

Protect Our Defenders Foundation (POD) continues to be the most vocal proponent of victims' rights for those who have been raped or sexually assaulted in the military – leading the charge for a fair and impartial military justice system while providing support for these service members and veterans. Our presence in national and local media, as well as our substantial social media activity keeps the drumbeat going for fundamental reform.

Protect Our Defenders has been featured in hundreds of articles in 2014, including the **New York Times, Washington Post, Wall Street Journal, USA Today**, and all the major broadcast news outlets including **NBC**, **ABC**, **CBS**, **ESPN** and others. We work with the media to break investigative reports that keep the issue of military sexual assault in the headlines. We also work closely with editorial boards to influence public opinion.

November  $30^{\text{th}}$ , sweeping On а indictment of the military justice system hit shelves in the form of a **New York** Times Magazine cover story. In a gripping piece, reporter Robert Draper exposed vet another scandal of retaliation and broke the news that Colonel Don Christensen was leaving the United States Air Force after 23 years to fix the broken system from the outside: "He [Col Christensen] is now the president of Protect Our Defenders, three-year-old nonprofit а organization that has guickly become the nation's pre-eminent advocacy group on behalf of victims of sexual assault in the military, with an advisory board that includes Wesley Clark and several other retired generals, in addition to Magic Johnson, Sigourney Weaver and Garry Trudeau."

Having served 23 years as a U.S. Air Force JAG, four as the Chief



Prosecutor—the longest tenure for anyone in that position—as well as a defense attorney and a judge in a number of high profile cases, Col Christensen brings a unique perspective to the ongoing sexual assault crisis in the military. The New York Times cover story was followed by a front-page story on Yahoo.com from investigative reporter, Michael Isikoff and a press conference introducing the former Chief Prosecutor on Capitol Hill with a tenth of the United States Senate standing by his side, reigniting calls for fundamental reform.

This past March, the Senate filibustered Senator Kirsten Gillibrand's (D-NY) Military Justice Improvement Act (MJIA) and a vote on the bill was held up again in late December. POD has worked closely with Senator Gillibrand on the proposed legislation, and helped gain unprecedented support for reform through media outreach, petitions

and social media. This conservative, bipartisan legislation now has a majority of Senators and the public standing behind it. MJIA would move the power of the accused's boss to decide whether the case goes to trial to independent, trained prosecutors. Since the filibuster, the press has reported on **at least 30 separate sexual assault scandals in the military**.

POD has been involved in numerous investigative reports in 2014 beginning with a fouryear Associated Press investigation in February. The report exposed "a pattern of random and inconsistent judgments" in sexual assault cases at U.S. Military bases in Japan. POD has also worked closely with the two Air Force Academy whistleblowers that were retaliated against after their work in the Air Force Office of Special Investigations (OSI) led to the first successful prosecutions of sexual assault at the Academy in over a decade. **ABC News and ESPN** brought their stories of retaliation into the national spotlight. POD also worked with **GQ Magazine** on an investigative piece about male survivors of sexual assault.

We collaborated with **Fusion** on a piece that shed new light on just how difficult it is for victims of sexual assault to have discharges overturned or have "questionable psychological diagnoses" stemming from sexual assaults changed. POD also continues to regularly provide comments and stories for military publications including **Stars and Stripes** and the **Air Force Times**.

Protect Our Defenders is a resource for key regional papers, like the **San Antonio Express-News**, a prominent voice on the issue of sexual assault in the military. The Express-News broke the scandal at Lackland Air Force Base and has continued to rely on POD for information and analysis. In 2013, POD helped the Express-News with their groundbreaking investigative series, "Twice Betrayed" that detailed how the military has consistently been more interested in punishing victims than attackers.

In May 2014, the Express-News won the American Bar Association's Silver Gavel Award for Newspapers for its in-depth coverage of sexual assaults in "Twice Betrayed." The Express News also won first place in community service at the Texas Associated Press Managing Editors Convention for its coverage of sexual assault. And the Headliners Foundation of Texas awarded investigative reporter Karisa King a 'Star



Reporter of the Year' Award for her work in "Twice Betrayed."

