

# AP Probe Looks at Recruiters' Misconduct

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More than 100 young women who expressed interest in joining the military in the past year were preyed upon sexually by their recruiters. Women were raped on recruiting office couches, assaulted in government cars and groped en route to entrance exams.

A six-month Associated Press investigation found that more than 80 military recruiters were disciplined last year for sexual misconduct with potential enlistees. The cases occurred across all branches of the military and in all regions of the country.

"This should never be allowed to happen," said one 18-year-old victim. "The recruiter had all the power. He had the uniform. He had my future. I trusted him."

At least 35 Army recruiters, 18 Marine Corps recruiters, 18 Navy recruiters and 12 Air Force recruiters were disciplined for sexual misconduct or other inappropriate behavior with potential enlistees in 2005, according to records obtained by the AP under dozens of Freedom of Information Act requests. That's significantly more than the handful of cases disclosed in the past decade.

The AP also found:

\_The Army, which accounts for almost half of the military, has had 722 recruiters accused of rape and sexual misconduct since 1996.

\_Across all services, one out of 200 frontline recruiters – the ones who deal directly with young people – was disciplined for sexual misconduct last year.

\_Some cases of improper behavior involved romantic relationships, and sometimes those relationships were initiated by the women. \_Most recruiters found guilty of sexual misconduct are disciplined administratively, facing a reduction in rank or forfeiture of pay; military and civilian prosecutions are rare.

The increase in sexual misconduct incidents is consistent with overall recruiter wrongdoing, which has increased from just over 400 cases in 2004 to 630 cases in 2005, according to a General Accounting Office report released this week.

The Pentagon has committed more than \$1.5 billion to recruiting efforts this year. Defense Department spokeswoman Lt. Col. Ellen Krenke insisted that each of the services takes the issue of sexual misconduct by recruiters "very seriously and has processes in place to identify and deal with those members who act inappropriately."

In the Army, 53 recruiters were charged with misconduct last year. Recruiting spokesman S. Douglas Smith said the Army has put much energy into training its staff to avoid these problems.

"To have 53 allegations in a year, while it is 53 more than we would want, is not indicative of the entire command of 8,000 recruiters," he said. "We take this very seriously and we take appropriate action as necessary to discipline these people."

The Associated Press generally does not name victims in sexual assault cases. For this story, the AP interviewed victims in their homes and perpetrators in jail, read police and court accounts of assaults and in one case portions of a victim's journal.

A pattern emerged. The sexual misconduct almost always takes place in recruiting stations, recruiters apartments or government vehicles. The victims are typically between 16 and 18 years old, and they usually are thinking about enlisting. They usually meet the recruiters at their high schools, but sometimes at malls or recruiting offices.

"We had been drinking, yes. And we went to the recruiting station at about midnight," begins one girl's story. Tall and slim, her long hair sweeping down her back, this 18-year-old from Ukiah, California, hides her face in her hands as she describes the night when Marine Corps recruiter Sgt. Brian Fukushima climbed into her sleeping bag on the floor of the station and took off her pants. Two other recruiters were having sex with two of her friends in the same room.

"I don't like to talk about it. I don't like to think about it," she says, her voice muffled and breaking. "He got into my sleeping bag, unbuttoned my pants, and he started, well ..." Her voice trails off, and she is quiet for a moment. "I had a freak-out session and just passed out. When I woke up I was sick and ashamed. My clothes were all over the floor."

Fukushima was convicted of misconduct in a military court after other young women reported similar assaults. He left the service with a less than honorable discharge last fall. His military attorney, Capt. James Weirick, said Fukushima is "sorry that he let his family down and the Marine Corps down. It was a lapse in judgment."

Shedrick Hamilton uses the same phrase to describe his own actions that landed him in Oneida Correctional Facility in upstate New York for 15 months for having sex with a 16-year-old high school student he met while working as a Marine Corps recruiter.

Hamilton said the victim had dropped her pants in his office as a prank a few weeks earlier, and that on this day she reached over and caressed his groin while he was driving her to a recruiting event.

"I pulled over and asked her to climb into the back seat," he said. "I should have pushed her away. I was the adult in the situation. I should have put my foot down, called her parents."

As a result, he was convicted of third-degree rape, and left the service with an other-than-honorable discharge. He wipes the collar of his prison jumpsuit across his cheek, smearing tears that won't stop.

"I literally kick myself ... every day. It hurts. It hurts a lot. As much as I pray, as much as I work on it in counseling, I still can't repair the pain that I caused a girl, her family, my family, my kids. It's very hard to deal with," he says, dropping his head. "It's very, very hard to deal with."

In Gainesville, Fla., a 20-year-old woman told this story: Walking into an Army recruiting station last summer, she was greeted by Sgt. George Kirkman, a 6-foot-4, 220-pound soldier. Kirkman is 41. He was friendly and encouraging, but told her she might be a bit too heavy. He asked if she wanted to go to the gym with him. She agreed, and he drove her to his apartment complex.

There, he walked her to his apartment, pulled out a laptop, and suggested she take a basic recruiting aptitude test. Afterward, Kirkman said he needed to measure her. Twice. He said she had to take her pants off. And he attacked her.

Kirkman, who did not respond to repeated requests for an interview, pleaded no contest to sexual battery in January and is on probation and a registered sexual offender. He's still in the military, working now as a clerk in the Jacksonville, Fla., Army recruiting office.

