

# The Criticality of Visibility

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*28 April 2023*



What you have to look forward to...

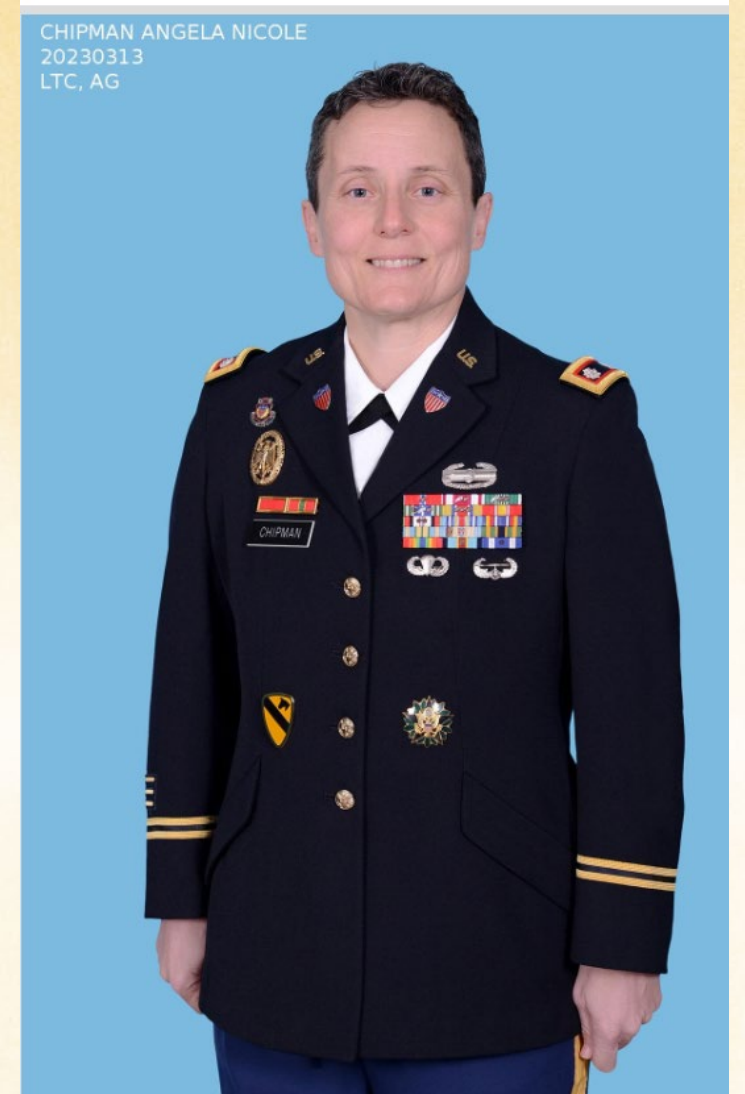
## Agenda

- Who I Am
- The “What”
  - What’s the problem that we’re seeing?
- The “So What?”
  - Why should you care about it?
- And the “Therefore”
  - Here’s what you can (and need) to be prepared to do about it.



# Who I Am

- Director, Human Resources (G1) for 1<sup>st</sup> Special Forces Command; June 2022 thru June 2024
- Bachelor Degree(s) from Iowa State University
  - Psychology
  - History
- Masters Degree from University of Iowa
  - School Counseling
- Nominated/Served as the SHARP Task Force Director at Fort Hood, TX in the wake of the Vanessa Guillen murder with the requirement to establish systems, mechanisms, and resources to address the 72 Congressional recommendations received after the completion of the investigation.



