

A PERVASIVE PROBLEM

VOICES OF COAST GUARD SEXUAL ASSAULT AND HARASSMENT SURVIVORS



NOTE FROM THE CHAIR

Every day, thousands of Americans put on a U.S. Coast Guard uniform, and with “Honor, Respect, and Devotion to Duty” they protect this nation. Their service, like the service of all military members, represents this nation’s strongest ideals and highest calling. In the Coast Guard, however, that commitment has been undermined by a culture that has failed to prioritize the safety and well-being of all its members. This moral failure has been allowed to spread, hidden behind closed proceedings, honorable discharges, and a look-the-other-way mentality.

The Coast Guard has recently, and rightfully, faced scrutiny for its high-profile failure to appropriately address sexual misconduct at the Academy and its subsequent cover-up of that failure. This Subcommittee has spent months digging into those facts and continues to do so. This report tells a critical but different part of that story. It tells the story of a Coast Guard whose cultural failings around sexual misconduct are not limited to the Academy, using the very words of the more than 80 brave whistleblowers—current and former Academy cadets and enlisted members alike—who have come forward to the Subcommittee to share their experiences.

The voices of these whistleblowers make clear that sexual assault and sexual harassment in the Coast Guard are fleet-wide problems, impacting enlisted members and officers just as pervasively as cadets. For far too long, Coast Guard survivors have felt unheard and unseen. They have been brushed aside and silenced. This report seeks to redress that harm.

Elevating survivors’ voices—while essential—is not a solution to the pervasive and persistent mistreatment they have faced. The Coast Guard clearly needs to do more, starting with meaningful accountability for individuals responsible for committing prohibited acts or concealing them. Our continuing investigation is likely to provide evidence that will assist and motivate the Coast Guard to impose discipline. It is imperative that the Coast Guard uses all means available to hold accountable both individual perpetrators and the leadership that covered up their wrongdoing. And it is equally essential that the Coast Guard begins to leverage meaningful, swift, and consistent accountability against present and future perpetrators. The culture will not change until the Coast Guard makes clear that sexual assault and harassment will not be tolerated.

Nor will the culture change until the Coast Guard makes a meaningful commitment to transparency. I am deeply disappointed by the Coast Guard's responses to this Subcommittee's requests for critically necessary information. Despite repeatedly and publicly claiming a commitment to transparency, the organization has often resisted constructive responses. Such repeated opposition to disclosure has made us wonder whether the Coast Guard is, once again, attempting to escape Congressional scrutiny. Until the Coast Guard is willing to fully reckon with its failures, it will remain tethered to them.

In her testimony before this Subcommittee, the Commandant of the Coast Guard, Admiral Linda Fagan, said, "[w]e will become an organization that is intolerant of harmful behaviors, that is myopically focused on transparency and creates accountability for every member of the organization." But reform requires that the Coast Guard stand behind its rhetoric and make the hard choices necessary to redress harms of the past and build a better future. I hope Admiral Fagan will heighten and intensify such efforts. The whistleblowers cited in this report have shown the courage to come forward—and now their leaders must show similar conviction in creating a culture where all are safe and valued.

This Subcommittee's inquiry remains active, and we pledge to continue investigating what has gone wrong to identify what needs to be done to prevent future harm. I would like to thank Ranking Member Ron Johnson for his support in this ongoing inquiry. This issue deserves the robust, bipartisan oversight that we must continue to provide.

A handwritten signature in blue ink, appearing to read "Michael Blumenthal".

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Executive Summary

The following Majority Staff Report of the Permanent Subcommittee on Investigations (“PSI” or “the Subcommittee”) presents accounts received from the more than 80 whistleblowers who have come forward to report their personal experiences in the U.S. Coast Guard and at the U.S. Coast Guard Academy (the “Academy”) since September 2023, when the Subcommittee initiated a bipartisan inquiry into the Coast Guard, and reports that it mishandled dozens of sexual misconduct cases at the Academy and subsequently withheld findings from its investigation into those cases from Congress.¹ These stories, spanning from the 1970s through the 2020s, depict systemic failures at the Coast Guard Academy and in the Coast Guard that continue to this day.

Due to the need to protect whistleblower confidentiality, names and identifying details have been removed where whistleblowers have not previously come forward publicly. However, the common elements of these accounts speak to the greater truth of the Coast Guard’s failure not only to protect personnel from sexual assault and harassment, but to treat victims with dignity and respect. Their stories detail the Coast Guard’s systemic inability to address or prevent sexual assault and harassment, including a culture of silencing, retaliation, and failed accountability.

Survivor stories received by the Subcommittee and presented in this report include the following common themes:

A culture of ostracization, shaming, and disbelief deterred victims of abuse from reporting. An Academy cadet recounted the reaction of her classmates after making an unrestricted² report of sexual assault in 2020:

¹ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, to Admiral Linda Fagan, Commandant of U.S. Coast Guard, Sept. 12, 2023, <https://www.hsgac.senate.gov/wp-content/uploads/2023-09-12-Blumenthal-and-Johnson-Letter-to-USCG-re-Operation-Fouled-Anchor.pdf>.

² Survivors can choose between making a restricted or unrestricted report of sexual assault. Restricted reports are not shared with law enforcement or the survivor’s chain of command, while unrestricted reports are disclosed to Coast Guard Investigative Services (Coast Guard law enforcement) and the survivor’s chain of command. See Sexual Assault Prevention, Response, & Recovery (SAPRR) Program CG-1K4, U.S. Coast Guard, <https://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-Human-Resources-CG-1/Health-Safety-and-Work-Life-CG-11/Sexual-Assault-Prevention-Response-and-Recovery-Program/>.

Immediately, my classmates stopped talking to me. They wouldn't look me in the eyes. My attacker told anyone who would listen that I was a liar and that I was crazy. I felt incredibly alone.

Leadership discouraged victims of abuse from reporting. A cadet who made a written report of her sexual assault was allegedly discouraged from pursuing an investigation by Coast Guard lawyers:

They told me I could pursue an investigation; however, that would impact my studies, my ability to graduate that spring, and my first duty station I felt that two officers telling me to focus on my studies and my career is what I needed to do.

In another account, after learning that she had experienced months of sexual misconduct, a superior allegedly told an enlisted whistleblower:

Okay, I want you to think about these men and their careers. They could lose their jobs over this, and you could ruin their lives. And then CGIS (Coast Guard Investigative Services) is going to show up and make you out to be a liar. No one will believe you. Do you want that? I want you to think about all of this before you decide to tell anyone else.

Fear of punishment for collateral misconduct deterred victims of abuse from reporting. One whistleblower shared that, as a cadet in the 2010s, the threat of discipline for unrelated misconduct was used to keep her from reporting repeated sexual assaults by the same perpetrator for a year. She said:

He blackmailed me, using his position over me and the fact that I drank underage to get me to have sex with him. He knew that I would get into more trouble for underage drinking than he would for blackmailing me for sex. He was right. . . .

Investigations into abuse allegations were retraumatizing and failed to enforce meaningful accountability for perpetrators. The Coast Guard's failure to initiate criminal processes against assailants, and instead resolve cases administratively, was cited by both Academy and fleet whistleblowers as deeply harmful. One active duty whistleblower described the disappointment and betrayal she felt when the Coast Guard failed to leverage meaningful accountability against her perpetrator:

During the investigation, they found that this was a pattern of behavior for him, even at previous units. He had never been held accountable. . . . This man was a sexual predator, and got off virtually Scot free because he was a “hero,” and a good ole boy.

Victims of abuse faced career retaliation after reporting. A whistleblower shared that it took years to correct an “inaccurate and degrading evaluation” made by her supervisor, who was sexually harassing her. That same supervisor, against whom the whistleblower had lodged an official complaint, was later on the whistleblower’s promotion board. The whistleblower was reportedly passed over for the promotion and did not retire at the rank she could have achieved.

Victims of abuse received inadequate medical care and services. An active duty whistleblower was assaulted three months after graduating from boot camp, more than 20 years ago. The whistleblower recently reached out to the Coast Guard Medical Office for help dealing with the trauma:

*. . . the doctor just simply asked me what kind of medication do you want.
. . . I have no idea?!?! I wasn’t reaching out for medication, I was reaching out to talk to someone, to tell someone. To be heard by someone.*

The flawed culture at the Coast Guard has had dire consequences for victims. Many left the Academy or the service as a result of their experiences and the Coast Guard’s subsequent failure to support them. In the words of one whistleblower:

Being raped is bad enough. But the institutional betrayal has been more damaging for me. It was the culture.

