

**Statement of BG Evelyn P. Foote, USA (Ret.), Provided to the
Response Systems Panel (SRP) on January 30, 2014**

I appreciate this opportunity to provide the Sexual Assault Response Panel with some thoughts about a new approach the services can employ in successfully resolving widespread, persistent and corrosive problems of sexual assault which continue to be perpetrated against military men, women and some civilian employees serving in all components of the armed forces. What is apparent to all is that the present efforts and directions by military leaders to end the sexual assault of men and women in uniform have repeatedly failed.

By way of introduction, I am BG Evelyn P. Foote, a retired Army officer who in her 30 years of active duty was privileged to command troops at the company, battalion, brigade and major Army installation levels. As a captain, I commanded the Women's Army Corps (WAC) Detachment at Fort Belvoir, Virginia, 1964-1966. During these years WAC officers could only command Army enlisted women who were undergoing basic or advanced Army training at Fort McClellan, Alabama, or who were assigned at Army installations in the United States or overseas. Women officers were not authorized to command men in combat support or combat service support units until the mid 1970s.

In 1978 and 1979, I commanded the Second Basic Training Battalion at Fort McClellan and had the pleasure, along with the First Basic Training Battalion Commander, of converting our battalions from all-female training units to integrated basic training commands.

After a three-year tour of duty as a faculty member at the US Army War College, followed by a year of German language training, I assumed command of the 42d Military Police Group in Mannheim, Germany. At the end of this tour, I was assigned for a year on the staff of the 32d Army Air Defense Command, was " frocked " to serve as a brigadier general, then reassigned to the DA Office of the Inspector General for worldwide inspections. Less than two years later. I was sent to Fort Belvoir to oversee the transition of that post from a TRADOC command training Army engineers to an installation under the command of the Military District of Washington (MDW). Concurrently, I became the Deputy Commanding General of MDW and the Commander of Fort Belvoir on 1 October 1988.

I do not tell you this to highlight my interesting career. I tell you this to emphasize the fact that I served in the Army in turbulent decades of social change, with Army women assigned to a large number of roles previously closed to them. We were fighting a most unpopular war in Vietnam and trying to manage vast changes in not only the numbers of women who would serve in our ranks but equally great changes in how women soldiers, from 1973 forward, would be recruited, trained, housed, utilized and assigned. In that year, the draft ended and the All Volunteer Force began with the premise that a far greater number of women would be serving in the Army's active and reserve components.

Earlier in my career, from April 1974-76, I was the WAC Staff Adviser to the US Forces Command Commander, Fort McPherson, GA. My task was to travel to posts, camps and stations throughout the United States and offer my assistance to commanders who were receiving large numbers of Army women, trained in new occupational specialties formerly closed to women, and destined to be assigned to previously all-male units: units which had no experience in the command and management of Army women. To further complicate the matter, the WAC companies and detachments were being deactivated without plans being in place to house the unexpected and uninvited women in their new units of assignment.

These were chaotic months, to say the least. The rapid expansion in the numbers of women being assigned throughout the ill-prepared force was an exceedingly disruptive experience for both the Army's men and women. Few of the men had ever been assigned to units to which women were assigned. Changes underway and planned were literally changing the Army's culture in profound ways. And, the Army did little to prepare the troops and the environment for such momentous change.

I am convinced that had the Army taken the time to develop its plans for the significant increase in the numbers of women in service; had it taken time to prepare the environment and the troops for the change underway, the rapid integration of women throughout the force would have fared far better. The logistical problems of not having the uniforms, trainers, facilities, and most importantly, the essential housing in place to accommodate such radical change in the Army's social order needed time and space for solution. It had neither in the hurry up to offset the loss of draftees to "man the force". Many of the hostilities bred between the men and women had their origins in these difficult times. The constantly increasing incidents of sexual assault throughout the Army bred in many men feelings of distrust towards the women in their units or with whom they served. Many stated their fear of being alone with women in the workplace, feeling vulnerable to being unfairly charged with some form of sexual misconduct. Numerous commanders told me that they would not choose women to be their aides or drivers, applying the same rationale.

