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MILITARY TAKES RACIAL AND SEXUAL HARASSMENT MORE SERIOUSLY THAN ANTI-GAY VIOLENCE, REPORT SHOWS

SANTA BARBARA, CA, JUNE 8, 2004 - A new draft report shows that despite official Pentagon assertions that the military takes anti-gay harassment as seriously as harassment against women and racial minorities, the military's policies and practices reveal markedly different enforcement and deterrent efforts for these three forms of abuse.

Senior Pentagon officials repeatedly have insisted that the military seeks to deter and punish all forms of abuse. Former Assistant Secretary of Defense Kenneth Bacon, for example, noted in 1999 that "[T]here's no room for harassment in the military. And this applies to harassment based on race, harassment based on sex, and harassment based on sexual orientation. [J]ust as racial harassment is inappropriate, harassment based on sexual orientation is inappropriate..."

According to Sharon Terman, however, author of the new 39-page report, the Pentagon's policies and practices regarding 1) training and education 2) measurement 3) reporting 4) processing of complaints 5) anti-retaliation and 6) accountability all demonstrate far more meaningful efforts on the part of the military to prevent racial and sexual harassment than anti-gay harassment.

Terman completed her law degree at Stanford University Law School in 2004. Her report, titled "The Practical and Conceptual Problems with Regulating Harassment in a Discriminatory Institution," was commissioned by the Center for the Study of Sexual Minorities in the Military University of California, Santa Barbara.

In the report, Terman shows that regardless of military leaders' intentions, the gay ban itself prevents the armed forces from deterring anti-gay abuse. Terman says that the failure to prevent anti-gay abuse "results from the practical and conceptual problems with regulating harassment in a discriminatory institution."

According to Tobias Barrington Wolff, Assistant Professor at U.C. Davis Law School and Visiting Professor at Stanford Law School, "Terman's findings are disturbing, but not surprising. Harassment is a form of discrimination, and the military continues to pursue an official policy of discrimination



toward soldiers who are gay or lesbian. We won't eliminate the harassment until we eliminate the inequality."

The Center for the Study of Sexual Minorities in the Military is an official research unit of the University of California, Santa Barbara. The Center is governed by a distinguished board of advisors including the Honorable Lawrence J. Korb of the Center for American Progress, Honorable Coit Blacker of Stanford University and Professor Janet Halley of Harvard Law School. Its mission is to promote the study of gays, lesbians, and other sexual minorities in the armed forces.