

Raped in the Military? You'll Have to Pay for Your Own Forensic Exam Kit

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Sarah Palin's decision not to pay for rape kits when she was mayor of Wasilla, Alaska, was an issue in the campaign for the White House. But allow me to introduce the large pink elephant that has been sitting quietly in the corner of the room: TRICARE, the Pentagon's Military Health System that covers active duty members, *doesn't pay for rape kits, either.*

Spec. Patricia McCann, who served in Iraq with the Illinois Army National Guard from 2003 to 2004, raised the issue at the Winter Soldier Investigation in March. McCann read a memo issued to all MEDCOM commanders clarifying that "SAD kits" -- which are forensic rape kits -- "are not included in TRICARE coverage." *

That would put Alaska and the military in a very special category.

Women in the military are twice as likely to be raped as their civilian counterparts. In fact, "women serving in the U.S. military today are more likely to be raped by a fellow soldier than killed by enemy fire in Iraq," Congresswoman Jane Harman, D-Calif., told the House Subcommittee on National Security and Foreign Affairs in May.

Harman said, "The scope of the problem was brought into acute focus for me during a visit to the West Los Angeles VA Health Center where I met female veterans and their doctors. My jaw dropped when the doctors told me that 41 percent of the female veterans seen there say they were victims of sexual assault while serving in the military, and 29 percent said they were raped during their military service."

In July, a House Oversight and Government Reform subcommittee hearing subpoenaed Kaye Whitley, director of the Pentagon's Sexual Assault Prevention and Response Office (SAPRO), to explain what the department is doing to stop the escalating sexual violence in the military. Her boss, Secretary of Defense Robert M. Gates, ordered her not to appear.

Whitley was finally made available to the committee on Sept. 10, but only after

having been threatened with a contempt citation.

Whitley first informed the committee that the DoD was conducting a "crusade against sexual assault."

She then sought to reassure the committee with an accounting of all the heroic measures the Pentagon is planning to implement in the very near future.

But finally, she had to admit that in 2007 there were 2,688 sexual assaults in the military, including 1,259 reports of rape. Just 8 percent (181) of those cases were referred to courts martial, compared to a civilian prosecution rate of 40 percent. And almost half of those cases were dismissed without investigation. (And I say Whitley "had to admit" the number of cases because in 2004, Congress woke up to the fact that the DoD was blowing off the issue and required the military to make yearly reports on all matters relating to sexual assault in the Armed Forces. But those reports did not indicate either prioritizing or progress -- hence the hearings.)

Rep. John Tierney, D-Mass., asked the committee if anyone thought that "ordering its employees to ignore subpoenas to discuss the topic" sounded as if DoD was taking any of this seriously. "Let me be very clear. Preventing and responding to sexual assault perpetrated against our soldiers is simply much too important to be playing a game of cat and mouse." He later told *Stars and Stripes* that there are only seven people on Whitley's staff to devise and implement the military's sexual assault program for the entire military. That number speaks for itself.

This is not news. As far back as 1995, Reuters reported that "Ninety percent of women under 50 who have served in the U.S. military and who responded to a survey report being victims of sexual harassment, and nearly one-third of the respondents of all ages say they have been raped."

Furthermore, the Pentagon acknowledges that 80 percent of military rapes are not reported in the first place, suggesting that the actual number, if it were known, would be astronomical.

Cat-and-mouse games may sound like kid stuff, but refusing to pay for a rape kit is anything but. It implies that the victim is to blame. It does not encourage victims to come forward. And it makes it far more likely that soldiers will interpret the permissive climate as institutionally sanctioned misogyny.

In her Winter Soldier testimony, McCann noted, "The assistant secretary of defense is soliciting legislative changes to TRICARE benefits which will include these kits within covered TRICARE supplies."

I have been in touch with the office of the assistant secretary, S. Ward Casscells,

M.D. It seems that he has indeed solicited such legislation, and it is due to go into effect in December as an amendment to the John Warner National Defense Authorization Act for fiscal year 2007. The amendment contains some "background" that is worth sharing.

Currently, forensic examinations are not covered for beneficiaries in civilian health care facilities through TRICARE medical plans because TRICARE "may cost share only medically or psychologically necessary services or supplies. Forensic examinations are not conducted for medical treatment purposes, but for the preservation of evidence in any future criminal investigation and/or prosecution."

The decision to treat rape kits as purely evidentiary, ignoring the very real medical and psychological benefits to the victim, is reprehensibly primitive thinking. Making sure that those legislative changes happen as planned would be a long overdue step out of the primal ooze that has slimed our military in the eyes of our citizens and the world.

Speaking to Palin's decision not to pay for rape kits, the former governor of Alaska, Tony Knowles, was quoted in Palin's hometown paper, the *Frontiersman*, as saying, "We would never bill the victim of a burglary for fingerprinting and photographing the crime scene, or for the cost of gathering other evidence. Nor should we bill rape victims just because the crime scene happens to be their bodies."

When Barack Obama decides who he will appoint to head the Department of Veterans Affairs in his administration, he should consider appointing someone who also understands how important it is that women's bodies, souls, dignity and health be taken seriously. Tammy Duckworth, who is reported to be at the top of his list, certainly has had personal experience with a health care delivery system she has called "a little bit arcane."

Duckworth is now director of the Illinois Department of Veterans Affairs, but in 2004, she was a Blackhawk helicopter pilot in Iraq and lost both of her legs in a crash. She describes the care she received at Walter Reed Army Medical Center as "excellent," but adds, "the comfort package I received contained men's Jockey shorts, and the local VA hospital carried Viagra but not my birth control."

There are currently about 1.7 million female veterans in the United States, and the Department of Defense estimates that there are about 200,000 women, 15 percent of the military, on active duty. Thirty-nine percent of those women return from Iraq or Afghanistan with mental health issues, and, for more than a third who seek VA health care, the precipitating trauma was a sexual assault.

Every VA center now screens both men and women for sexual trauma. That is an improvement. Still, Duckworth says, "I don't think the VA mental health care system

is ready for (female veterans)." It would be encouraging to see a VA director who has some understanding of how important that is to fix.

*The overwhelming indictment of the wars in Iraq and Afghanistan -- and the heartbreaking devastation they have wrought on the souls of young American soldiers -- are now the subject of an invaluable book edited by Aaron Glantz and issued by Haymarket Books.

Penny Coleman is the widow of a Vietnam veteran who took his own life after coming home. Her latest book, Flashback: Posttraumatic Stress Disorder, Suicide and the Lessons of War, was released on Memorial Day 2006. Her Web site is Flashback.

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