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**CONGRESSMAN SEEKS INQUIRY INTO NAVY'S ANTI-GAY ABUSE**  
Demands Explanation for Promotion of Perpetrator

SANTA BARBARA, CA, September 22, 2009 – Representative Joe Sestak has written a [letter to the Secretary of the Navy](#) requesting an inquiry into the promotion of a Chief Petty Officer who oversaw and participated in a two-year train of abuses against a gay sailor and other members of his unit. The letter, which is being reported today by the Associated Press, asks the Navy to provide “any information relevant to the assault and battery of Petty Officer Third Class Joseph Rocha and the promotion of Chief Petty Officer Michael Toussaint to the rank of Senior Chief.” Prior to his Congressional Service, Rep. Sestak served as an admiral in the U.S. Navy.

Petty Officer Rocha was brutalized for more than two years at his base in Bahrain after unit mates suspected he is gay. According to official military documents, Navy officials were fully aware of the role of Senior Chief Toussaint in perpetrating the violence. But they decided to promote him anyway. The abuse included hog-tying Rocha to a chair and pushing him, while bound, into a dog kennel full of feces, as well as humiliating him by repeatedly forcing him to simulate oral sex with another man while on video. Rocha was also pummeled repeatedly while forcibly bent over a desk. Toussaint was implicated in other incidents as well, including handcuffing a sailor to a bed and forcing her to simulate lesbian sex with another woman, also while on video. One of the women later committed suicide.

Dr. Nathaniel Frank, senior research fellow at the Palm Center, said social science makes clear the role of discriminatory law in encouraging abuse against minorities. “Any law or policy that singles out one group as a threat to the greater good is a green light to treat that group in demoralizing and dangerous ways,” said Frank, author of *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America*. “The current policy is especially insidious because it allows the group to serve but casts it as a menace. It’s one thing to say, ‘You’re too old, so you’re not eligible.’ But this policy says ‘Gays are eligible, they’re serving with you, but by the way, they’re an unacceptable risk to your mission.’ It’s no wonder they’re sometimes a punching bag.”

A [Palm Center study](#) authored by the legal scholar, Sharon Terman, shows that regardless of military leaders' intentions, the gay ban itself prevents the armed forces from deterring anti-gay abuse. Terman argues that the failure to prevent anti-gay abuse "results from the practical and conceptual problems with regulating harassment in a discriminatory institution."

The VA provided this [statement](#) about the effects of abuse on Joseph Rocha.

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The Palm Center is a think tank at the University of California, Santa Barbara. Since 1998, the Center has been a leader in commissioning and disseminating research in the areas of gender, sexuality, and the military.