



November 24, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President,

In a speech you gave in May 2013, you said, “For those who are in uniform who’ve experienced sexual assault, I want them to hear directly from their commander in chief that I’ve got their backs.”

The time has come for you to make good on your word.

Over the past year, the American public has been sickened by countless sexual assault scandals in our Armed Forces. An [Associated Press investigation](#) this past February revealed that service members committing sexual assault were receiving no punishment and commanders were failing to prosecute sexual assault cases at U.S. Military bases in Japan. **The AP “found the handling of allegations verged on the chaotic, with seemingly strong cases often reduced to lesser charges.** In two rape cases, commanders overruled recommendations for a court-martial and dropped the charges instead.” The investigation also found that, “Even when military authorities agreed a crime had been committed, the suspect was unlikely to serve time.”

We have seen that [commanders are either unwilling or unable](#) to protect victims of rape and sexual assault in the military. Mr. President, we need to enact fundamental reform and fix our broken military justice system. **Your rapists’ boss should not decide whether to prosecute a sexual assault allegation, or handpick the jury for these sensitive cases.**

More recently, we have seen scandals at both military bases and on military academy campuses.

In September 2014, an Army Staff Sergeant at [Fort Leonard Wood was found guilty](#) of four counts of sexual assault and six counts of abusive sexual contact. During sentencing testimony, one of his victims said that a Lieutenant Colonel had told her and other trainees not to report if they were sexually assaulted. “I have issues of trusting those who are in charge of me,” she said, after being told, “not to make any more allegations.” **Another female service member testified under oath that she and others were told by their Sergeant Major that their company would not graduate “if any more sexual assault cases” were reported.**

Just this past month, both [ABC News](#) and [ESPN](#) aired investigations into allegations of sexual violence involving members of the Air Force Academy football team, and what happened to those who tried to blow the whistle. Air Force investigator Special Agent (SA) Brandon Enos, and Eric Thomas, a cadet informant, were retaliated against after their work led to the first successful prosecutions of sexual assault at the Academy in over a decade. After helping to successfully prosecute the cases, SA Enos was transferred out of the academy and forced out of the Air Force. Cadet Thomas was expelled for actions related to the undercover work he did during the investigation.

Mr. President, these are only a few examples of over 30 scandals reported on by the media in recent months. And tragically there are so many others that never become public. Through our [Pro Bono Legal Network](#), we continue to hear daily from victims who are facing retaliation for coming forward, and who are having their confidential therapy and counseling records handed over to their rapists in court. In the rare instance where a case does move forward to trial and there is a conviction, we have watched as perpetrators receive a slap on the wrist, while the victims struggle to recover and maintain their careers. By the Pentagon's own numbers, 60% of those female victims that have come forward experienced retaliation. These victims often tell us they feel betrayed, and wish they had never reported at all. It is clear that Pentagon leadership continues to treat this crisis as a public relations problem.

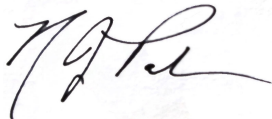
The cost to our nation and our brothers and sisters who pledged to protect our rights of equality and justice for all continues to accumulate. The suffering of these brave men and women is unimaginable for those of us who have not been subjected to this broken system.

As Commander-in-chief, you repealed the military's discriminatory "Don't Ask Don't Tell" policy and praised the Department of Defense for lifting restrictions on women in combat roles. You said that both of these policy changes would strengthen our national security, increase military readiness, and, bring us closer to the principles of equality and fairness that define us as Americans.

Fixing the broken military justice system is another critical step in realizing those goals.

As the Commander-in-chief, you have the power to end this national disgrace. It is time that you took steps to do so. Service members deserve justice equal to the system afforded to the civilians they protect. A system based on evidence and the rule of law not a Commander's personal opinion.

Sincerely,



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