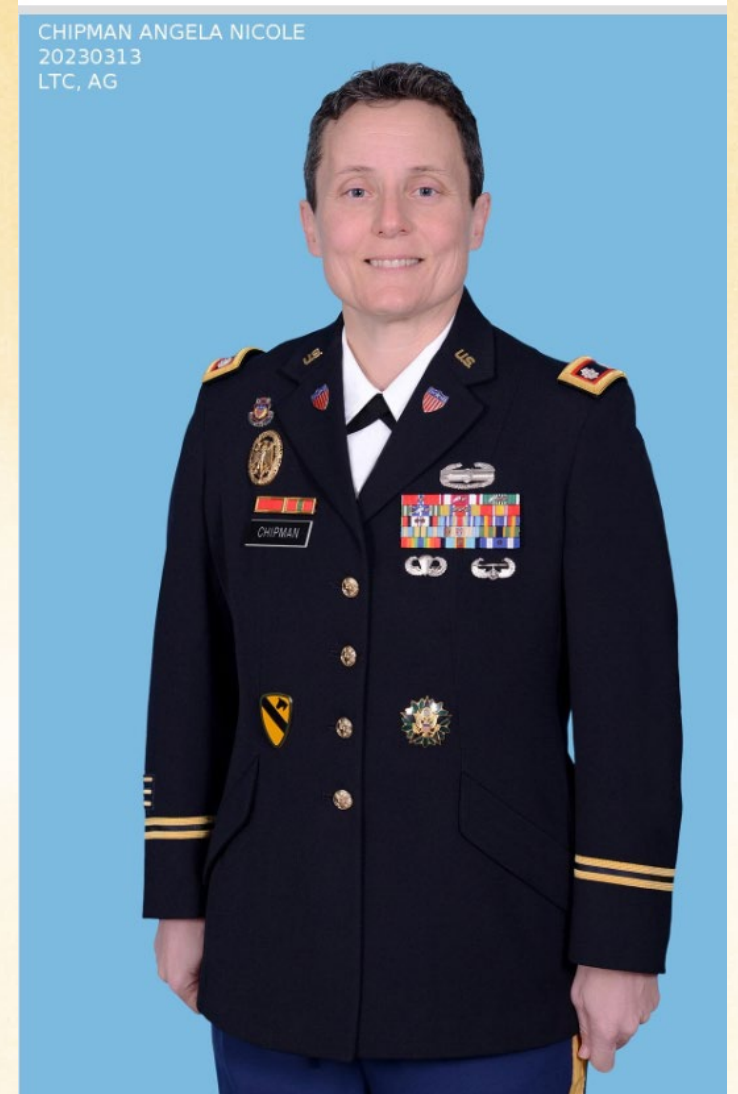
*My entire career, Civilian or Military, has been dedicated to supporting people.*



## Who I Am Not

- A legal subject matter expert
- A senior level representative from the Headquarters, Department of the Army, SHARP Office
- All insights provided are based on my own personal and professional experiences; observed through the lens of Human Resources support, which is often at the forefront of action taken on behalf of or against Soldiers in the aftermath of SHARP related incidents.

I do hope to successfully weave a tapestry of psychological and historical perspectives to empower you, as future lawyers, to better understand the legal implications affecting both the actively serving and veteran populations you may come to support.



## So, Why Are We Here?

- The Army has a significant issue right now.
  - Recruiting and Retention numbers are at an all time historical low (since 1927)
- The closure of the War(s) in Afghanistan in Iraq have resulted in some of the downtrend
- A lack of exposure and / or bad Public Relations is to blame for the rest
  - 70% of persons currently serving reported having family members who served
  - Significant given that only 1% of the population serves or has served
  - Military parents are turning to their children and telling them 'we don't want you to serve' based on their professional experiences/observations
  - Young women are seeing a barrage of headlines showcasing what is presented as rampant sexual harassment and sexual assault

Even as the Army rebooted it's old slogan 'Be All That You Can Be', the ad was pulled from the NCAA Final Four because the main actor was arrested on Assault & Harassment Charges of a younger woman...



# What's the Problem that we're Seeing?

- The Army acknowledges that it has a Culture & Climate issue
  - 2019; Established it's first Army People Campaign
  - 2020; Establishment of the People First Task Force to address issues with Sexual Harassment, Sexual Assault, and Suicide(s) impacting Soldier readiness
- Workplace Harassment is not new, but the military system creates an optimal environment for it as one of the last strong-hold male-dominated professions where\*:
  - There is a desire to “protect occupational territory”
  - Approval of Sexual Objectification
  - Perceived Invincibility

