

MAR 04 2016

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## SENATE RESOLUTION

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ENCOURAGING REFORM IN THE MILITARY INVESTIGATORY AND  
PROSECUTORIAL SYSTEMS GOVERNING CHILD SEXUAL ABUSE AND  
INCREASED TRANSPARENCY IN THE MILITARY JUSTICE SYSTEM AND  
MILITARY REPORTING OF CRIMINAL SEX OFFENSES INVOLVING  
CHILDREN.

1 WHEREAS, in 2014, through the adoption of S.C.R. No. 63,  
2 the Hawaii Women's Legislative Caucus applauded the female  
3 members of the United States Senate who were working in a  
4 bipartisan fashion to highlight and resolve the chronic and  
5 unacceptable problem of sexual assaults in the military, and the  
6 Hawaii State Senate encouraged female members of the United  
7 States Senate to reform the military investigatory and  
8 prosecutorial systems governing sexual assault; and  
9

10 WHEREAS, the Hawaii Women's Legislative Caucus applauds  
11 Senators Hirono, Gillibrand, and Boxer and other members of the  
12 United States Congress who have called on the Pentagon for more  
13 transparency and openness on child sex abuse reporting in the  
14 military; and  
15

16 WHEREAS, the Hawaii Women's Legislative Caucus is now  
17 concerned about the prevalence of child sexual abuse in the  
18 United States military; and  
19

20 WHEREAS, over the past decade, more than 1,400 children of  
21 Army families have been exposed to sexual abuse and about 30,000  
22 children have suffered abuse or neglect in Army homes; and  
23

24 WHEREAS, almost a third of inmates in the military's prison  
25 network were charged with sex crimes involving children; and  
26

27 WHEREAS, the Department of Defense Inspector General  
28 reported, after looking at 163 Military Criminal Investigative  
29 Organization investigations of allegations of sexual assault  
30 against children in 2012, that 94 cases involved the  
31 investigation of a service member as the perpetrator; and  
32



1 WHEREAS, highlighted in this report, serious deficiencies  
2 in the military's investigation of child sexual abuse cases were  
3 found by the United States Department of Defense Inspector  
4 General, including key evidence not collected, crime scenes not  
5 examined, and witness or subject interviews not conducted or not  
6 conducted thoroughly; and

7  
8 WHEREAS, the same Department of Defense Inspector General  
9 report found that almost half of the 163 investigations resulted  
10 in no punishment, and that in 6 out of the 10 cases where  
11 significant deficiencies were discovered the Army chose to only  
12 reopen 4 cases; and

13  
14 WHEREAS, the Pentagon's ability to reduce the sentences of  
15 the child sex offenders through undisclosed pre-trial agreements  
16 is alarming and not subject to independent assessment due to the  
17 lack of transparency in the military criminal justice system;  
18 and

19  
20 WHEREAS, military services do not include legal records or  
21 trial outcomes in an online database like the civilian court  
22 systems, and records are often limited in access by the public  
23 or in some cases are provided only in response to Freedom of  
24 Information Act requests, which may take months; and

25  
26 WHEREAS, Hawaii is home to all five branches of the  
27 military forces; and

28  
29 WHEREAS, this body endorses reformation of the military's  
30 reporting, investigatory, adjudication, and sentencing  
31 guidelines for sexual crimes involving children in order to  
32 create a safe environment for this country's service members and  
33 their children, and to begin transforming the military culture  
34 into one that is more transparent and in keeping with the  
35 military's mission of protecting our country, including the  
36 individuals serving among its ranks and their children; now,  
37 therefore,

38  
39 BE IT RESOLVED by the Senate of the Twenty-eighth  
40 Legislature of the State of Hawaii, Regular Session of 2016,  
41 that this body respectfully encourages members of the United  
42 States Congress to reform the military reporting, investigatory,



BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, President Pro Tempore of the United States Senate, Majority Leader of the United States Senate, Majority Leader of the United States House of Representatives, Hawaii's congressional delegation, and the Governor.

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John F.  
dunham, Jr.

**Figure 1**