Not all of the victims are young women. Former Navy recruiter Joseph Sampy, 27, of Jeanerette, La., is serving a 12-year sentence for molesting three male recruits.

"He did something wrong, something terrible to people who were the most vulnerable," State District Judge Lori Landry said before handing down the sentence in July, 2005. "He took advantage of his authority."

One of Sampy's victims is suing him and the Navy for \$1.25 million. The trial is scheduled for next spring.

Sometimes these incidents are indisputable, forcible rapes. "He did whatever he pleased," said one victim who was 17 at the time. "... People in uniform used to make me feel safe. Now they make me feel nervous."

Other sexual misconduct is more nuanced. Recruiters insist the victims were interested in them, and sometimes the victims agree. Sometimes they even dated.

"I was persuaded into doing something that I didn't necessarily want to do, but I did it willingly," said Kelly Chase, now a Marine Corps combat photographer, whose testimony helped convict a recruiter of sexual misconduct last year.

Former Navy recruiter Paul Sistrunk, a plant supervisor in Conehatta, Miss., who had an affair with a potential recruit in 1995, says their relationship was entirely consensual. She was 18, an adult; he was 26 and married.

"Things happen, you know?" says Sistrunk, who opted for an other-than-honorable discharge rather than face court-martial. "Morally, what I did was wrong, but legally, I don't think so."

A nine-year veteran of the Navy, Sistrunk lost his pension and health benefits. His victim, who discovered during a medical exam at boot camp that she had contracted herpes, unsuccessfully tried to sue the federal government.

"In my case," said Sistrunk, "I was flirted with, and flirting, well, that's something I hadn't seen a lot of until I became a recruiter. I had no power over her. I really didn't."

Kimberly Lonsway, an expert in sexual assault and workplace discrimination in San Luis Obispo, Calif., said "even if there isn't overt violence, the reality is that these recruiters really do hold the keys to the future for these women, and a 17-year-old girl often has a very different understanding of the situation than a 23-year-old recruiter."

"There's a power dynamic here that's obviously very sensitive," agreed Elaine Donnelly, president of the Center for Military Readiness, a group that studies military policy.

"Let's face it, these guys are handsome in their uniform, they're mature, they give a lot of attention to these girls, and as recruiters they do a lot of the same things that guys do when they want to appeal to girls. There's a very fine line there, and it can be very hard to maintain a professional approach."

Weirick, the Marine Corps defense attorney who has represented several recruiters on rape and sexual misconduct charges, said it's a problem that will probably never entirely go away.

"It's difficult because of the nature of nature," he said. "It's hard to put it in another way, you know? It's usually a consensual relationship or dating type of thing."

When asked if victims feel this way, he said, "It's really a victimless crime other than the institution of the Marine Corps. It's institutional integrity we're protecting, by not allowing this to happen."

Anita Sanchez, director of communications at the Miles Foundation, a national advocacy group for victims of violence in the military, bristles at the idea that the enlistees, even if they flirt or ask to date recruiters, are willingly having sex with them.

"You have a recruiter who can enable you to join the service or not join the service. That has life-changing implications for you as a high school student or college student," she said. "If she does not do this her life will be seriously impacted. Instead of getting training and an education, she might end up a dishwasher."

Ethan Walker, who spent eight years in the Marine Corps including a stint as a recruiter from 1998 to 2000, said he was warned. "They told us at recruiter school that girls, 15, 16, are going to come up to you, they're going to flirt with you, they're going to do everything in their power to get you in bed. But if you do it you're breaking the law," he said.

Even so, he said he was initially taken aback when he set up a table at a high school and had girls telling him he looked sexy and handing him their telephone numbers.

"All that is, you have to remind yourself, is that there's jail bait, a quick way to get in trouble, a quick way to dishonor the service," he said.

All of the recruiters the AP spoke with, including Walker, said they were routinely alone in their offices and cars with girls. Walker said he heard about sleepovers at other recruiting stations, and there was no rule against it.

There didn't need to be a rule, he said. The lines were clear: Recruiters do not sleep with enlistees. "Any recruiter that would try to claim that, 'Oh, it's consensual,' they are lying, they are lying through their teeth," he said. "The recruiter has all the power in these situations."

Although the Uniform Code of Military Justice bars recruiters from having sex with potential recruits, it also states that age 16 is the legal age of consent. This means that if a recruiter is caught having sex with a 16-year-old, and he can prove it was consensual, he will likely only face an administrative reprimand.

But not under new rules set by the Indiana Army National Guard. There, a much stricter policy, apparently the first of its kind in the country, was instituted last year after seven victims came forward to charge National Guard recruiter Sgt. Eric Vetesy with rape and assault.

"We didn't just sit on our hands and say, 'Well, these things happen, they're wrong, and we'll try to prevent it.' That's a bunch of bull," said Lt. Col. Ivan Denton, commander of the Indiana Guard's recruiting battalion. Now, the 164 Army National Guard recruiters in Indiana follow a "No One Alone" policy. Male recruiters cannot be alone in offices, cars, or anywhere else with a female enlistee. If they are, they risk immediate disciplinary action. Recruiters also face discipline if they hear of another recruiter's misconduct and don't report it.

At their first meeting, National Guard applicants, their parents and school officials are given wallet-sized "Guard Cards" advising them of the rules. It includes a telephone number to call if they experience anything unsafe or improper. Denton said the policy does more than protect enlistees.

"It's protecting our recruiters as well," he said.

The result? "We've had a lot fewer problems," said Denton. "It's almost like we're changing the culture in our recruiting."