The problem of mishandled sexual assault and harassment is one of the present. The whistleblowers’ accounts demonstrate that this problem is not one of the past—active servicemembers expressed concerns about current policy and culture failings around sexual misconduct. Long-serving Coast Guard members expressed disappointment in the Coast Guard’s failure to improve its response to sexual misconduct throughout their decades of service:

I am heartbroken the Coast Guard had 24 years during my career to fix their ‘culture’. This ‘culture’ did not change from the moment I attended bootcamp until I retired. . . . We are now on the 3rd or even 4th generation

of females serving in the Coast Guard, and this 'culture' is still not a priority. When will the Coast Guard make changing their 'culture' a priority?

Additionally, whistleblowers reported to the Subcommittee that the Coast Guard's failings are not limited to its policies and culture. The Coast Guard has reportedly continued to mistreat survivors in its official dealings with them.

The victim outreach associated with Operation Fouled Anchor ("OFA") was inadequate and re-traumatizing. A whistleblower who was interviewed as part of OFA reported that she was never officially notified about the results of the investigation. Instead, the whistleblower allegedly saw documents related to her case aired on CNN during its coverage of OFA.

The Coast Guard has failed to provide survivors the necessary documentation to access U.S. Department of Veterans Affairs services. A whistleblower who recently separated from the Coast Guard following gender-based discrimination was left without options:

[T]he Coast Guard failed to process me out . . . and I was left without my separation paperwork needed to move on and access veteran services. . . . I explained that without the [documents] I was limited from accessing VA health care and mental health care, was unable to apply to veterans preference government civilian jobs, and unable to use time sensitive programs designed for recently separated veterans.

The Coast Guard has failed to provide survivors with their records, impacting their ability to understand what happened to them and to move forward with their lives. A former cadet recounted that, after her assault, her mother called the Academy regularly in an attempt to obtain her records. The whistleblower went on convalescence leave after the assault—during this time, she was unable to access her Coast Guard records, which prevented her from receiving the care she needed.



Whistleblowers reported complicated feelings about the Coast Guard following their experiences. While many expressed love for the Coast Guard and belief in its mission, their pride was mixed with disappointment and betrayal. In the words of a whistleblower who served for nearly three decades:

I love the Coast Guard. . . . There are so many incredible people in the Coast Guard, serving for the right reasons. Unfortunately, the malignant sub-culture continues. . . . We must do better if we want a full workforce who trusts the organization to take care of them when they need it the most.

Coast Guard members past and present and their reports to the Subcommittee have made clear the need for immediate change both at the Academy and in the Coast Guard. Although Operation Fouled Anchor initially brought these problems to light, these failures span both the Academy and the Fleet—the Coast Guard as a whole must change course and work to build a culture in which everyone is safe, respected, and valued.

Overview

On September 12, 2023, the Permanent Subcommittee on Investigations (“the Subcommittee”) initiated a bipartisan inquiry into the U.S. Coast Guard (“the Coast Guard”) regarding reports that the U.S. Coast Guard Academy (“the Academy”) mishandled dozens of sexual misconduct cases and that it subsequently withheld findings of its investigation into those cases from Congress.³ Through the course of this inquiry, more than 80 individuals have shared their personal experiences in the Coast Guard and at the Coast Guard Academy. At least 39 of those individuals have come forward to share accounts of sexual assault and at least 27 have come forward to share accounts of sexual harassment with the Subcommittee.⁴ These stories, spanning from the 1970s through the 2020s, depict systemic failures at the Coast Guard Academy and in the Coast Guard—including barriers to reporting, retaliation, reprisal, and a culture that failed to take seriously sexual harassment and violence among its ranks—that continue to this day.

a. Anonymization and Compilation of Collected Information

The following report is a compilation of accounts that have been collected by the Subcommittee. To protect the privacy of the individuals who have shared the intimate details of their lives and experiences, names and other personal details have been anonymized except where that individual has previously shared their story publicly.⁵ The detailed reports provided by survivors are a part of the Subcommittee’s internal record of this inquiry. These reports have been invaluable in understanding the depth and breadth of the Coast Guard’s failure to foster and maintain a culture intolerant of sexual assault and sexual harassment.

The Subcommittee has not investigated the details of each claim, and therefore cannot verify the truth of each allegation. The commonalities among the stories, however, are

³ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, to Admiral Linda Fagan, Commandant of U.S. Coast Guard, Sept. 12, 2023, <https://www.hsgac.senate.gov/wp-content/uploads/2023-09-12-Blumenthal-and-Johnson-Letter-to-USCG-re-Operation-Fouled-Anchor.pdf>.

⁴ Other whistleblowers shared stories of non-sexual misconduct, including alleged gender and racial discrimination and retaliation.

⁵ To further protect whistleblower privacy, the individual stories detailed in this report are not attributed or cited, even in anonymized form, to minimize the risk of personal identification. These stories are on file with the Subcommittee.

striking. Whistleblowers from different regions described similar patterns of cover-up and evasion, and whistleblowers from decades ago shared experiences that mirror the dynamics that persist today.

b. Information Collected by the Subcommittee

Between September 2023 and May 2024, the Subcommittee heard from more than 80 individuals about their experiences in the Coast Guard, at the Academy, or both. At least 39 disclosed that they were sexually assaulted and at least 27 disclosed they were sexually harassed while attending the Academy or enlisted in the Coast Guard, while approximately 10 others described events or a culture that they had witnessed or been informed of while there. The misconduct that was reported to the Subcommittee occurred both at the Academy and among the active duty ranks. Approximately 44% of the reported instances of sexual assault and approximately 2% of the reported instances of sexual harassment took place at the Academy, while the majority of whistleblowers reported instances that occurred in the active duty fleet.

Background

a. Operation Fouled Anchor

Operation Fouled Anchor (“OFA”) was an internal Coast Guard investigation into the Academy’s mishandling of sexual assault cases from 1990 to 2006.⁶ The Coast Guard initiated Operation Fouled Anchor in 2014 after a Coast Guard officer disclosed to her supervisor that she had been raped by an upperclassman in 1997 while attending the Academy and that the Academy mishandled her case.⁷ Coast Guard Investigative Services (CGIS) opened an investigation into the matter and found that “there appeared to be a disturbing pattern of conducting internal administrative investigations and/or initiating disenrollment for sexual misconduct instead of referring the matter for criminal investigation.”⁸

⁶ U.S. Coast Guard, *Memorandum: ‘Fouled Anchor’ Investigation – Final Report*, 2, (Jan. 31, 2020),

https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

⁷ *Id.* at 1.

⁸ *Id.*

As a part of Operation Fouled Anchor, CGIS investigated 102 events of rape, sexual assault and sexual harassment committed by Academy cadets or that otherwise occurred at the Academy between 1990 and 2006.⁹ CGIS ultimately identified 63 potential victims and 43 alleged perpetrators.¹⁰

The six-year investigation culminated in a January 31, 2020 memorandum titled, “Fouled Anchor Investigation – Final Report,” which found that the Academy had previously been aware of allegations against 30 of the 43 individuals, but that only five of these cases were reported to CGIS and/or local law enforcement.¹¹ The 2020 memorandum concluded that, during the years reviewed, Academy leadership:

[F]ailed to take sufficient action to ensure a safe environment - particularly for female cadets - and failed to instill a culture intolerant of sexual misconduct. They did not promote and maintain a climate conducive to reporting sexual assault and they did not adequately investigate allegations as serious criminal matters and hold perpetrators appropriately accountable. Most importantly, the Academy too often failed to provide the support, trust, and care that is so vital for victims of sexual assault.¹²

Despite this conclusion, no action was taken regarding any Academy official who may have had a decision-making role in the cases.¹³ Of the 43 alleged perpetrators uncovered in the investigation, the Coast Guard referred three of their cases to other military services where the individuals were serving and removed two from the Coast Guard promotion list, after which they separated from the Coast Guard.¹⁴ For the remaining 38 individuals, no action was taken because the Coast Guard determined either that it no longer had jurisdiction over the individual or that the allegations were not supported by a preponderance of the evidence.¹⁵