The issue of military sexual assault has also made its way out of news cycle and into pop culture. The ongoing crisis was a running storyline in the acclaimed series *House of Cards*. The series included an incident ripped straight from the headlines, where Robin Wright's character, Claire Underwood quotes a military brochure on sexual assault

prevention that advises victims to submit to an attack rather than resist. Less than a year before, Protect Our Defenders broke the real life story of a brochure at Shaw Air Force Base, S.C. that recommended submitting to an attack. The issue of sexual assault in the military was even featured in a sketch by comedian Amy Schumer.

We continue to keep the news in the headlines and respond immediately and accurately to Pentagon spin. POD was the "go to" resource for outlets looking for comments on the recently released Pentagon report on sexual assault in the military. We analyzed the report and released our findings the same day the report came out. In our analysis, we found "no evidence that the military justice system's ability to handle sexual assault cases has improved. On the contrary, these numbers continue to paint a chilling picture of a system consistently incapable of handling sexual assault." Those findings were echoed in multiple articles from top tier publications, as well as editorials calling for fundamental reform.

In December 2013, President Obama gave military leaders one year to "make substantial improvements with respect to sexual assault prevention and response." He also told service members who have experienced sexual assault that he had their backs. Multiple investigative stories in 2014 have uncovered shocking misconduct and sexual assault cases that have been inappropriately handled by military leadership, or simply swept under the rug.

As the President's deadline came to an end, POD launched a national campaign with 12 survivors of military sexual assault, calling on President Obama to stand with them and all survivors by supporting fundamental reform to the broken military "justice" system.

#### Colonel Don Christensen Leaves US Air Force to Join Protect Our Defenders

Force Former Air Chief Prosecutor. Colonel Don Christensen (Ret.) announced that he was leaving the service after 23 vears to become President of Protect Our Defenders in a November New York Times Magazine cover story, "The Military's Rough Justice". In his role as Chief Prosecutor. Col Christensen was responsible for managing military prosecutors all over the world. Among the many cases he chose to prosecute personally in this role was one of the most high-profile cases in recent Air Force history-the case at Aviano Air Base in Italy, where Lt Colonel James Wilkerson was found guilty of



aggravated sexual assault, sentenced to a year in jail, and dismissed from the Air Force. In that case, Lt General Craig Franklin, the convening authority, overturned the conviction and freed his fellow fighter pilot, reinstating him back into the Air Force against the recommendation of his own legal counsel. POD led the charge to force Franklin and Wilkerson out of the military.



Christensen said this about his departure, "I realized that in order to see substantial change, I would need to leave the Air Force, breaking a military tradition that has been a part of my family for over 150 years."

After joining POD, Col Christensen sat down with Yahoo News' investigative reporter Michael Isikoff. The emotional television interview was featured on the front page of Yahoo.com, the 5<sup>th</sup> most viewed website in the United States. Isikoff had previously spoken with Col Christensen last year in a NBC News report where Kim, the victim in the Aviano case, first broke her silence.



Shortly after Col Christensen's announcement, he joined Senator Kirsten Gillibrand (D-NY) at a press conference with a bipartisan coalition of U.S. Senators to introduce himself to the public, and discuss the Military Justice Improvement Act (MJIA). The broad group of Senators included Barbara Boxer (D-CA), Chuck Grassley (R-IA), Ted Cruz (R-TX), Mazie Hirono (D-HI), Rand Paul (R-KY) and others.



Col Christensen also spoke at a public meeting in December at the Judicial Proceedings Panel on Sexual Assault in the Military about necessary changes to the new Special Victims Counsel.

#### Survivors, Protect Our Defenders Calls on President Obama to Support Reform

Protect Our Defenders recently launched a national campaign to educate lawmakers and the public on the military justice system's structural failings to protect victims of rape and sexual assault. As part of the campaign, 12 survivors of military sexual abuse have come forward publicly to ask President Obama to declare that after 20 years of "zero tolerance," a year filled with news of retaliation against victims, and a new survey showing no progress over the past eight years, it's time to change the military justice system.

