

Subcommittee on Military Personnel Hearing:

“The Military’s MeToo Movement: An examination of sexual harassment and perceived retaliation in the DoD and at Fort Hood.?”

Testimony Submitted to:

House Armed Services Committee
United States House of Representatives
116th Congress

Testimony Submitted by:

Lucy Del Gaudio, US Army Veteran

Good morning Chairwoman Speier, Ranking Member Kelly, and Distinguished Members of the Committee,

My name is Lucy Del Gaudio, I am an United States Army Veteran, and Veteran Advocate, and a member of a coalition of thousands of women and gender diverse veterans seeking justice for Vanessa Guillén and systemic change for survivors. I served from 1990 - 1998 on active duty and as a reservist. My veteran advocacy work focuses on survivors of military sex crimes, predominantly women who have experienced sexual harassment and assault during their military service or when attempting to receive care at the VA, primarily in the State of New Jersey. Thank you for allowing me to contribute to the work you are doing to address the crucial issues raised in the epidemic of sexual harassment, assault and retaliation.

I was born and raised in Union City, New Jersey to Cuban/Puerto Rican parents. After my father passed away in 1989, my mother could not afford two daughters in college; therefore, I followed in my brother's footsteps and enlisted in the Army so I could attain college funding and to possibly pursue a full military career. I am just one of many in the minority veteran community to follow this path. We seek to create a legacy, to create equity, and to serve our country as the patriots that we are. For many of us, this was also the only way to break the cycle of poverty. My eldest brother was my recruiter and I left for basic training in August of 1990.

If I had one word to describe my military service it would be : TARNISHED. The rose-colored glasses my bright-eyed 18 year old self wore to basic training quickly dimmed. I experienced first hand how racial slurs and sexual innuendos were fundamental training tools by both male and female drill sergeants. Even trusted mentors would affirm to me that this was "just part of military culture", it was the cost of entry.

In 1992, at my first overseas duty station, I was sexually assaulted by a higher ranking NCO. I reported my assault to my Chain of Command, as this was my only option for reporting, and nothing was done. I was told that any pursuit for justice and accountability would ruin his career; additionally, who would believe that I didn't consent to having a sexual engagement with him. Despite the fact that I was a highly motivated soldier who was good at my job, retaliation still impacted my career. I did not speak openly about my military service or my assault until 2015.

What's so incredibly disheartening is that the system has made little tangible change since my own assault.

It's like a broken record. 27 years ago, the same year I was assaulted, my mentor, Diana Danis, testified before the Senate Armed Services Committee about this very same topic. The disbelief over the issues of rampant sexual assaults throughout the military is similarly shared during my testimony today. She and others made it clear that Tailhook was just the tip of the iceberg. Today, I testify before you, 27 years later, working tirelessly with a powerful grassroots movement that has coalesced in the fight for justice for Specialist Vanessa Guillén, a 20 year-old soldier with her whole life ahead of her that should not have died. Through my advocacy work, I have heard some of the most heart wrenching stories. Stories of harassment and assaults, from 1976, 1992, 2020, and everything in between. They all have common themes, no matter what the year - these rapes and assaults were about dominance and control and survivors did not feel safe to report. Over the years, I've come to understand that women don't report because they fear for their safety, they fear what the future looks like for them, and they fear retaliation - I've come to see my own story among them.

We've seen report after report that all point to the pervasive nature of sexual assault and harassment. Nearly every year, these same reports have pointed to a rise in the number of cases, yet, what we don't see are just how many cases go unreported.

Who are the people not in the reports? They are Privates, Specialists, Sergeants, Chiefs, Lieutenants, Captains, Commanders. They are the ones who do not feel safe to report. They are Vanessa Guillén. They are unaccounted for because it is too dangerous to report sexual assault and rape. They are unaccounted for because reporting sexual assault with no safe reporting mechanism, no protection for victims, and no accountability for perpetrators is dangerous, sometimes deadly.

The recent murder of Vanessa Guillén was just one recent case in a long line of issues emerging out of Fort Hood. The base has become a hot spot because it is one of the biggest military installations in the world, it is remote and spread out, and because it is being recklessly run with no regards to personnel. It doesn't help that the laws only help criminals remain in power and in service. This year, 23 soldiers stationed at Fort Hood have died or been found dead, of which four were homicides, seven suicides, and just one in combat. It has to leave us all with the question, what's happening at Fort Hood?

As I've been preparing this testimony, I have received several stories from survivors who experienced sexual assault and harassment at Fort Hood but did not feel safe to report. These stories are contained in the appendix of this document and have been redacted to maintain anonymity of survivors. With each story, I find myself more heartbroken than I was to continue to read these words that have become all too familiar-

"My mom & aunt pressured me to say something but I didn't." "CID closed my case without notifying me. He got off with just an assault charge and later was promoted. I was pushed out for not getting over what happened to me. The triggers never really go away, they just lessen with time."

The reality of the issue is that the culture of our military has created this problem. Victims are expected to provide examples of the events so the accuser and their supporters can prove that harassment and assault was not that "bad". Victims that come forward must defend their reputation and their own dignity while a system that is designed to protect predators tears them apart for sport.

The culture of power and control creates and molds toxic leadership. This system is so static, it is a gorilla glued to the floor of the basement. We can't even see the glass ceiling when it comes to the eradication of sexual harassment and sexual assault in the military. If this is going to change, the Department of Defense must take this issue seriously. Zero tolerance must mean zero tolerance for everyone, no matter your rank or title, no matter who you are friends with or who you know. Military justice must be swift and it must be just. Commands can no longer hide behind aggregated data in order to avoid disciplinary action.