Although the final report was dated in 2020, Operation Fouled Anchor was hidden from the public and from Congress until the summer of 2023, when media reports revealed

⁹ *Id.* at 2.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.* at 4.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

its existence.¹⁶ Following the public disclosure of Operation Fouled Anchor, the Commandant of the Coast Guard, Admiral Linda Fagan, and Master Chief Heath B. Jones released a statement apologizing to the entire Coast Guard workforce, assault survivors, and Congress.¹⁷ The leaders acknowledged the Coast Guard’s failures and expressed a commitment to fix them going forward.¹⁸ In July 2023, Admiral Fagan announced a 90-Day Accountability and Transparency Review (“ATR”), to look at “current law, policy, processes, practices, resources, and service culture relevant to eradicating sexual assault and harassment.”¹⁹ This review concluded on October 20, 2023.²⁰ The Coast Guard released its memorandum documenting the Accountability and Transparency Review on December 6, 2023.²¹

b. The Subcommittee’s Investigation

On September 12, 2023, the Subcommittee initiated an inquiry into the mishandling of sexual assault and sexual harassment cases at the Academy, as well as the Coast Guard’s failure to notify Congress about the conclusion of Operation Fouled Anchor.²² The

¹⁶ Blake Ellis, Melanie Hicken & Audrey Ash, *Criminal Investigation into Coast Guard Academy Revealed Years of Sexual Assault Cover-ups, but Findings Were Kept Secret*, CNN (June 30, 2023), <https://www.cnn.com/2023/06/30/politics/coast-guard-academy-secret-sexual-assault-investigation-invs/index.html>.

¹⁷ U.S. Coast Guard, *Workforce Message: Accountability and Transparency*, by Admiral Linda Fagan and Master Chief Heath Jones, U.S. Coast Guard (July 17, 2023), <https://www.mycg.uscg.mil/News/Article/3461192/workforce-message-accountability-and-transparency/>.

¹⁸ *Id.* The U.S. Coast Guard Academy Alumni Association also held a Community Healing Event on November 15, 2023, which invited survivors, allies, and individuals seeking information from the Coast Guard to hear officials speak about how they are responding to Operation Fouled Anchor, to learn from outside groups about trauma and resources, and to connect with one another. See USCGA Alumni Community Healing Event, U.S. Coast Guard Academy Alumni Association, https://www.cgaalumni.org/s/1043/21/interior.aspx?sid=1043&gid=1&pgid=7096&content_id=16412.

¹⁹ U.S. Coast Guard, *Workforce Message: Accountability and Transparency*, by Admiral Linda Fagan and Master Chief Heath Jones, U.S. Coast Guard (July 17, 2023), <https://www.mycg.uscg.mil/News/Article/3461192/workforce-message-accountability-and-transparency/>.

²⁰ *Id.*

²¹ Press Release, U.S. Coast Guard, Coast Guard publishes Accountability and Transparency Review Report and Commandant’s Directed Actions (Dec. 6, 2023), <https://www.news.uscg.mil/Press-Releases/Article/3608614/coast-guard-publishes-accountability-and-transparency-review-report-and-command/>.

²² Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, to Admiral Linda Fagan, Commandant of the United States Coast Guard, Sept. 12, 2023, <https://www.hsgac.senate.gov/wp-content/uploads/2023-09-12-Blumenthal-and-Johnson-Letter-to-USCG-re-Operation-Fouled-Anchor.pdf>.

Subcommittee requested all records relating to Operation Fouled Anchor, sexual assault and harassment policies and investigations, and the Accountability and Transparency Review.²³ On December 12, 2023, the Subcommittee held a hearing with survivors of sexual assault and harassment, who testified about the failures of Coast Guard and Academy leadership.²⁴ On June 11, 2024, Admiral Fagan testified before the Subcommittee.²⁵ As of the release of this report, the Subcommittee's inquiry is ongoing.

c. Sexual misconduct has been dramatically underreported in the Coast Guard and at the Academy

While Operation Fouled Anchor uncovered a pattern of mishandling reports of sexual misconduct, it is important to also note that many whistleblowers that came forward to the Subcommittee never reported their abuse to the Academy or Coast Guard, and were never a part of Operation Fouled Anchor. Of the Academy whistleblowers from whom the Subcommittee has heard, at least 72% were not part of Operation Fouled Anchor. The Subcommittee has also heard from a large number of whistleblowers who did not attend the Academy and instead reported misconduct from their time on active duty.

Approximately half of the instances of sexual misconduct disclosed to the Subcommittee were never reported to the Coast Guard or the Academy. Of the instances disclosed to the Subcommittee, less than 47% of sexual assault instances and 58% of sexual harassment instances were reported to the Academy or the Coast Guard.²⁶ At least 14 of these unreported assaults took place while the whistleblower was attending the Coast Guard Academy and at least ten took place while the whistleblower was serving on active duty in the Coast Guard.

It is not uncommon for survivors of sexual assault and harassment to avoid reporting their abuse. According to the National Sexual Violence Resource Center, an estimated 63%

²³ *Id.*

²⁴ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

²⁵ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Oversight: Sexual Assault and Harassment*, 118th Cong., 2nd sess., June 11, 2024, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-oversight-sexual-assault-and-harassment/>.

²⁶ This statistic includes only those instances in which the Subcommittee has information regarding whether the misconduct was reported. Instances about which the Subcommittee does not have information about reporting are not included.

of sexual assault survivors do not report the incident to authorities.²⁷ A 2019 National Academy of Public Administration study conducted at the Coast Guard Academy found “interviewees mentioned existing stigma in reporting sexual assault and sexual harassment incidents due to concerns of not being taken seriously, lack of confidentiality, and being part of the ‘rumor mill.’”²⁸ Interviewees also reported that the lengthy reporting and investigation procedure was a deterrent.²⁹ Consistent with that study, the Subcommittee observed a distinct pattern of alleged practice and culture in the Academy and at the Coast Guard that led to the silencing of victims. These practices are discussed in detail in the following sections.

d. Sexual misconduct has a chronic and life-long impact on victims

Across the decades of survivors that came forward to the Subcommittee to share their experiences, it is apparent that the sexual misconduct that they experienced at the Academy and in the Coast Guard had a profound and lasting impact on their professional and personal lives. Sexual assault and harassment were described by one whistleblower as a “life sentence” that impacted them in every way—“mental and physical health, personal and professional relationships, career and home life.” Several of the whistleblowers who came forward to the Subcommittee felt pressured to leave the Academy before they graduated or end their careers early due to what they experienced. Former cadet Caitlin Maro requested to be separated from the Academy before what she described as a “shameful and humiliating” investigation concluded, telling the Subcommittee that she was “[u]nable to endure the atmosphere and fear[ed] for her safety.”

Many whistleblowers described the lasting impact that their experiences have had on their mental and physical health. Melissa McCafferty testified: “The impact of these assaults on my life cannot be understated. My sense of trust in others, safety, self-worth, confidence, and emotional security were devastated.”³⁰ Several of the whistleblowers

²⁷ Statistics About Sexual Violence, National Sexual Violence Resource Center, https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf.

²⁸ National Academy of Public Administration, *An Assessment of Cultural Competence at the United States Coast Guard Academy* (Feb. 2022), <https://s3.us-west-2.amazonaws.com/napa-2021/studies/u-s-coast-guard-academy-cultural-competence-assessment/NAPA-Final-Report-An-Assessment-of-Cultural-Competence-at-the-United-States-Coast-Guard-Academy-February-2022.pdf>.

²⁹ *Id.*

³⁰ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg.

reported lasting struggles with depression, anxiety, insomnia, post-traumatic stress disorder, and other health issues stemming from the trauma of sexual assault and sexual harassment.

A whistleblower who reported a superior for sexual harassment and groping described that the Coast Guard's reported failures had a persistent impact on her life and career:

Having experienced, first-hand, culturally ingrained skepticism about and hostility towards survivors' claims, plus the failure of Coast Guard leadership to investigate my own perpetrator's actions, led me to adopt a stance of silence following all subsequent occasions of being harassed or assaulted, of which there were many over the next twenty years, as well as refrain from disclosing an earlier rape I experienced at the hands of an Academy classmate. I continue to experience post-traumatic stress disorder to this day.