# **PRESIDENT OBAMA:** IT IS TIME TO REFORM THE MILITARY JUSTICE SYSTEM



Protect Our Defenders sent a photographer across the country this year to meet with survivors and capture stories of their experiences of sexual assault, harassment and retaliation while serving our country. By sharing such moving images and detailing the accounts of their own personal experiences, these brave veterans put forth a searing indictment of the epidemic of military sexual assault and retaliation victims face when reporting the crime. Their photos and stories are appearing in ads in the New York Times, Washington Post and Politico as part of this campaign – encouraging Americans to join with them in asking the President to support reform to fix the broken system.

Protect Our Defenders

Written by Ad Manager [2] · November 17 at 6:58am · @

Help end the epidemic of military rape. Stand for those who protect our country. Sign Up.



The survivors featured in the campaign are just a few among thousands of victims who have been retaliated against by their chain of command after reporting sexual abuse and being denied access to a fair and impartial justice system. The campaign launched only a few short weeks ago and to date we have received thousands of signatures to the letter to the President, including hundreds who indicated they were survivors of military sexual assault.

#### Pentagon's Report on Sexual Assault in the Military

In December 2014, the Pentagon released new figures on sexual assault in the military, which highlight the continued need for fundamental reform, transparency, and accountability. The numbers, which were taken from a new survey conducted by the RAND Corporation shows that the epidemic of sexual assault continues.

Protect Our Defenders analyzed the new survey and released its findings in a report. Despite the Pentagon's conclusions, the report to the President provides no evidence that the military justice system's ability to handle sexual assault cases has improved. On the contrary, these numbers continue to paint a chilling picture of a system consistently incapable of handling sexual assault.





We were the "go to" organization for media outlets trying to make sense of these new findings. Col Christensen was interviewed by the Wall Street Journal, New York Times, Bloomberg News, San Antonio Express-News and others about the report. The former Chief Prosecutor also helped shape editorials that ran in USA Today and the New York Times after the report was released. The New York Times editorial, "Military Sexual Assault Unresolved" said, *"Transforming the culture of the military to deal with the problem of sexual assaults is an important matter of justice and national security."* 

In early May 2014, the Department of Defense (DoD) released a preliminary report on sexual assault in the military, which underscored the need for fundamental reform, transparency, and accountability. Media outlets again relied on POD for comments and analysis in order to make sense of this new information coming out of the Pentagon. Along with releasing a statement, POD Founder Nancy Parrish's comments were featured in articles from the Washington Post, Bloomberg News, Reuters and many others.





POD Advisory Board Member and regular CNN contributor BriGette McCoy also wrote an op-ed that was featured in The Guardian the day after the preliminary report was released. And NBC News interviewed Brian Lewis, another POD Advisory Board Member for a story about the increase in numbers coming from the same report.





#### **Associated Press Investigation**

In February 2014, the Associated Press released a four year investigative report, "Documents reveal chaotic military sex-abuse record" revealing in detail the military's flawed and insufficient handling of over 1,000 sex crimes that were reported by service members stationed in Japan between 2005 and 2013. **Protect Our Defenders worked with AP's reporters in Washington, D.C. and Japan to help break this story.** 



Just prior to the release of the report, POD organized a press conference with **Advocacy Committee Member Stacey Thompson**, who had been assaulted in Japan years earlier and Senator Kirsten Gillibrand (D-NY).





#### **GQ Expose on Male Survivors**

In September 2014, GQ Magazine published an investigative series with male survivors of military sexual assault titled, "Son, Men Don't Get Raped". The series features brave stories from POD Advocacy Committee Member Brian Lewis, as well as Heath Phillips, Trent Smith and many others who have worked closely with us.



Protect Our Defenders worked with correspondent Nathaniel Penn on this important piece for months, connecting him with survivors, military health professionals and support services.

