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# Taking Military Sexual Trauma Seriously

One California court system is working to address the challenges facing women veterans, still coping with abuse they endured during their service.



The Vietnam Women's Memorial in Washington, D.C.

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**JULEYKA LANTIGUA-WILLIAMS** | SEP 13, 2016 | POLITICS

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Eileen Moore agreed to volunteer as a mentor to veterans in the [Orange County](#)

[Community Court](#) because of her deep commitment to military men and women and her experience as a combat nurse during the Vietnam War. She's also an associate justice for the state's 4th District Court of Appeal, so her knowledge of the law likely came in handy from time to time. "Over the years, I've mentored most of the women, but sometimes men as well," she said. In 2015, vets in the OCCC Veterans Treatment Court were 85 percent men and 15 percent women.

"My observations are mainly about the women. That is, there is only so much money. And almost all of the people who end up sideways of the law as defendants in the veterans court are men, so that the court is necessarily geared towards the men rather than the women," Moore said. She believes the women's needs are not completely different from the men's, but estimates that in her years supporting vets in the program "between 90 and 95 percent of the women that I've mentored have been victims of [military sexual trauma](#)."

The federal government defines military sexual trauma as "psychological trauma resulting from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the Veteran was serving on active duty, active duty for training, or inactive duty training." The Department of Veterans Affairs stipulates that while "veterans are not granted compensation for the traumatic event itself" they may receive "disability compensation for conditions that result from MST." The VA has a [published list](#) of signs, events, or circumstances it calls "markers" that can be used to determine if someone has suffered MST. They include substance abuse, depression, panic attacks, sexual dysfunction, STDs, requests for transfers while active, worsening work performance, among others.

[MST](#) is becoming more familiar to the public due to its prevalence among women who return home from conflicts and humanitarian work abroad, but still face difficulties due to sexual trauma they experienced in the line of duty. "I never asked them but somehow things manage to come out. I think that I do understand that. Considering some of the things that happened to me in Vietnam, I think it's probably somewhat soothing to have a woman there with

them,” Moore said.

She recalled one young woman she mentored who had multiple tattoos and would color her hair in striking ways. “She definitely seemed to want people to stay away from her,” Moore said. One early Sunday morning, the woman was in her car going around a corner, still in her pajamas, to go visit relatives. A police officer pulled her over. He arrested her for operating under the influence and she called Moore, who always gave her mentees her phone number. This young woman had even visited her home. “There was a lot of warmth that had built up between the two of us. She said, ‘Eileen, I swear I’ve been off heroin for 56 days. I swear I wasn’t on anything,’” Moore said.

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## **Military sexual trauma can create conditions that lead women vets into the criminal justice system because of certain factors associated with it.**

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It’s not uncommon for vets who are in custody to have a pre-existing condition that precipitates their criminal behavior. Nicolaas-John Van Nieuwenhuysen, a staff psychiatrist at the Long Beach Department of Veterans Affairs, has been with the Orange County Community Court’s veterans treatment court for two years. “I see a lot of people with alcohol-use disorder, fair amounts using cannabis, stimulants, meth, sometimes cocaine,” he said. Substance-use issues are certainly part of the problem, with some people self medicating their PTSD, not sleeping well, having nightmares, unable to relax or being overly anxious, he explained. “You might resort to drinking to get a better night’s sleep or to take the edge off during the day. They often end up with an alcohol problem, in addition to already having PTSD,” Van Nieuwenhuysen said.

Some veterans in the United States face severe obstacles while adjusting to civilian life after completing their service. These difficulties land thousands in jail for crimes ranging from public intoxication and simple assault, to domestic violence or drug use. About 8 percent of people in prison and jail are veterans (excluding those in military facilities). Veterans are actually slightly underrepresented in jails and prisons, compared to their [percentage](#) of the adult population. Women veterans make up 1.1 percent of all inmates in state and federal prisons, and 3.2 percent of those in local and county jails, according to the Bureau of Justice Statistics. Overall, 48 percent of all those in prison and 55 percent of those in jail “had been told by a mental health professional they had a mental disorder,” according to the BJS.