Many of the statements in the paragraph above were crystallized in the fall of 1996. The Secretary of the Army recalled me to active duty to serve as the Vice Chair of his Senior Review Panel on Sexual Harassment which was formed to travel throughout the Army to assess the condition of the Army's human dimension of readiness. The sexual assault scandal which broke at Aberdeen Proving Grounds, MD that fall was the catalyst for

action. Similar incidents of sexual misconduct or assault were also surfaced at several other training centers. The Panel, with its 40 officers, NCOs, and a squad of Army behavioral scientists, trained and then dispersed on assignment throughout the Army, in the US and abroad, to measure the human dimension and the extent of sexual harassment evident in the force.

I traveled with Panel teams to divisional posts and training centers in the US, then to the Far East. Extensive unit surveys involving over 35,000 soldiers; focus group discussions by the hundreds; meetings with leaders wherever we visited, unscheduled talks with many other soldiers and surprise visits to barracks were the order of the day. The Panel's report in two volumes was delivered to the Secretary of the Army and the Chief of Staff the first week in July 1997. It's findings and recommendations in their entirety are found on the internet. In a nutshell, soldiers told the Panel that the EO Program did not work; that sexual harassment was found throughout the Army but sexual discrimination was a larger problem; most drill sergeants were competent but respect as an Army value was not embedded in many units. Most critically, the Panel found leadership failures at all levels in pursuing justice for sexual assault victims and in establishing command climates where respect and dignity were accorded all soldiers in the units.

Numerous recommendations for improving the training environment were presented, and many of these were accepted, to include strengthening the process used to select and train drill sergeants and instructors. The basic training program was lengthened by one week and instruction to reinforce the Army's core values, ethics and traditions was introduced. Staffing of key training leadership positions was increased, and an effort to assign more experienced officers and cadre was made. But, none of these changes were set in concrete. With the passing of time and heightened requirements to resource units in Iraq and Afghanistan during wartime, the resourcing of the training base slipped backwards in many ways.

In the 16-plus years since the Senior Review Panel report was published, there have been 18 or more additional task forces or studies which have focused on the unending escalation of sexual assault cases in the armed forces. This problem continues to grow in its severe impact, it's corrosive effect on unit readiness throughout the force. And, the problems so forcefully highlighted in the 1997 Senior Review Panel Report persist today.

I have spent over half a century in Army uniform and as a retiree working to find solutions to persistent problems which harm the state of readiness of our force and endanger the welfare of our military men and women. Dysfunctional military policies which impede the full professional development and utilization of our soldiers are one area continuing to require command action and attention. Unresolved and unpunished acts of sexual assault directed against our men and women in uniform is another. Our institutional inertia and too-frequent unwillingness to employ solutions " out of the box " are major contributors to our unacceptable rate of success in processing such cases.

I am a firm believer in utilizing the military chain of command to lead, develop and employ our armed forces in times of war or peace. I also believe that it is our responsibility to identify and take action to modify links in the chain of command which fail in the successful execution of their missions. In this case, the flawed link which must

be changed is the link dictating the successful disposition of military sexual assault cases.

The legislation proposed by Senator Kirsten Gillibrand- The Military Justice Improvement Act - deserves our careful, logical and unemotional attention. I fully recognize that her proposal to remove the adjudication of sexual assault cases from the chain of command in which the accused and the accuser serve carries with it many complex issues to resolve. Placing such cases in the hands of independent, senior members of the Judge Advocate General Corps does, however, have a great deal of merit. I personally support this innovative, pioneering effort to find a workable solution to a problem that defies military solution. As a commander of soldiers throughout my career, I would have welcomed the wise counsel and action of independent legal experts in determining the resolution of sexual assault cases. I am convinced that military justice will be far better served this way.