#### GQ had this to say about Protect Our Defenders:



"POD is the nation's leading advocacy and support group for survivors of military sexual trauma. Their searchable Help page lists a wide array of local and national services, including MST treatment, legal help, and family therapy."



2014 Media Report

#### Vogue Magazine

The March issue of Vogue Magazine profiled Senator Gillibrand's ongoing efforts to enact fundamental reform to the way the military handles sexual assault cases. **Protect Our Defenders was featured in the piece, along with two of POD's Advocacy Committee Members, Jessica Hinves and Heather Pitcovich.** POD worked with award winning author Mimi Swartz to develop the story for almost a year, introducing her to Jessica and Heather. This was the first time that Heather shared her story publicly.



#### From the article:

Pitcovich said she eventually agreed to meet the officer at a bar near her home. "When I asked who was going to be there, he named a bunch of other senior people," she told me. Later that night, she awoke at her house with a vague memory of getting sick and needing to be taken home. As her head slowly cleared, she said, she realized she was naked, and the officer was on top of her. "I couldn't move," she said. "I was trying to process what was going on." Pitcovich said it took her months to recall another detail from that evening: the men she had been with laughing at the far end of the bar while a round of drinks was prepared. She became convinced she'd been drugged. She said she filed a report, and eventually, after a contentious Article 32 hearing—a prerequisite to a military trial—negotiated an agreement with the defendant, who accepted nonjudicial punishment for sexual harassment and fraternization.

#### Air Force Academy Scandal – ABC's Nightline and ESPN Investigative

Throughout 2014, POD worked with former Air Force investigator Special Agent (SA) Brandon Enos, and Eric Thomas, a former cadet at the U.S. Air Force Academy. Both Enos and Thomas were retaliated against after their work in the Air Force Office of Special Investigations (OSI) 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, stripped of his badge and eventually forced out of the Air Force. Cadet Thomas was expelled for actions related to the undercover work he did during the investigation for the OSI.



On October 30, an ABC News' Nightline investigation reported on allegations of sexual violence involving members of the Air Force Academy and the retaliation that both SA Enos and former Cadet Thomas faced. Days later, ESPN's award-winning news magazine, E:60 aired "Operation Gridiron," an investigation into allegations of sexual violence involving members of the Academy football team, and what happened to Enos and Thomas when they tried to blow the whistle.



Special Agent Enos talked to ABC News about Cadet Thomas. "Here's a man that actually upheld the honor code and he gets hammered and kicked out of the academy. And the message that sends to everybody is, 'You don't talk about sexual assaults."

#### Fusion Investigates U.S. Army

Protect Our Defenders worked with **Fusion** for nearly a year on an investigative piece of how the U.S. Army denies justice to victims of sexual assault in the military. The Board for Correction of Military Records (BCMR) is the only place in the Army with the power to change a veteran's discharge, which includes granting a medical discharge for service-connected disabilities, like PTSD caused by sexual assault. This is what they uncovered.





#### From the article:

Fusion analyzed thousands of publicly available decisions for three common discharges from 2001 through 2012 that disqualified veterans from military benefits. We found that not one of 23 applicants who sought to overturn a discharge where sexual assault was a factor was successful. Fusion only had access to the Board's decisions, which we found do not always mention evidence brought by applicants regarding sexual assault, so it's possible more victims of sexual assault appealed. Even so, advocates and veterans say the system is so inaccessible and it is so difficult to get the grounds for a discharge changed, most do not even attempt it.

# Protect Our Defenders' Founder Nancy Parrish and Policy Director Miranda Petersen were both quoted in the piece:

"There are several points of failure in the system" that deals with sexual assault in the military, said Nancy Parrish, Director of Protect Our Defenders, an advocacy group. "The Boards are one of those."

"We've been trying to get more attorneys on board to do these, just because of the abysmal rates of people doing this on their own," said Miranda Petersen, program and policy director of Protect Our Defenders. The group has been able to overturn one psychological diagnosis for bipolar disorder, with "a tremendous amount of resources on our part."