Other whistleblowers described how their decision to leave the service or end their careers with the Coast Guard earlier than intended stemmed from the sexual misconduct they experienced. One whistleblower who left active duty service stated, "This one service member's actions and the lack of leadership's willingness to hold him accountable greatly impacted the rest of [my] career and life decisions." Another whistleblower came from a military family and expected to have a lifelong career in service. She left the Coast Guard in the late 2000s because of the assaults she endured at the Academy and the culture she observed while on active duty. She stated, "I found that a culture of 'boys will be boys' existed at an even higher level in the service." An additional whistleblower left active duty after experiencing sexual assault, sexual harassment, and an unsatisfactory investigation. A whistleblower who was assaulted at the Academy told the Subcommittee: "Being raped is bad enough. But the institutional betrayal has been more damaging for me. It was the culture."

335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

Reported culture fostered sexual misconduct at the Coast Guard Academy

Whistleblowers spanning five decades described an Academy culture around sexual misconduct that was highly skeptical of reporting, thus silencing victims and enabling abuse. They recounted that the hostility of their peers and the ambivalence of Academy leadership created an environment in which reporting was heavily discouraged. Moreover, a reported lack of access to proper medical care further victimized those cadets who sought help following an incident.

a. The Academy's culture of ostracization, shaming, and disbelief silenced victims of assault and harassment or made them regret coming forward to report

Whistleblowers described an Academy culture in which survivors of misconduct were ostracized, not believed, and blamed for their assaults and where cadets encouraged each other to ignore or commit misconduct. This hostile culture was deeply harmful to the whistleblowers who reported their abuse and also deterred many from reporting.

A late 2000s Academy graduate told the Subcommittee that fellow cadets she believed to be friends and mentors told her that they didn't believe her report of sexual assault and spread rumors that her report was false. After her report, "[she] was harassed on a daily basis. . . . [She] avoided all [A]cademy functions; [she] rarely ate dinner because of the nausea that [she] experienced during meals as a result of gestures, sneers and demeaning comments from other cadets."

In her testimony, Caitlin Maro shared that she didn't initially report an incident where she was groped on campus in front of at least 20 witnesses. Maro reported struggling against her assailant, which caught the attention of other cadets who "started laughing and egging him on."³¹ She said that, after reporting the harassment to the Academy:

My fellow cadets abandoned me; they let doors slam in my face, created humiliating nicknames for me, and spread particularly ugly rumors. I knew then that my career in the U.S. Coast Guard was over before it even began.

³¹ *Id.*

Cadet Kyra Holmstrup, an Academy cadet, similarly testified to her experience after making an unrestricted³² report in 2020. She stated:

*Immediately, my classmates stopped talking to me. They wouldn't look me in the eyes. My attacker told anyone who would listen that I was a liar and that I was crazy. I felt incredibly alone.*³³

Another whistleblower attributed her decision to not report multiple assaults at the Academy, in part, to fear of ostracization and retaliation: “The rumors that existed about other girls who reported assaults were awful and they eventually left the service because they were not taken seriously and, in some cases, blamed for their assaults.”

b. The Academy's leadership discouraged victims from reporting sexual misconduct

At least three whistleblowers described trying to report an instance of sexual assault or harassment to an Academy professor or staff member and being discouraged from doing so. For example, an early 2000s Academy graduate reported to the Subcommittee, “I told a counselor about that night and was told if I reported him [her assailant], I will probably ruin his career. I would be subject to a psych exam and will probably be forced out.”

Another whistleblower told the Subcommittee that she filed a written statement with the law office at the Academy to report being raped, but was never contacted for an investigation into the incident. She contacted the office months later to ask for an update after hearing that her assailant was in officer candidate training for another service branch. She was soon called into the Academy law offices where two Coast Guard lawyers allegedly discouraged her from pursuing the issue further. She said:

³² Survivors can choose between making a restricted or unrestricted report of sexual assault. Restricted reports are not shared with law enforcement or the survivor's chain of command, while unrestricted reports are disclosed to Coast Guard Investigative Services (Coast Guard law enforcement) and the survivor's chain of command. See Sexual Assault Prevention, Response, & Recovery (SAPRR) Program CG-1K4, U.S. Coast Guard, <https://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-Human-Resources-CG-1/Health-Safety-and-Work-Life-CG-11/Sexual-Assault-Prevention-Response-and-Recovery-Program/>.

³³ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

They told me I could pursue an investigation; however, that would impact my studies, my ability to graduate that Spring, and my first duty station . . . [A]s a 1/C [fourth year] cadet, I felt that two officers telling me to focus on my studies and my career is what I needed to do.

c. Victims of sexual misconduct at the Academy received inadequate medical care

At least five whistleblowers told the Subcommittee that they received inappropriate or substandard medical care at the Academy's medical clinic, which either discouraged them from reporting, retraumatized them following abuse, or both.

A whistleblower shared with the Subcommittee that she was sexually assaulted twice during her first year at the Academy. She felt unable to report the assaults to the Academy in part because of her experiences at the medical clinic. The whistleblower stated, "The one place that I should have been comfortable to make the report, the medical clinic, was a place where I first felt as if assaults were normal in the service."

During one of my first visits to the medical clinic as a cadet at the Coast Guard Academy I was encouraged to start birth control. Even though I was not sexually active, the medical officer stated that it is safe to be on birth control because, 'You never know what might happen.'

After the first assault, the whistleblower reflected,

I remembered what the medical officer said and all I could think was that the service did its job by encouraging me to get on birth control because I never knew what would happen because "IT" happened to me.

Another whistleblower, who was sexually assaulted at the Academy, reported being discouraged from continuing mental health counseling. The whistleblower shared with the Subcommittee:

[T]he cadet counselor told me during my 3rd visit to her to not come back or she would have to report it and it would show up on my medical record which could also impact my ability to receive a commission.

One whistleblower shared with the Subcommittee her story of fighting for a medical discharge. In her first year at the Academy, this whistleblower was sexually assaulted.

Suffering from Post-Traumatic Stress Disorder, the whistleblower attempted to go on convalescence leave. The whistleblower's request was initially denied but eventually was granted after her family hired outside legal counsel. After leaving, the whistleblower stated that she was threatened with absent without official leave (AWOL) charges and had her medical coverage rescinded. The whistleblower recounted that it was only through the help of her parents, outside legal counsel, and eventually her member of Congress that she was finally able to receive a medical discharge.

Policies reportedly fostered sexual misconduct at the Academy

The primary policies alleged to have fostered a culture tolerant of sexual misconduct at the Academy were (1) regulations around punishment for collateral misconduct, (2) regulations regarding cadet interactions, and (3) the investigation and reporting process following an incident.

a. Cadets' fear of punishment for collateral misconduct silenced victims of assault and harassment

Until recently, cadets reporting sexual misconduct were not protected from punishment for unrelated misconduct that came to light as a result of said report.³⁴ Common examples of collateral misconduct include underage drinking, unsanctioned dating (i.e., relationships between under- and upperclassmen), and missing curfew.³⁵ Fear of punishment for collateral misconduct was a commonly cited reason for whistleblowers not reporting their experiences to the Coast Guard.

A whistleblower who served in the Coast Guard for over 25 years told the Subcommittee, that despite having experienced multiple instances of sexual assault and harassment at the Academy in the mid-1990s, she did not report those incidents because of the likelihood of collateral punishment.

³⁴ AJ Pulkkinen, *Take a closer look at the Coast Guard's Safe to Report policy*, U.S. Coast Guard (May 8, 2024), <https://www.mycg.uscg.mil/News/Article/3691069/take-a-closer-look-at-the-coast-guards-safe-to-report-policy/#:~:text=Under%20the%20Safe%20to%20Report,or%20disrupt%20a%20sexual%20assault.>

³⁵ *Id.*

I never came forward to report my assaults. I knew I would not be taken seriously and I saw how women who did come forward were treated. They would be blamed for causing their assault, punished for consuming alcohol or other infractions that paled in comparison to the crimes committed against them, or victims wouldn't be believed that they were assaulted in the first place.