*This is a big deal because we can't afford to cut off our eligible recruiting pool due to biases and discriminatory behavior. As of September 2022, only 23% of the entire population was eligible for military service while propensity to serve continues to decrease with only 9% of the 23% in 2022 indicating any desire.\*\* That's 2.07 people out of every 100 eligible who DESIRE to serve. And we don't have a corner on the Talent Management market. What the military used to offer (paid school) that drew in people is now common-place across the Civilian enterprise.*

\* Burn, S., Ley, D., & Michaelis, B., 2017, <https://www.cnbc.com/2017/11/20/3-psychologists-explain-why-men-harass-women-in-the-workplace>

\*\* Youth Information Networks and Propensity to Serve in the Military | RAND



## But Why?

- As much as we'd like to believe this is just a military problem, we are merely a microcosm of the larger population
- The issue is cultural and steeped in 'American Tradition'
  - Social Role Theory (Eagly, 1987)\*
  - Role Congruity Theory (Eagly & Diekmann, 2005)\*\*
  - Prescriptive Gender Norms (Rudman and Glick, 1999)\*\*\*
- You are being shaped/groomed, through the media, our educational systems, your communities, from the earliest moments in your life to align yourself with gender stereotypes. We highlight achievements of men. We overlook achievements of women. We favorably accept things that prescribe to what we've been told is the way things 'should' be.

\*Eagly, A.H. (1987). *Sex differences in social behavior: A social-role interpretation*. Hillsdale, NJ: Erlbaum

\*\*Eagly, A. H., & Diekmann, A. B. (2005). *What is the problem? Prejudice as an attitude-in-context.*, Blackwell Publishing

\*\*\*Rudman, L. A., & Glick, P. (1999). Feminized management and backlash toward agentic women: The hidden costs to women of a kinder, gentler image of middle managers. *Journal of Personality and Social Psychology*, 77(5), 1004–1010. <https://doi.org/10.1037/0022-3514.77.5.1004>



- **Women have influenced nearly every aspect of:**
  - Scientific Study
  - Medicine
  - Industrial Capabilities
  - Safety Mechanisms
  - Technology
  - Military Lethality
- **We have been:**
  - Heroines & Pioneers
  - Instrumental in the Foundation of our Nation
  - Represented in Every Conflict, on Every Front, Throughout our History
- **We have also been:**
  - Largely Ignored, Overlooked, or Written/Left Out of History Books
  - Been told that our inclusion in history is considered 'woke' politics





# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Sybil Ludington**

- Everyone has heard of Paul Revere. We have immortalized him as an exemplification of the revolutionary spirit. But why do you not know who she is?
- An attack occurred near Danbury, and her father's regiment was on leave, so she rode throughout the night, and gathered almost the entire formation by daybreak. He's an American Icon; she got a thank you.



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Sarah Emma Edmonds**

- Compelled by patriotism at the start of the Civil War, Sarah joined the war effort by disguising herself as a man and joining the 2<sup>nd</sup> Michigan Infantry under the alias 'Franklin Flint Thompson'.
- Part way through her career, she started operating as a spy for the Union, disguising herself in a variety of ways.
- She served successfully until contracting malaria. Because she was unable to present herself at a hospital without her secret coming out, she was charged with desertion and given a dishonorable discharge.
- That was, until she published a best-selling account of her military experience. The charge was dropped, and she was granted a government pension for her service. In 1897, she became the only woman ever admitted to the Civil War Veteran's organization.



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Mary Walker**

- The only woman ever to be awarded the Congressional Medal of Honor
- One of the United States' first women doctors, she quickly volunteered to provide medical care for the Union Army. Only allowed to operate as a nurse at the start, she was finally contracted as a civilian surgeon in 1863.
- In 1864, she was captured by the Confederate Army, accused of being a spy, and was later freed as part of a prisoner exchange.