#### **Building Support for the Military Justice Improvement Act**

Since 2013, Protect Our Defenders had been working with Stacey Thompson, a Marine Corps veteran and sexual assault survivor who up until last May, had never told her story publicly. Stacey has become an extremely active Advocacy Committee Member for Protect Our Defenders. In early February, Stacey joined Sen. Gillibrand, Sen. Boxer and Tailhook whistleblower and Protect Our Defenders Board of Directors Member Paula Coughlin at a press conference in Washington, D.C. in support of MJIA.



At the event, Stacey called on Congress to pass the Military Justice Improvement Act.

In March 2014 Protect Our Defenders launched a petition on Causes.com from Paula Coughlin, calling for the Senate to give victims a vote, and not allow a couple of Senators to filibuster justice. In only a couple days, Paula's petition received **over 9,000 signatures**, from supporters who also called, tweeted and Facebooked the offices of Senators who had yet to support the MJIA.



#### Vote On Military Justice Improvement Act

In March 2014, the Military Justice Improvement Act did not receive enough votes to overcome a filibuster led by Sen. Claire McCaskill (D-MO). However, the bill had the support of 55 Senators and the majority of the American public.

Protect Our Defenders made sure that we were out in front of the media following the vote, appearing on national broadcast outlets, and in multiple newspaper publications.

POD Advocacy Committee Member, Veteran, and Founder of Women Veterans Social Justice, BriGette McCoy, was on **CNN's The Lead with Jake Tapper** directly following the vote. She discussed the Senate's failure to pass fundamental reform and spoke for thousands of survivors when she said Sen. McCaskill "betrayed" her by spearheading a filibuster that gave other Senators political cover to stand with the status quo. BriGette was also a keynote speaker at the Inaugural Georgia Women Veterans Conference in April 2014 that she helped organize.



Stacey Thompson discussed the filibuster on ABC World News Tonight with Diane Sawyer. She shared her personal experience with reporter Cecilia Vega, and why the reporting of sexual assault cases must be taken out of the chain of command. The newscast featured video from other survivors profiled on POD's website.

While we lost this Congressional battle due to political maneuverings, our organization is certain that it is only a matter of time before we see effective reforms put into place.

#### **Congress Adopts Provisions Proposed by Protect Our Defenders**

In May, the House of Representatives passed their version of the National Defense Authorization Act for fiscal year 2015. The bill included several provisions proposed by Protect Our Defenders, who worked closely in formulating critical improvements with Congresswomen Jackie Speier (D-CA), who sponsored the amendments.





These amendments included:

- Limiting the "Good Military Character" defense to military-specific crimes, so that an accused rapist can no longer be found "not guilty" simply for being a good soldier;
- Guaranteeing victims the right to appeal rulings regarding therapist-patient privilege and closing the loophole that military judges use to justify turning over victims' confidential therapy records to their alleged rapist.
- And guaranteeing the right for victims to be represented by Special Victims Counsel (SVC)

While POD sees these reforms as a supplement, not a substitute for true, fundamental reform, we called on the Senate to pass these reforms and sign them into law, and in December these measures were passed in the National Defense Authorization Act (NDAA).





#### Petition Calling on President Obama to Rescind Executive Order

On June 13, 2014, President Obama signed an Executive Order, proposed by the Pentagon undermining essential "rape shield" protections for sexual assault victims in the military. This order severely weakens victims' privacy rights, and delivers a substantial blow to ongoing efforts by those who have been working tirelessly to reform the military justice system.

In response, POD worked with Paula Coughlin to create a petition on Causes.com, calling on the President to rescind the portions of the Executive Order that undermine basic privacy protections for victims of sexual assault in the military. In less than one week the petition **received over 4,000 signatures**.



To promote the petition Nancy Parrish wrote a blog that was featured by the Huffington Post, while other advocates and influencers also joined with POD to spread the word. Arianna Huffington retweeted Nancy's blog post to her 1.5 million Twitter followers. Causes.com and the Invisible War shared the petition on their social networks, and POD promoted the petition through our social networks as well.