The fear of punishment for collateral misconduct was sufficiently powerful that several whistleblowers told the Subcommittee that they feared punishment for having inappropriate contact with senior cadets—given the Academy's strict rules regarding dating among different class years—even if that contact was not initiated or wanted on their part.³⁶ One whistleblower shared that, as a cadet in the 2010s, the threat of collateral misconduct was used as blackmail to keep her from reporting repeated sexual assaults by the same perpetrator for a year.

He blackmailed me, using his position over me and the fact that I drank underage to get me to have sex with him. He knew that I would get into more trouble for underage drinking than he would for blackmailing me for sex. He was right.

An Academy graduate who served in the Coast Guard for over 12 years testified before the Subcommittee that she did not report her experience of sexual assault, in part, because she feared discipline for going on an off-campus trip with another, older, cadet.

b. Academy investigation practices are reportedly insufficient, retraumatizing, and fail to provide meaningful accountability or justice

Whistleblowers who reported their experiences were dissatisfied with the resulting investigations, even expressing that the negative effects of the investigation process were similar to or greater than the effects of the assaults themselves. At least five whistleblowers alleged the Academy's investigations were insufficient and failed to (1) promptly and diligently investigate misconduct, (2) properly document victims' allegations, (3) prioritize victim safety, and/or (4) provide meaningful justice and accountability.

³⁶ U.S. Coast Guard Academy, *Sponsor Family Program Overview*, U.S. Coast Guard, (Jan. 2024), <https://uscga.edu/wp-content/uploads/2024/01/SFP-Overview.pdf> (dating is permitted between members of adjacent classes except Fourth Class cadets [first year students] who may only date classmates).

i. **The Academy failed to promptly and diligently investigate misconduct and keep victims informed**

In some cases, even after an instance of assault or harassment was reported, the Academy was slow to initiate an investigation or take claims seriously. Caitlin Maro testified that the Academy did not promptly initiate an investigation in her case:

It was only after my mother got involved that an investigation ensued. . . . Now furious, the Commander pulled me back into another closed-door meeting to question me. 'We didn't initially investigate because we figured that this happened on a date. You do have blonde hair and wear makeup,' he stated as his rationale for not investigating my allegations in the first place.³⁷

After investigations were initiated, some whistleblowers told the Subcommittee that the investigatory process was extremely slow and they were given little information on the progress of their cases:

The investigation took the rest of the semester to complete (even without waiting for my rape kit forensics to be completed). I contacted CGIS on a weekly basis receiving non-descript responses from them and no indication of their progress. . . . I felt I was the only person with the urgency to take a criminal out of the barracks.

Cadet Kyra Holmstrup testified:

I do believe that there were many things that were dropped during my case... I did not have the ability to understand what was going on with my case. I, like Caitlin [Maro], have to FOIA for my case packet. I have not seen the entirety of it as well and neither did my SVC [Special Victims' Counsel], my lawyer, at the time. So he was not able to fully prepare me for what I was going into [her perpetrator's adjudication].

In contrast to the survivor experiences discussed above, Cadet Holmstrup reported that her assailant had access to detailed information about the case during the pendency of

³⁷ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>..

the investigation, which he then used to further shame and ostracize her. In Cadet Holmstrup's written testimony she stated:

My attacker received the case file, which included my statement and interview. This was his right as a criminal defendant. What my attacker did next was terrible. He openly shared these intensely intimate, traumatic pieces of evidence with my classmates. He exposed my entire, incredibly personal interview with CGIS. I was devastated and thought for sure this must be a violation of regulations governing cadets. After telling my SVC [Special Victims' Counsel] what occurred, he said the best they could do was ask my attacker's defense attorney to stop him from showing it to more cadets.³⁸

A whistleblower from the early 2000s echoed Cadet Holmstrup's report of different restrictions on information applicable to victims and perpetrators. The whistleblower stated that she was given a verbal "gag order" to not discuss any matters related to her case. However, her perpetrator was not similarly restricted as he was to be considered "innocent until proven guilty."

ii. The Academy failed to fully document victims' testimony and allegations

An Academy culture skeptical of victims and hostile to reporting was mirrored in whistleblowers' stories regarding the official documentation process. Whistleblowers who were able to gain access to documents regarding their cases reported incomplete or inaccurate documentation generated by Academy staff.

A whistleblower who reported being groped and bitten by her assailant discovered that the charge sheet did not accurately reflect her report:

I FOIA requested my record, and the charge sheet reads "allegedly sexually harassed." When I repeatedly stated that I was bitten and groped which is a "physical/sexual assault" and I had teeth marks in a place I couldn't bite myself and witnesses that saw the marks. . .

A whistleblower who obtained documents related to her sexual assault case after leaving the Academy stated, "I think it's funny to note that my perspective was not always

³⁸ *Id.*

accounted for in the documentation of allegations. . . . There are many aspects of my testimony that were not at all represented [in the documentation].” The former Cadet was only able to obtain these documents because another Coast Guard member received them as a part of an unrelated court martial defense.

iii. The Academy failed to prioritize victim safety during investigations

No-contact orders are essential tools in ensuring victim safety during the pendency of an investigation.³⁹ At least three whistleblowers alleged, however, that the Academy failed to issue or enforce them in a meaningful way, thus jeopardizing victims’ physical safety and mental wellbeing.

A whistleblower who was not granted a request for relocation away from her assailant reported to the Subcommittee the devastating impact this had on her daily life and ability to heal:

[M]y rapist lived about 100 feet from me every day in the room in which he raped me. My assailant was in such close quarters I saw him on a daily basis in duties, in the halls, on the bulkhead . . . and even at meals. Every time I saw him, I immediately had a panic attack.

This whistleblower reported that the Academy’s failure to separate her from her assailant not only jeopardized her safety, but also impacted her roommates:

My roommates also felt threatened by my assailant and had discussed this with [leadership] as well. On the night I went to the hospital, my assailant came to my room and harassed my roommates . . . to the extent they required another cadet to sleep in the room with them for protection. Though the chain of command fully knew of the persistent threat, my assailant was not moved nor was he separated from me.

Cadet Holmstrup testified that while the Academy made some efforts to keep the complainant and the accused separated, these efforts were insufficient to ensure her safety. Despite the Academy having moved Holmstrup’s attacker to a different Company and having issued a 20-foot no-contact order, the order was not properly enforced. Holmstrup testified:

³⁹ See Christopher T. Benitez, Dale E. McNiel & Renée L. Binder, *Do Protection Orders Protect?*, 38(3) J. AM. ACAD. PSYCHIATRY & L. ONLINE 376 (2010).

I thought the No Contact Order would protect me. It didn't. . . . Despite my attacker's blatant violations of orders, my SVC [Special Victims' Counsel] told me no meaningful action would be taken, and that this conduct may not have even been a violation. My attacker continued to cross boundaries. Prior Academy leadership seemed unbothered or unwilling to bring charges for these clear violations, and instead only increased the distance he was required to stay away from me.⁴⁰

A whistleblower whose case was reexamined during Operation Fouled Anchor disclosed to the Subcommittee that she felt unsafe participating in the new investigation and wished for her assailant not to know she was involved. Her request for a protective order, however, was not granted.

iv. Academy investigations failed to provide justice and accountability

Whistleblowers reported that the Academy's investigation procedures allowed their assailants to escape accountability, including criminal prosecution. Instead, Academy processes allegedly allowed assailants to continue their military careers—reportedly including by joining the enlisted ranks without carrying a record of sexual misconduct with them—or receive honorable discharges. Simply put, none of the whistleblowers who disclosed sexual misconduct to the Subcommittee reported the misconduct was adjudicated through court-martial, which is a criminal trial for members accused of violating the Uniform Code of Military Justice, or any other criminal process.⁴¹

Instead of a criminal process, several whistleblowers described the use of non-judicial punishment ("NJP" or "Flag Mast") by both the Academy and the Coast Guard to adjudicate their cases. NJP is a non-criminal, internal proceeding where the Coast Guard or the Academy can hear and rule on alleged violations of the Coast Guard's code of conduct.⁴² Per the Manual for Courts-Martial, "[n]onjudicial punishment provides commanders with an essential and prompt means of maintaining good order and discipline and also promotes positive behavior changes in servicemembers without the

⁴⁰ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

⁴¹ See Military Justice Overview, U.S. Department of Defense Victim and Witness Assistance, <https://vwac.defense.gov/military.aspx>.

