

CS FOR SENATE JOINT RESOLUTION NO. 20(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/28/14

Referred: Rules

Sponsor(s): SENATORS WIELECHOWSKI, French, Gardner, Dunleavy

A RESOLUTION

1 **Urging the United States Congress to pass legislation that requires that a decision to**
2 **take a charge of sexual assault arising in the military to court martial be made by high**
3 **ranking and experienced military prosecutors outside the chain of command, and takes**
4 **the process of investigating and prosecuting sexual assault in the military outside of the**
5 **complainant's chain of command.**

6 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 **WHEREAS**, according to the United States Department of Veterans Affairs, about
8 one in five women and one in 100 men who have served in the military report having
9 experienced sexual trauma while serving in the military; and

10 **WHEREAS**, according to the United States Department of Defense, Sexual Assault
11 Prevention and Response Office, 71 percent of victims of military sexual trauma are under 24
12 years of age and of lower ranks; and

13 **WHEREAS**, according to a recent study by the United States Department of Defense,
14 more than 26,000 sexual assaults were committed in the military in 2012 alone, and of these,
15 fewer than 3,000 were reported, 880 were filed, and only 302 went to trial, with a 79 percent

1 conviction rate; and

2 **WHEREAS** women and men who are victims of sexual assault while serving in the
3 military are more likely to suffer from post-traumatic stress disorder, and 40 percent of
4 homeless women veterans are victims of military sexual trauma; and

5 **WHEREAS** it is almost impossible to guarantee that reports of sexual assaults will
6 stay confidential while passing through the chain of command; and

7 **WHEREAS** victims fear that their reports of sexual assault will be cause for
8 punishment, and the threat of retaliation is enough to silence many victims; 62 percent of
9 victims who reported their sexual assaults experienced some form of social, administrative, or
10 professional retaliation within their units; and

11 **WHEREAS** a defined reporting system outside military command is needed to
12 provide a secure and confidential atmosphere; and

13 **WHEREAS** National Guard and Reserve forces who experience military sexual
14 trauma should also be able to receive care for military sexual trauma from the United States
15 Department of Veterans Affairs facilities at no cost; and

16 **WHEREAS** the need to treat military sexual trauma does not end with discharge of
17 the victim from the military, but requires intensive mental health counseling to allow the
18 healing process to progress; and

19 **WHEREAS** victims of military sexual trauma may experience depression, anger,
20 irritability, numbness, difficulty falling or staying asleep, nightmares, difficulties with
21 concentration and memory, drug and alcohol abuse, isolation, difficulty maintaining
22 relationships, and physical health problems; and

23 **WHEREAS** many national veterans organizations, including the Iraq and Afghanistan
24 Veterans of America, Service Women's Action Network, Viet Nam Veterans of America, and
25 Protect Our Defenders, and women's organizations, including the National Women's Law
26 Centers support a new reporting system for victims of military sexual trauma; and

27 **WHEREAS** an obvious and overwhelming need exists for an overhaul within the
28 military to address the plague of military sexual trauma and its aftermath;

29 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
30 Congress to require that the decision to take a charge of sexual assault arising in the military
31 to court martial be made by high ranking and experienced military prosecutors outside the

1 chain of command, which will create a confidential reporting process and give victims of
2 military sexual trauma the justice they deserve; and be it

3 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
4 Congress to pass meaningful legislation that takes the process of investigating and
5 prosecuting sexual assault in the military outside of the complainant's chain of command.

6 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
7 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
8 President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of
9 Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the
10 Honorable Chuck Hagel, United States Secretary of Defense; and the Honorable Lisa
11 Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young,
12 U.S. Representative, members of the Alaska delegation in Congress.