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Marie Van Brittan Brown**

- Was a nurse, living and working in Queens, New York, at a time when crime rates were increasing and police response times were slow
- Because she worked shift, she would often find herself at home by herself, and thought she'd feel less vulnerable if she could see who was out the door
- Brown created a system of four peep holes and a movable camera that connected wirelessly to a monitor in their bedroom. A two-way microphone allowed conversation with someone outside, and buttons could sound an alarm or remotely unlock the door.
- Her idea has become the groundwork for all modern home security systems



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Hedy Lamarr**

- Was one of the most glamorous stars of the black and white film era; This is TRULY what she's known for...
- And she was also one of the minds behind an invention that provided the foundation for **GPS, Bluetooth, and Wi-Fi technology**
- She was also a gifted mathematician and engineer, and when World War II broke out, she wanted to make a contribution to the war effort by improving torpedo technology. Working with musician and composer George Antheil, Lamarr developed the idea of "frequency hopping," which could encrypt torpedo control signals, preventing enemies from jamming them and sending the torpedoes off course
- Lamarr's spread-spectrum technology has become the foundation for the portable devices that we use every day



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Josephine Baker**

- Jazz Singer, Dancer, Actress --- and Spy
- First woman of color to integrate an American concert hall but moved to Paris because of the more welcoming environment
- Once war broke out, she assisted the French Government by gathering information while attending high society events at embassies; wrote notes on her Jazz music in invisible ink and carried them from nation to nation
- Helped people who were threatened by the Nazis get visas to escape occupied France
- Received the Croix de Guerre and the Rossete de la Resistance, and was made a Chevalier of the Legion d'honneur
- For her dedication, was the first American-born woman to receive full French military honors at her funeral.



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Jacqueline Cochran**

- Aviation Pioneer & Eventual Director/Key Trainer for the Women Airforce Service Pilots (WASPs)
- Under her direction, WASP pilots flew 60 million miles, delivering over 12,000 aircraft of 78 varieties during WWII
- Was the first woman to break the sound barrier
- Was a pioneer in the Mercury 13 program to determine if women could be acceptable astronaut candidates



# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Irena Sendler**

- Where Oskar Schindler was credited for saving 1,200 Jews from the Nazis in WWII, Irena Sendler was credited for rescuing over 2,500 Jewish children from the Warsaw Ghetto
- Operating with her medical credentials to get access to the ghetto, she worked with colleagues to smuggle Jewish children out, hiding them in false bottomed ambulances, baskets, coffins, and potato sacks
- She worked to give them false identities and placement in both orphanages and Polish families, while keeping lists of the real names of the children hidden buried in a jar so that they could attempt to find relatives after the war was over





# FEMALE INNOVATORS, PIONEERS, LEADERS, AND EXPLORERS

- **Henrietta Lacks**

- All scientists researching Polio, Cancer, Cloning, etc., use cells from a young woman of color named Henrietta Lacks
- While undergoing cancer treatment at Johns Hopkins, she had a sample of her cervix removed (without her consent) and it was discovered that unlike other samples taken, hers wouldn't die and those cells have remained a constant in research as a result
- She has been an integral part of developments from vaccines, in vitro fertilization, gene mapping, and cloning
- Her own family wasn't even informed of her continuing contributions to science until the 1970s, and the National Institute of Science didn't sign an agreement until 2013 to give Henrietta Lacks credit in 'future' publications



# So, what's the 'So What'?

**Recognition is everything\*.**

**Recognition results in change.**

**Change results in parity.**

Women are carrying around this baggage, in excess to what we all carry around as Veterans, which may impact their ability to trust you or to be honest about things for which they deserve services. Knowing about them and being able to empathize and communicate in a way that will gain trust is critical in reaching / supporting this population.

Recognition of this extra baggage leads to acknowledgement that the load is heavier than it needs to be. Acknowledgement that the load is heavier results to assignment of value on the part of the organization. Assignment of value then leads to application of money, resources, access to services, & support. The psychological impact of knowing your worth, and that others recognize what you've been based in part on who you are as a person, cannot be overstated.

[\\*What's Behind the Magic of Seeing Yourself Represented? | Psychology Today](#)



# So, what's the 'So What'? (Continued)

## How does the problem present itself?

- Fort Hood (wake of the Vanessa Guillen murder) and the Independent Review
- Command Climates that are permissive to Sexual Harassment, Sexual Assault, and Toxic Culture
- Application of Collateral Misconduct resulting in 'Other Than Honorable' discharges (From Bad Conduct to 'Personality Disorder')\*
- Family Care Plan discharges
- "Pink Tax" levy (Uniform Costs, Poorly designed equipment for body type, increased expenses incurred – Europe Policy dtd 2019 for Single Soldiers who get Pregnant, etc.)\*\*\*
- Placement of Women in 'non leadership' roles, resulting in decreased technical and tactical proficiency and potential delayed promotions in continued male-dominated Combat Arms\*\*
- Development of Policies that disproportionately affect women vs. men (ACFT, Body Fat, etc.)

