the installation is in a fully reactive posture; and, finally (ix) the permissive nature of the command climate at Fort Hood related to sexual harassment and sexual assault.

Based on these Findings, set forth in greater detail within the Report, the FHIRC provided Recommendations regarding: (i) the structure of the SHARP Program; (ii) implementation of the SHARP Program; (iii) legal components of the SHARP Program; (iv) reporting after SHARP allegation adjudication; (v) Fort Hood and U.S. Army Criminal Investigation Command (USACIDC) command issues; (vi) missing Soldier protocols; (vii) crime prevention and response; (viii) command climate issues, and, (ix) installation public relations and incident management. The seventy Recommendations are set forth in full at the end of the Report for further consideration.

The FHIRC acknowledges the military's time-honored role in protecting the security of our Nation. The sacrifices made every day by Soldiers and their families deserve unwavering respect and gratitude. Each member of the FHIRC accepted this appointment with the intention and hope of supporting the mission and well-being of our brave Soldiers. Soldiers assaulting and harassing other Soldiers is both corrosive to esprit de corps and contrary to good order and discipline. Worse, it is contrary to Army Values. The Findings and Recommendations contained in the Committee's report are offered in the spirit of constructive improvements, not to provide a basis for punitive actions.

That concludes my statement and as the Chair of the FHIRC, I welcome the opportunity to field any questions, and will direct them to the appropriate Committee Member as necessary, to ensure the Subcommittee receives fulsome responses.