The Department of Veterans Affairs has [estimated](#) that one in five women veterans who use its health-care program screen positive for MST. The American Psychological Association [estimates](#) that in 2012, “the Army had the highest rate of sexual assault reports (2.3 per 1,000 service members), while the marine corps had the lowest (1.7 per 1,000).” The organization dedicated an entire [issue of its journal](#) to the condition in 2015.

For decades, Post Traumatic Stress Disorder has been recognized as a mental-health condition that afflicts many veterans. MST has made its way into the lexicon largely due to its impact on women veterans who constitute the bulk of those impacted. A 2015 APA study titled “[Sexual Trauma in the Military](#)” summarized the current state of the issue:

Reports of sexual assault in the military have risen by approximately 88 percent between 2007 (2,688 reports) and 2013 (5,061) ...

However, the Department of Defense (DOD) has also acknowledged that less than 15 percent of military sexual assault victims report the matter to a military authority ... Therefore, peer-reviewed research may provide more reliable estimates of the incidence of sexual assault. A recent review of research on military sexual trauma (MST) indicated

that between 9.5 and 33 percent of women report experiencing an attempted or completed rape during military service. When examining MST, including all forms of assault and harassment, between 22 and 84 percent of women report having these experiences during service...

Van Nieuwenhuysen evaluates clients once as part of the OCCC veterans admissions process. “Most of the people that we take in the court suffered from PTSD, substance-use issues, depression,” he said. Symptoms can include re-experiencing traumatic events—either disturbing memories, nightmares, flashbacks—where they’re actually re-living the traumatic situation. They can also experience hyperarousal. “That means they’re kind of keyed up and on edge. They’re hyper vigilant, they’re always aware of their surroundings, they might be easily startled,” he said.

Like Moore suspected of her mentee with the tattoos and dramatic hair colors, vets with PTSD or MST “often engage in avoidance behavior,” according to Van Nieuwenhuysen. “They tend to avoid reminders of whatever the traumatic event was. Reminders can be people or places, or even just being around crowds,” he said.

Moore showed up for her young mentee’s court date and felt tears welling up in her eyes as the scene unfolded in the courtroom. “I wasn’t trying to make any kind of statement, but sometimes those things happen,” she said. Presiding Judge Wendy Lindley, the founder of OCCC in 2008 and Moore’s friend who had recruited her to be a mentor, pressed the prosecutor for the drug test results. They came back negative.

Both men and women suffer from military sexual trauma, but the majority of victims who report it are women. Some victims also allege that they have faced [retaliation](#) for speaking out, like [being dishonorably discharged](#), losing veterans medical benefits as a consequence.



By one estimate, up to [82 percent of veterans](#) involved in the criminal-justice system may be eligible for VA health-care services and benefits, but some may not know it. At OCCC, the treatment includes an assigned psychiatrist or psychiatric nurse practitioner who manages their treatment at the VA, and can prescribe psychiatric medications like antidepressants and sleeping medications to treat their PTSD or depression. Vets also enroll in a comprehensive group therapy program that can include sessions for addiction.

Today, 14 percent of those on active duty are women. The APA report estimates that by 2035 women will make up about 15 percent of living veterans.

“Therefore, it is increasingly important for veteran-serving providers and care systems to be able to identify and address gender-specific challenges to successful transitions, including those related to military sexual assault,” its authors wrote. In addition to concluding that MST in women makes them more than four times as likely to have PTSD, the Department of Veterans Affairs taskforce on women [found](#) that:

Women who enter the military at younger ages and those of enlisted rank appear to be at increased risk for MST. In addition, women who have had sexual assault prior to military service report higher incidences of MST.

At about midnight the day she came to court to support her mentee Moore received an email from the young vet. “I can’t sleep because I’ve been so upset. I just wanted you to know that it meant the world to me that someone in that courtroom believed me,” Moore recalled the message saying. The therapeutic approach taken at OCCC has provided healing for many participants in the [130 existing veterans courts](#), who were able to remake their lives after a life-altering experience. It has also resulted in a significant drop in recidivism rates for veterans in the county. Of all program graduates since the start of the veterans

court, only 10.5 percent have been re-arrested. That's a significant improvement over [California's overall recidivism](#) rate of 61 percent.

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#### ABOUT THE AUTHOR

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