\* [Booted: Lack of Recourse for Wrongfully Discharged US Military Rape Survivors | HRW](#) (Applicable Vignettes)

\*\* [extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.gao.gov/assets/gao-20-61.pdf](https://www.gao.gov/assets/gao-20-61.pdf)

\*\*\*[Senators Hassan, Ernst Introduce Bipartisan Bill to Fight 'Pink Tax' on Women's Military Uniforms \(senate.gov\)](#)



# Finally, the ‘Therefore’

- So, why does this matter to you as future Lawyers? How does it relate to the execution of your function supporting those who come to you for legal support against the military industrial complex?
- When considering the willingness or desire of women to seek out services --
  - Just as women in the civilian sector have achievements overlooked, are not offered promotions, and face backlash if they step outside of gender norms in the workplace, women in the service experience the same.
    - Military Leadership Diversity Commission; 2010 White Paper --- FG Officer Promotions for Women statistically only 92% vs. that of male counterparts\*
    - Military Leadership Diversity Commission; 2010 White Paper – SR Enlisted Promotions for Women statistically only 95% (but drops to 83% when looking at SGM/CSM) vs. that of male counterparts\*\*
  - Soldier 2020: Integration of Women into Previously Closed Occupational Specialties
    - How sexism looks when it comes to integration of women

\* <https://diversity.defense.gov/Portals/51/Documents/Resources/Commission/docs/Issue%20Papers/Paper%2045%20-%20Officer%20Promotion%20by%20Race%20Ethnicity%20and%20Gender.pdf>

\*\* <https://diversity.defense.gov/Portals/51/Documents/Resources/Commission/docs/Issue%20Papers/Paper%2047%20-%20Enlisted%20Promotion%20Rates%20by%20Race%20Ethnicity%20and%20Gender.pdf>



# Therefore (Continued)

- When looking at types of discharge, and the benefits associated with them (or your willingness to support), take into consideration --
  - Policies, Support Packages, and Programs are designed without women at the planning table or with consideration to disparate impact:
    - Utilization of Collateral Misconduct as a factor inhibiting reporting of SHARP incidents
      - 2004 DOD Instruction vs. Application; Services Differ but likelihood of Adverse Action following through when accused in association with a sexual assault case ranges from 10% to 91% dependent on the service (Marines were highest)
      - Most common incidents used for collateral misconduct, dependent on service, were Underage Drinking and Fraternalization
    - Availability of Medical and Legal Professionals & investigative resources that specialize in care of issues that disproportionately affect women vs. men
    - PTSD Support & Differences
    - Uro-genital Issues
    - Overexposure to Sex Steroids and the Impact on Mental Health / Reduced Access resulting in unintended pregnancies
    - Ongoing Discussions on HT/WT Standards & the ACFT

[https://dacipad.whs.mil/images/Public/08-Reports/DACIPAD Letter DoD Victim Collateral Misconduct 20190916.pdf](https://dacipad.whs.mil/images/Public/08-Reports/DACIPAD_Letter_DoD_Victim_Collateral_Misconduct_20190916.pdf)



# In Conclusion

- How can we make a difference moving forward?
  - Acknowledging & Accepting the Impact of Male Support
    - Changing Culture & Climate
      - Combating Centuries of Gender Discrimination; Including Your Own Biases
      - Patience, Persistence, & Perseverance
  - Active Advocacy vs. Passive Bystander
    - Understanding Privilege & Using It Appropriately
    - Confronting Misinformation
  - (MOST IMPORTANTLY) Using your Professional Role to Advocate and Support
    - Understanding how the Problem Impacts Your Client
      - Effectively Fighting for Increased Discharge Disposition resulting in appropriate benefits
      - Helping Drive Change through establishing/changing legal precedence



CONTACT INFORMATION

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