⁴² See 10 U.S.C. 815; Jim Absher, *What is Non-Judicial Punishment*, Military.com, March 25, 2022, <https://www.military.com/benefits/military-legal-matters/nonjudicial-punishment-explained.html>.

stigma of a court-martial conviction.”⁴³ It is a less formal forum than court-martial and is intended to adjudicate minor offenses.⁴⁴ Importantly, it also allows the decision of whether to proceed with punishment and what punishment is appropriate to remain within the chain of command.⁴⁵

At least eight whistleblowers shared with the Subcommittee that they had reported at least one event of sexual misconduct to the Coast Guard Academy. At least four of these events were reportedly adjudicated through NJP. In those cases, the Academy allowed alleged perpetrators to escape criminal accountability for their actions and instead used a process for adjudicating minor offenses. The remaining perpetrators reportedly never faced even the minor accountability provided by the NJP process.

A whistleblower from the early 2000s who reported her assailant for alleged rape—punishable as a crime under Article 120 of the Uniform Code of Military Justice⁴⁶—told the Subcommittee that her assailant never faced criminal charges for the incident. Instead, he was reportedly dismissed from the Academy following an NJP process.

Whistleblowers whose cases were adjudicated by NJP recounted experiences of their assailants receiving limited punishment, being discharged honorably, or being transferred. A whistleblower who attended the Academy in the 1990s reported that, rather than facing meaningful justice, her assailant was never properly investigated and failed to face accountability. Instead, he reportedly “was given demerits and told to write a paper” and “went on to graduate and continued to sexually attack females.”

Cadet Kyra Holmstrup reported learning that her assailant would receive an honorable discharge and thus be able to re-enlist in the Coast Guard.⁴⁷

⁴³ U.S. Dep’t of Defense, Joint Serv. Comm. on Mil. Just., *Manual for Courts-Martial United States (2024 Edition)*, [https://jsc.defense.gov/Portals/99/2024%20MCM%20files/MCM%20\(2024%20ed\)%20-%20TOC%20no%20index.pdf?ver=b7JVpxV5rblHg0ENICRVKQ%3D%3D](https://jsc.defense.gov/Portals/99/2024%20MCM%20files/MCM%20(2024%20ed)%20-%20TOC%20no%20index.pdf?ver=b7JVpxV5rblHg0ENICRVKQ%3D%3D).

⁴⁴ See 10 U.S.C. 815; *Id.*

⁴⁵ See 10 U.S.C. § 815(b). NJP is presided over by commanders who can, in certain circumstances, delegate NJP authority to a principal assistant. *Id.* § 815(a). The UCMJ gives commanders the power to impose certain types of discipline via NJP.

⁴⁶ 10 U.S.C. § 920(a).

⁴⁷ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

The SVCs [Special Victims' Counsel] also told me he would have no record and would be allowed to re-enlist in the military. I broke down in the middle of the airport. My attacker was able to walk away with almost no consequences. Nobody would know what he did to me, and nothing was stopping him from returning to military service. He was emboldened—bragging and sharing his excitement with others about re-enlisting. All I wanted to do was stop him from being able to do again what he did to me. That didn't happen.

Reported Coast Guard culture and policies similarly fostered sexual misconduct in the active duty fleet

The reports of flawed culture and policies creating the conditions for alleged widespread abuses were not unique to the Academy. Whistleblowers reported a pervasive “boys will be boys” culture that was tolerant of sexual assault and sexual harassment, not just at the Academy, but throughout the Coast Guard. One whistleblower shared:

I couldn't trust the Coast Guard to be there for me. The victim assistance was laughable. I needed to heal, and the organization that I loved, but wounded me would not allow that.

In fact, the specific issues discussed above regarding Academy culture—inadequate investigations, peer hostility, leadership discouragement, and substandard medical care—were also all reported by whistleblowers in active duty.

a. Coast Guard investigations failed to provide justice or accountability in cases of sexual misconduct

Much like Academy whistleblowers, active duty whistleblowers reported feeling failed by the Coast Guard's investigation and accountability processes.

A whistleblower who was sexually assaulted while on active duty reported an investigation process that was retraumatizing, belittling, and ultimately did not provide meaningful justice. CGIS agents allegedly “questioned the veracity of [the whistleblower's] story” and told the whistleblower that his assailant's story was

“believable.” The whistleblower reported feeling as though the case was not properly investigated:

The investigation ended there. I was not informed regarding who else was interviewed. My assailant was not questioned further. Members of my command . . . were not questioned about the culture or to corroborate any information from my statements. In short, not much was done to support my claim of sexual assault.

The Coast Guard later reopened this whistleblower’s case. But the whistleblower reported witnessing investigatory failures similar to those he encountered in the initial inquiry:

I was informed that . . . no administrative action would be taken against the perpetrator. He was due to retire in a few weeks and there was not enough information to go on to reduce his retirement or discharge status. He was not approached during the second investigation. I did not give another statement. It appeared to me that a thorough investigation was not conducted.

Another whistleblower recounted feeling shamed by CGIS after reporting sexual harassment: “CGIS re victimized me, there was no compassion or empathy on their part. They treated me like I was the perpetrator and the one at fault. It was an awful experience.”

As described above, NJP—used by both the Academy and the Coast Guard to adjudicate cases of sexual misconduct—has allegedly led to assailants escaping the full force of criminal prosecution and meaningful accountability. None of the whistleblowers who reached out to the Subcommittee reported that their cases were adjudicated through courts-martial, and the majority of whistleblowers reported their cases being adjudicated through NJP. Like cadet whistleblowers, whistleblowers who were serving in the Coast Guard found NJP hearings inadequate.

A whistleblower who had been repeatedly sexually assaulted and harassed reported that her perpetrator was allowed to choose whether to face court martial or NJP. After he chose NJP, she was excluded from the room. On the morning of the NJP proceedings, the whistleblower was informed that the Coast Guard was dropping the sexual misconduct charges because the statute of limitations had expired during the investigation. The whistleblower had never been informed that this was a risk—the first

she heard of any potential statute of limitations problem was when it enabled her perpetrator to escape accountability for sexual misconduct. He instead received a nominal punishment for the remaining, non-sexual misconduct charges.

Another whistleblower who was sexually harassed while on active duty shared her frustration with her assailant's NJP hearing. Despite the victim having requested that the NJP process be "open"—which would have allowed the crew to hear the allegations and evidence—the Coast Guard reportedly granted the perpetrator's request to close the proceedings. Although the investigation had revealed a pattern of misconduct with many victims, the whistleblower reported that the NJP failed to leverage meaningful accountability.

During the investigation, they found that this was a pattern of behavior for him, even at previous units. He had never been held accountable. Ever. . . . It was sickening and humiliating. . . . They did not restrict him to base, they did not make him forfeit pay, they did not make him do anything that every other person that had been found guilty at NJP for lesser crimes do for accountability. It was a slap in the face to all of his victims. This man was a sexual predator, and got off virtually Scot free [sic] because he was a "hero," and a good ole boy.

A whistleblower who received a Military Protective Order against her perpetrator after an assault reported that the Coast Guard failed to properly enforce that order. Despite her having photo evidence of him violating the order, the Coast Guard did not follow accountability procedures for the violation. Instead, her perpetrator was simply told to stop violating the order.

Another active duty whistleblower reported the disappointment and self-blame she felt when learning, years after reporting another member for sexual harassment, that member had allegedly gone on to harass other women:

I felt that I had done my part, justice would prevail, and we made the Coast Guard a[] safer place. Yesterday, I found out I was wrong. A woman shared her own story on social media . . . [and a] name that got mentioned was the same man I had reported years prior. Sure, he got reduced in pay grade, but he continued his career, and obviously continued his behavior.

Despite the perpetrator having numerous negative administrative actions against him from prior units for similar behavior, the Coast Guard reportedly failed to take meaningful

action against him. Instead, he was permitted to finish his tour and become a civilian law enforcement officer.