As a coalition of thousands of women and gender diverse veterans, we believe Congress should take the following first steps to address components of the issue of military sexual trauma:

1. Open a Congressional investigation into the death of SPC Vanessa Guillén. As a matter of security as well as of retention and recruitment. Send a Congressional contingency to Fort Hood to review the facilities for yourselves. You can no longer take their word that they are able to carry out justice.
2. Enact the Military Justice Improvement Act, (MJIA) and implement Congressional oversight. There is growing consensus that we cannot in good conscious encourage young women to enlist in a military that treats sex crimes and harassment as an occupational hazard. Commands have proved time and time again that they are not capable

of investigating themselves and bringing abusers to justice. Congress must intervene and continue to monitor progress on this issue.

3. Eliminate grey areas - and Amend Title 10, Article 134 to include sexual harassment and include technological abuse in definitions of MST.
4. Hold offenders accountable via creation of a military sex offender registry, transfer all convicted offenders to the the national civilian sex offender registry once discharged, and require DNA of all convicted offenders to be integrated with the FBI's Combined DNA Index System (CODIS). The DoD's CATCH Program is built on the faulty assumption that someone must already have been sexually assaulted for it to be an effective tool. It does nothing to preempt or deter.
5. Reinvestigate all cases of servicewomen murdered or who disappeared, to ensure families gain the full benefits to which they are entitled from wrongful deaths.
6. Require all future DoD annual reports to include data disaggregated by post to identify problem posts for readiness and compliance issues. Commands like Fort Hood should not be able to hide behind aggregate data in order to skirt discipline and remain operational. Our soldiers are our greatest assets and soldiers like Vanessa are not expendable. Keeping bases like Fort Hood open is a danger to our service members and, ultimately, to our national security.

I thank you for the opportunity to appear before this committee.

Respectfully Submitted,

/s/

Lucy Del Gaudio

US Army Veterans

Appendix

The following are stories collected from service members, veterans, military partners, and more stationed at Fort Hood. These stories have been redacted to protect the individuals who have shared.

Statement 1

Hello,

My name is H.R.. I live right outside of Ft Hood, Texas. I have supported the US Army for over 20 years as the wife of an enlisted soldier, then retired veteran.

While patronizing the VFW 9191 in Killeen Texas, I received my 1st drink directly from the bar and soon afterwards started having symptoms of being drugged. I reported this incident to the Killeen police department. I was instantly labeled a troublemaker. I was severely retaliated against by both, the high ranking military officials at the VFW, and the detectives from the police department that investigated the case. Shortly afterward I was targeted, lured away, from home by an ex soldier who I came to find out, has close ties with this establishment. His name is J.E. Sr.

In May of 2016, during the Memorial day weekend, J. E. repeatedly drugged me over a 3 day period. During this time, he both sexually, and physically assaulted me. After keeping me high for 3 days, he then returned me to my vehicle and released me onto the Texas highways to drive the 3 hours back home. I was really suppose to have died that evening and been counted as another stupid holliday fatality.

My story ends like thousands of other victims of rape and re-victimization.

This movement is to bring awareness to Vanessa Guillén and the many murdered and sexually assaulted active military. So I dare not fraudulently occupy the space of our heroes.

My intention is to expose and supply the blueprint that is used to facilitate and cover these murders, rapes, and assaults. I have spent years gathering and secretly recording this evidence. This is a local operation that is being practised by these people who are in power. Both civilian (police) and military, conspiring and covering these assaults and murders as the need arises.

I am offering to supply authorities with secretly recorded audio, video, emails, text messages and investigative reports etc. to prove all of these facts. Evidence will undeniably show the history of high level participation. To include the chief of police, and the commander of the criminal investigation division, as well as the military involvement in these criminal and corrupt cover ups.

It is IMPOSSIBLE to gain truth, honesty, and transparency, if you're expecting it from the very people who are working together to distort it.

Thank you.

Statement 2

"My first & last duty station. Fort Hood. 163rd MI BN. 20 years old. November 2, 2010. He was someone I thought I could "trust". Acquaintance Rape is a thing...but I guess because I "knew" him NO didn't mean no in his eyes. I tried to take care of it without the unit knowing. Went to R&R for having panic attacks when I would see him..he worked next door from my unit..& I'd see him at the DFAC. My close friends knew something was wrong with me, but I didn't want to create any trouble, you know..just wanted to suck it up and drive on. My mom & aunt pressured me to say something but I didn't. Just wanted to be the soldier I signed up to be. I began to drink heavily to numb what I was feeling..which led to suicide attempt #1..on my 21st birthday.

Finally I was able to get appointments to handle my mental health..but my supervisor told me I had to cancel them because going to field took priority over my medical appointments. Panic attacks. Psych ward visit #1. NCOs came to "visit" and then went back to the unit and talked shit to everyone about me being there. Even spoke about my sexuality to the only senior Female NCO who wanted to help me in an effort to deter her. My story goes on and on with 2 more hospital stays, meetings with IG, EO, calls to III Corps Command Sergeant Major at that time, and to whomever would listen. CID hearing him on the phone saying he remembers the night I said no to him & also him falsifying an official statement. Upper leadership at 504th BFSB unlawfully viewing sworn statements in the JAG office. The Battalion Sergeant Major telling me, "I'm sorry you were raped BUT you're needed down range" with my unit that would have happened to be attached to this mans unit. CID closed my case without notifying me. He got off with just an assault charge and later was promoted. I was pushed out for not getting over what happened to me in the Army's time. The triggers never really go away, they just lessen with time. I pray that Vanessa is brought home and all the Women who are silently suffering find peace. #IAMVANESSAGUILLÉN " - J.L.