In response to the President's action, Congresswoman Jackie Speier (D-CA) offered an amendment, approved by the House, which prohibits funding to implement the offending portion of the Executive Order. Rep Speier's office subsequently quoted Founder Nancy Parrish in a press release announcing the amendment's approval.



#### Pro Bono Legal Network

Launched in July 2013, POD's Pro Bono Legal Network (PBN) provides service members and veterans who are survivors of military sexual trauma (MST) with free legal and casework support. The volunteer network of attorneys and service organizations, along with POD staff, help and support victims attempting to navigate the complex and biased military justice system that all too often favors the accused and retaliates against victims.

In a Huffington Post blog marking the one-year anniversary of the Pro Bono Legal Network, POD Founder Nancy Parrish recounted some of the cases that had come through the PBN.

"Jenny was on her first duty assignment with the Marine Corps when a superior raped her on ship. When Jenny reached out to Protect Our Defenders (POD), she was facing an investigation that was going nowhere, with the military claiming they could not locate her active-duty assailant. POD found Jenny an attorney to fight to protect her privacy rights and demand answers from the Naval Criminal Investigative Service (NCIS). Our staff is now helping her with an Inspector General complaint regarding the continued mishandling of her case."

#### Panel Discussion at Martha's Vineyard with Lesley Stahl

In early August, POD hosted a panel discussion on the military sexual assault crisis on Martha's Vineyard, hosted by Emmy award winning news correspondent Lesley Stahl. The event benefited Protect Our Defenders' Pro Bono Legal Program.



www.protectourdefenders.com

Panel participants included: Major General Robert Shadley (ret), who led the 1996 Aberdeen sexual assault scandal investigation; Paula Coughlin, former Navy Lieutenant and helicopter pilot who risked her career as a whistleblower to expose the military sexual assault scandal known as Tailhook; and attorney Susan Burke, who, with her clients, are featured in the Academy Award nominated documentary The Invisible War.

#### Protect Our Defenders Wins Veteran's Organization of the Year

In March 2014, Protect Our Defenders received the Veteran's Organization of the Year award from the Veteran's Caucus of the California Democratic Party. Stacey Thompson accepted the award, and spoke on POD's behalf at the awards ceremony. At the event, Stacey told the crowd, "As a veteran of the United States Marine Corps and survivor of military sexual trauma, I have decided to lend my voice for change. It wasn't easy last year when I told my story publically for the first time, but the overwhelming support I've received from Protect Our Defenders reassured me that I am not alone."

Along with Stacey, other individuals connected with Protect Our Defenders received awards as well. Congresswoman and Honorary POD Chair Jackie Speier (D-CA) received the Caucus' John F. Kennedy award for standing up for victims of sexual assault in Congress.

The Caucus also named Protect Our Defenders Advocacy Committee Member Kate Weber the 2013 California Veteran of the Year. Kate is a fierce advocate for victims of military sexual assault, and last year joined Sen. Gillibrand to call on Congress to support the MJIA. Kate has also testified in front of the California State Assembly on the issue of sexual assault in the military, and appeared in the Oscar nominated documentary, *The Invisible War*.





#### Social Media



In addition to making sure the viewpoints of survivors are accurately reflected in the traditional media, Protect Our Defenders continues to organize advocacy through online campaigns to put pressure on our elected officials to investigate the epidemic of sexual assaults in our military and legislate fundamental reforms.

POD's Facebook page has over **21,500** 'likes' and continues to grow. POD also has 25,000 subscribers to our e-news and nearly **2,000** followers on Twitter — where we are constantly engaging with reporters, elected officials, and other prominent voices in the advocacy community.

We also have over **19,000** supporters on Causes.com, the world's largest online campaigning platform.

POD's advocacy work and media outreach will continue as we work with survivors and encourage President Obama and elected officials to support fundamental reform.



Protect Our Defenders Foundation (PODF) is a not-for-profit 501 (c)(3) charitable organization.

The IRS has determined that donations to PODF are tax-deductible for the donor as charitable contributions. There are no limits or restrictions on these donations.

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