An additional whistleblower reported a similar failure in accountability. She and several other women were stalked by a perpetrator who also made false reports of them having inappropriate relationships with him. Despite the Coast Guard allegedly concluding that he was stalking his victims, he was neither prosecuted nor removed from the service. He was instead reportedly given the choice between being transferred to a remote duty station or quietly retiring.

Another whistleblower reported the experience of learning her abuser had been allowed to re-start boot camp. Despite her having reported the assault and the perpetrator having been originally removed from boot camp, the perpetrator later was reportedly allowed back in to the service.

b. Active duty survivors were harmed by serving beside their assailants

Much like Academy cadets reported being deeply impacted by having to live, eat, and attend school alongside their assailants, active duty whistleblowers report similar challenges in serving in close quarters with perpetrators.

Several whistleblowers reported fearing having to face their assailants again. One of these individuals, who was sexually assaulted and harassed on active duty, reported that her decision to leave the service ultimately came as a result of seeing her assailant on base over a decade after her assault.

This was defeating to me. This was another win for him. I felt I wasn't strong enough to face him even ten years later. I couldn't handle living on the same island or community as him. I didn't want my children growing up with him around. The idea sickened me. Had his actions been handled differently, I think my life may have had a very different trajectory.

A former cadet from the early 2010s described her fear of having to work with the men who assaulted and harassed her after graduation. She stated, "They were active-duty members of the Coast Guard and the Coast Guard is a very small branch. I lived in fear that I would be stationed with them again and that was a very real possibility."

c. Active duty members were disbelieved, ostracized, and shamed by their peers for reporting misconduct and abuse

Similar to Academy cadets, active duty whistleblowers reported ostracization and shaming from their peers following reports of abuse.

A whistleblower who faced sexual harassment at her duty station in the mid-2000s recounted facing hostility after informally telling her fellow line crew what had happened: "They laughed at me. I made the decision that I wouldn't report further if this is how my crew reacted to the situation." Nonetheless, she and another victim eventually chose to make an official report. When they did, "[e]veryone on the hangar deck chastised [them]" and "asked [them] why [they] were going after this 'hero's' [sic] career over some comments."

When a whistleblower reported a superior officer for sexual harassment and groping, her executive officer reportedly immediately blamed the whistleblower, a junior officer, as "responsible for ruining a good man's career."

Another whistleblower recounted facing harassment from her unit for over a year after reporting a fellow member's misconduct. The members who supported her also allegedly faced hostility and newly reporting members were told to "stay away from [her] because [she] was crazy and going to ruin their lives."

An additional whistleblower reported skepticism and minimization on the part of the CGIS agents who took her report. The agents questioned the whistleblower's character and reportedly forced her, despite her "sobbing uncontrollably," to show them where on her body her assailant had touched her. The agents then told her "if your hand just went up your thigh a little farther, then you would have been assaulted" and "this is only harassment and it's not that big of a deal."

Across decades of stories from whistleblowers, the phrases "slut", "bitch", "whore" and others were used to describe women in the Coast Guard, often in the context of them being associated with experiencing sexual assault or harassment. One whistleblower who was assaulted while on active duty shared, "In boot camp, my company commander told the females that you are either going to be a bitch or a whore." She did not report her assault "for the fear of retribution, punishment, shame, and embarrassment" fostered by statements like her company commander's:

Although I now know that my sexual assault was not my fault, there was no way I was ever going to be labeled or thought of [as] a “whore” especially after just taking a huge leap of faith into the unknown and being so excited to serve my country.

For another whistleblower, male colleagues reportedly began making derogatory comments about her gender almost immediately upon her arrival at the station. “Shortly after [she] arrived to the station the comments from majority of the guys started: whore, slut, other derogatory statements.”

Another whistleblower reported that a fellow member repeatedly referred to her as the “slut CO [Commanding Officer]” and speculated that she was bound to be having sex with people on her crew because she “slept around so much.” When she reported these comments, she was allegedly told that she would have to be removed from command and placed on shore assignment during the investigation:

[T]hey didn’t want me to pursue an investigation so my punishment if I decided to proceed would be removal from command.

d. Active duty members faced career retaliation following reporting

Much like cadets, the Subcommittee received reports from Coast Guard members who felt that coming forward to report their experiences to leadership hurt their careers. The most direct example of this retaliation was through Officer Evaluation Reports (“OERs”), which are critical to receiving desirable assignments and promotion opportunities. One whistleblower, who served over 25 years in the Coast Guard, shared:

[M]y Group Commander (O5) made inappropriate comments towards me in front of my peers and shipmates while patting his knee and suggesting we discuss my evaluations[,] or make remarks about my breasts. Although I told him to stop, it affected how others perceived me and resulted in low marks on my evaluations regarding respecting others. When I appealed these evaluations and pointed out that he set the tone for such behavior, they were raised one point; however, he faced no accountability. . .

Another whistleblower shared that it took over five years to resolve an “inaccurate and degrading evaluation” made by her supervisor, who was sexually harassing her while on assignment at the Academy. That same supervisor, against whom the whistleblower had lodged an official sexual harassment complaint, later served on the whistleblower’s

promotion board. The whistleblower was reportedly passed over for the promotion. She told the Subcommittee:

Once bypassed for rank, it is nearly impossible to recover. The later boards chose not to promote me and I was forced to retire well below the rank that I knew I could have achieved if sexual harassment had not been a driving Coast Guard force against women and still is today.

An additional whistleblower experienced immediate career retaliation after making a report of sexual harassment. After making her report, she was informed she “was being removed from [her] assignment and receiving negative evaluations that would also remove [her] recommendation for advancement” because she allegedly “acted u[n]professionally during the [harassment] incident.” She also was reportedly disciplined for specific actions that had previously been rewarded and earned her a special duty assignment. When she sought to understand why her scores were being lowered on her performance evaluations, the members who counseled her allegedly “refused to answer numerous questions [she] had in regard to them lowering [her] evaluations and told [her] to submit a FOIA request if [she] wanted the answers.”

Another whistleblower who suffered numerous injuries during an attack, including a displaced pelvis, ribs, and vertebra, bruised rib and tailbone, and a strained shoulder, reportedly faced retaliation in her assignments. Despite her injuries, she was assigned to overnight duty and was told “this was [her] problem and if [she] didn’t want to stand duty[, she needed to] find coverage.”

e. Coast Guard leadership discouraged active duty members from reporting

At least four active duty whistleblowers reported being discouraged from reporting by Coast Guard leadership, again echoing the experiences of Academy cadets.

After experiencing multiple instances of sexual assault and harassment during nearly two decades of Coast Guard service, one whistleblower recalled to the Subcommittee her devastation when the senior Coast Guard leaders she worked for prioritized protecting another senior leader accused of sexual harassment.

[M]ultiple junior enlisted women bravely came forward to report [REDACTED], made inappropriate and unwelcome advances during what he called "career counseling" sessions. . . . As a member of [REDACTED]

staff at the time, I was devastated by [REDACTED] response and comments expressing that his priority was to not embarrass [REDACTED] or his family. . . . We were ordered not to talk to the media about the incident if they called our office. [REDACTED] was not held accountable, he was protected and enlisted women were shown, like always, that they matter less.

The Subcommittee heard from another whistleblower who, throughout her time at the Academy and her multi-decade active-duty career, repeatedly heard skeptical and hostile statements regarding other women's reports of sexual assault from her peers and command leadership, including senior officers and chiefs. She reported that these statements "had a chilling effect and reinforced my perception that my own character and hard-won professional reputation would be attacked were I to come forward." When she nevertheless reported a superior for sexual harassment and groping while a junior officer, leadership accepted the immediate resignation of the perpetrator instead of calling upon CGIS to investigate the matter further, reportedly "for fear of potentially disrupting ongoing operations and jeopardizing our mission."

Another whistleblower who reported a domestic violence assault was met with similar skepticism and discouragement:

I reported the domestic violence assault, and I was met with questions like "why are you getting a restraining order? Do you really think he's going to do something else?" and told things like . . . "I could be in trouble because it was an inappropriate relationship."

