



National Coalition For Men (NCFM)

Since 1977

932 C Street, Suite B, San Diego, CA 92101 / 619-231-1909 / ncfm.org / 501(c)3 nonprofit corporation

December 20, 2013

Military Justice Improvement Act S-967 (MJIA):

Is a seriously flawed legislation

Problems with the MJIA, a Request for Reconsideration and Investigation by the DOD

The MJIA's sexual assault provisions were bolstered by the Department of Defense (DOD) survey 2012 *Workplace and Gender Relations Survey of Active Duty Members between 2006, 2010, and 2012*. Supporters of the MJIA spun survey results to create the appearance of an epidemic of sexual assaults, even though the Study shows no such epidemic exists! Many of the conclusions are patently false, misleading, and reveal a multitude of deficiencies in the conduct, information collection, and reporting or data. It appears the survey was manipulated to provide substance to predetermined ideologically driven outcomes.

1. According to the Study "there were no statistically significant differences in the most serious behaviors for men and women" from 2006 to 2012.
2. Of 108,478 active duty members surveyed, only 22,792 were counted ("deemed eligible"), a poor response rate seriously distorting results.
3. If the 26,000 number was accurate then the 33% reported rate of USC for FY 2012 (see page 25, Volume I) would calculate to 8,580 actual reported cases. Yet there were only 3,374 cases of sexual assault reported among military service members in the same year, which means the 26,000 estimate is grossly inflated, a mathematical impossibility which raises questions about the studies accuracy.
4. Data included behaviors a year before military service.
5. FBI crime statistics show historic lows of violent crimes, including sexual assault.
6. Even though the Study differentiates between "unwanted gender related behaviors" and "unwanted sexual contact", the two terms sound similar and may have been conflated by survey participants even though the study claims that unwanted behaviors were not included. The term and its use is a major pitfall.
7. The term "unwanted sexual contact" by definition may include fewer crimes than the more broadly defined military term for "Sexual assault" which includes ... "unwanted and inappropriate sexual contact. The Study has too many similar terms to describe sexual misconduct that could be confused.
8. Because of "confidentiality" reports were not investigated, no details were required, and subject's identities were not requested or maintained by DOD. What is the purpose of recording limited, sketchy information derived from the restricted reports about alleged "sexual assault" crimes, many of which are likely to be baseless accusations? Capturing too much extra information diverts attention away from the central issue? Information gathered cannot be verified and can be freely manipulated.

New provisions of the MJIA will: (1) virtually abolish the presumption of innocence (2) remove the right to face one's accuser in formal judicial proceedings (3) severely limit an accused' ability to raise a defense (4) encourage prosecutions rather than truth finding (5) (6) criminalize anyone who tries to hold false accusers accountable (7) allow false accusers to avoid sanctions, and (8) create a roadmap for lowering moral in the military by primarily targeting, shaming, and blaming men for a nonexistent fabricated epidemic.

Sexual assaults must not to be tolerated, but a racy joke, an invitation to a movie, or an inadvertent touch should not destroy a male's or female's military career. The MJIA is another ideologically driven anti-male legislative affront which will harm females and military families too. NCFM urges a reconsideration of the MJIA sexual assault provisions and that this matter is referred to the DOD, Office of Inspector General for investigation.

DIRECTORS

President

Harry Crouch
California

Vice President

Marc Angelucci, Esq.
California

Secretary

Al Rava, Esq.
California

Treasurer

Deborah Watkins
Texas

Members

Ray Blumhorst
California

Bob Walker
California

Chris Thompson
Montana

Chris Woodward
California

Fred Sottile
California

Greg Josefchuk
North Carolina

Lea Perritt, Ph.D.
Kentucky

Mark Bates
Minnesota

Steven Svoboda, Esq.
California

Tim Goldich
Illinois

Will Hageman
Minnesota

ADVISORS

Dianna Thompson,
Editor MensENews
California

Lou Ann Bassan, Esq.
California

Warren Farrell, Ph.D.
Author
California

Robert Kenedy, Ph.D.
York University
Canada

Charles Corey, Ph.D.
Colorado

Bill Ronan, LCSW
Clinical Social Worker
Minnesota

Michael Konzachi
Retired Police Officer
Private Investigator

Tom Golden, LCSW
Commission
On Men's Health
Maryland

Thomas James, Esq.
Author/Family Law
Minnesota

Richard L. Davis
Police Lt. Retired
Criminologist/Author
Massachusetts

Francis Baumli, Ph.D.
Author/Publisher
Missouri

Julie Brand, M.S.
Author/Counselor
Nevada

David Heleniak, Esq.
Civil Rights/Appellate
New Jersey

Edward Stephens, M.D.
Psychiatry
New York

Diane A. Sears, Editor
Pennsylvania

Richard Driscoll, Ph.D.
Psychologist/Author
Tennessee

R.K. Hendrick, Esq.
Oregon

Phillip Cook
Journalist/Author
Washington

LIAISONS

Attila Vinczer
Toronto, Canada

Charles Oholendt,
Arkansas

Greg Andresen,
Sydney, Australia

Chris Langan-Fox,
Tasmania, Australia

Earl Silverman,
In Memorial

Calgary, Canada

Ray Blumhorst,
Los Angeles, CA

Steve Van Valkenburg,
Colorado

Kenedy Owino
Nairobi, Kenya

Carl Augustsson, Ph.D.,
Republic of Georgia

Tatyana Roberts,
Georgia

Tom Dougherty, M.D.
Kansas

Michael Rother, MCSE,
MCDBA, CNE

Germany
(Past Pres. NCFM)

Eyal Avidan (Attorney),
Israel

Robert Yourell, LMFT,
Mexico (Baja)

Nevada Thompson,
Pres. NCFM-MSU

Montana

Darrin Albert,
North Dakota

William Gavitz,
Pennsylvania

Jason Leatherman,
Massachusetts

Paul Clements,
South Carolina

Eric Wedin
Sweden

Wayne Sikes,
Washington D.C.