

Hearing Opening Remarks & Questions for Senators

I'm Ellen Haring, the CEO of the Service Women's Action Network. I retired from the Army in 2014 after 30 years of service. I'm a West Point Graduate and I have a master's degree in public policy and a PhD in conflict analysis and resolution from George Mason University. I have taught at the Army's Command and General Staff College, the Army War College and Georgetown University. My academic research and work is on women and gender in the military.

I commanded Army units at company and brigade levels. During my very first Army assignment one of my soldiers was murdered and I closely watched as the criminal investigation and subsequent conviction unfolded. Years later, in 1997, when I was a major stationed in Hawaii I was assigned as the investigating officer in 3 rape cases. The perpetrator, an NCO, was eventually reassigned to another unit. I juxtapose these two experiences to illustrate the very different ways the military approached how felony crimes were handled. Fortunately, and to the credit of Senator Gillibrand and others, the Army is no longer allowed to assign an untrained officer to investigate cases of rape. Now criminal investigators are responsible for such investigations but Commanders remain in the decision-making process.

The Service Women's Action Network (SWAN) is a nonpartisan, non-profit organization dedicated to supporting, connecting and advocating for service women, past, present and future. SWAN was established in 2007 by a group of women veterans who were having trouble getting their VA claims approved. The VA did not recognize sexual assault as a potential source of post-traumatic stress the way it recognized combat stress. SWAN decided that they needed to spotlight the problem of military sexual assault in order to get the post-traumatic stress that resulted from it recognized by the VA. SWAN spent the next several years making military sexual assault visible in and outside of the military. We have worked with law and policy makers, Senator Gillibrand in particular, to change the UCMJ to better support victims of military sexual assault, to hold perpetrators accountable and to have the post-traumatic stress that results from sexual assault recognized by the VA.

SWAN continues to work with victims, connecting them to resources and advocating on their behalf. SWAN supports the MJIA because it removes

untrained Commanders from deciding if, when and how to move forward in felony cases. Additionally, it eliminates their ability to overturn convictions or to reduce punishments. The UCMJ is a living document and it has repeatedly changed over the years, often in response to or in acknowledgement of its shortcomings. This is one of its shortcomings.