After experiencing months of sexual misconduct, another whistleblower was asked by a superior, who had noticed the situation, if she was being harassed. When she replied in the affirmative, an officer allegedly replied:

"Okay, I want you to think about these men and their careers. They could lose their jobs over this, and you could ruin their lives. And then CGIS (Coast Guard Investigative Services) is going to show up and make you out to be a liar. No one will believe you. Do you want that? I want you to think about all of this before you decide to tell anyone else."

Another whistleblower first realized that the medical treatment that she received was actually sexual assault when a supervisor, seeing her intense discomfort with returning to the medical facility, told her that she must be one of a particular perpetrator's victims

(the perpetrator had abused many women in that facility). She previously had not recognized the treatment as assault or known that her assailant had assaulted so many women. When she had a panic attack, the supervisor reportedly said “that was a while ago, just get over it, he’s gone.” She was not given the opportunity to formally report the assault.

An additional whistleblower faced ridicule after informing a supervisor of his assault—the supervisor allegedly laughed at him and called him slurs because he had been assaulted by another man. He too was never given the opportunity to make a formal report.

f. Active duty victims of sexual misconduct received inadequate medical care

Much like cadets, members of the Coast Guard detailed a medical system that failed to support them in the wake of trauma. Additionally, they reported attempts to weaponize the medical system against them following reporting.

One whistleblower, who is currently serving on active duty, shared with the Subcommittee that they were assaulted three months after graduating from boot camp, more than 20 years ago. The whistleblower recounted that after they recently reached out to the Coast Guard Medical Office for help dealing with trauma:

*. . . the doctor just simply asked me what kind of medication do you want.
. . . I have no idea?!?! I wasn’t reaching out for medication, I was reaching out to talk to someone, to tell someone. To be heard by someone.*

Another whistleblower who reported a sexual assault while serving on active duty felt similarly disserved by the Coast Guard’s medical resources. This whistleblower described the reaction of the clinic as one of “indifference.” According to the whistleblower, the clinic staff acted unaware of the reason he needed to see a medical professional, leading him to conclude that “[y]et again, [he] was on [his] own.”

Commander Jennifer Yount (Ret.), the first woman to command a class of cutter and the second woman to command a U.S. combatant, faced potential dismissal from the Coast Guard via a Medical Board triggered by sexual harassment from her Executive Officer. Commander Yount testified that after experiencing sexual assault and harassment both at the Academy and while on active duty, she disclosed the harassment to a doctor at MacDill Air Force Base. Her reports of sexual harassment were ignored—instead, the

doctor reportedly focused on “improving [Yount’s] coping skills.” Commander Yount received a diagnosis of depression.

This diagnosis led to a Coast Guard Medical Board review to determine whether I should be dismissed from service. Although I was cleared by the Medical Board in February 1989, this evaluation remained on my record. It took me two years and countless hours of advocacy to finally expunge this record so that I could be promoted to Lieutenant Commander in 1991.⁴⁸

The Coast Guard continues to silence and re-traumatize victims of sexual misconduct

The Subcommittee has received reports from whistleblowers that raise serious questions regarding the Coast Guard’s recent actions around sexual misconduct by and against its servicemembers. Whistleblowers who were asked by the Coast Guard to share their stories of misconduct for fleet-wide distribution reported inadequate communication and hesitancy by the Coast Guard to distribute their videos, allegedly because they reflected poorly on the service. Whistleblowers also allege that the Coast Guard has failed to adequately communicate with them—both during Operation Fouled Anchor and in response to their requests for records—thus furthering their trauma and preventing them from accessing care.

These reports call into question the modern Coast Guard’s capacity to foster an environment intolerant of sexual assault and harassment and interact with survivors without causing them additional trauma.

a. The Coast Guard has silenced survivors of assault without offering an explanation

Several survivors of sexual assault in the Coast Guard report having been approached by the Coast Guard to film videos about their experiences. These survivors told their stories on camera and provided feedback in a question-and-answer setting. They were told that these videos would be used as a fleet-wide training tool during Sexual Assault Awareness and Prevention Month.

⁴⁸ *Id.*

The Coast Guard delayed the release of these videos, only releasing them after portions had been made public by one of the survivors, and doing so with little context or notification to Coast Guard members. One survivor described disappointment with the Coast Guard's delay:

The other survivors were perfectly fine with our stories being released, which is why we recorded them in the first place. It was apparent that our voices were being silenced.

While the survivors were never given a formal explanation regarding the initial decision to delay releasing the videos, one whistleblower reported hearing that the Coast Guard was concerned about potential damage to its image from their release:

Many of the details of our stories were mishandled or not properly reported when they occurred. If the Coast Guard were to release these stories investigations would be triggered and the image of the Coast Guard would be tarnished.

The Subcommittee has obtained a document supporting this contention, in which the details of the video program and its outcome are discussed. This document describes a series of concerns with releasing the videos, including increased and unwelcome Congressional attention and a fear that the videos would "continue to exacerbate the narrative being advanced by some that the Coast Guard is in a sexual assault crisis now."⁴⁹ The document states that its author "does not recommend sharing these videos widely."

b. The Coast Guard has repeatedly failed to communicate properly with victims of sexual misconduct

Whistleblowers continue to feel wronged by the Coast Guard's communication. The Subcommittee has received reports from at least ten whistleblowers of recent incidents in which they have felt underserved and retraumatized by interactions with the Coast Guard regarding (1) the Operation Fouled Anchor investigation, (2) access to veterans benefits and services, and (3) attempts to access their files.

⁴⁹ *Id.*

i. The victim outreach associated with Operation Fouled Anchor was inadequate and retraumatizing

As a part of the Operation Fouled Anchor investigation, the Coast Guard offered each potential victim the opportunity for an in-person briefing.⁵⁰ The Coast Guard stated that during these briefs each victim was offered an apology, information on their case disposition, information on available support services, and the opportunity to provide feedback and ask questions.⁵¹

Many individuals that spoke with the Subcommittee were contacted by CGIS as part of the OFA investigation, and several were unhappy with the outreach they received. One whistleblower was reportedly asked by CGIS to contact her assailant in an attempt to elicit an admission of sexually assaulting her. This whistleblower, who told the Subcommittee that she had been sexually assaulted at the Academy in the mid-1990s, stated:

[T]hey told me they wanted to do a “sting” operation where I would call [REDACTED] on a burner phone and on a recorded conversation try and get him to admit what he did to me or others. . . . He was suspicious about the call immediately, he didn’t admit to anything (which I didn’t think he would), he asked all kinds of personal questions like where did I live, if I was married, did I have kids (which made me feel horribly uncomfortable).

The whistleblower expressed concerns that this “sting operation” could make her a target for retaliation by the assailant.

I voiced my concern about what position that would put me, but my safety was disregarded. . . . Once CGIS got around to interviewing him he put two and two together and even commented on that is what the phone call with me was about. I asked for a Military Protective Order to be put in place. . . . [W]hen I shared those concerns, I was told that he wouldn’t do that. . . . My safety has ultimately and permanently been compromised and I will be forever looking over my shoulder.

⁵⁰ U.S. Coast Guard, Memorandum: ‘Fouled Anchor’ Investigation – Final Report, 5, (Jan. 31, 2020),

https://www.uscg.mil/Portals/0/documents/FOULED_ANCHOR_INVESTIGATION_FINAL_REPORT_AND_ENCLOSURE-508Compliant.pdf.

⁵¹ *Id.*

Another whistleblower shared that she was sexually harassed at the Academy and sexually assaulted multiple times on active duty. Despite being interviewed as part of OFA, she was never officially notified about the results of the investigation. Instead, the whistleblower allegedly saw documents related to her case aired on CNN during its coverage of OFA.

Even for those who were not a part of the OFA investigation, the reporting around the investigation prompted difficult conversations. One whistleblower told the Subcommittee that she was sexually assaulted twice at the Academy and sexually harassed while on active duty. This whistleblower kept her assaults secret for over 20 years. After reading about OFA, she spoke to her best friend from the Academy. The whistleblower stated:

I opened up to her about what had happened to me and she shared with me that she too had been assaulted. We both apologized to each other for not being there to support one another. It was then that reality sunk in for both of us. Although we were best friends at the time, we both were too scared to speak up, report our assaults, and share our stories with others. We feared that we would not be believed, we would be disciplined in some way or we would be ultimately forced out of the service. We were together in friendship, but alone with our secret because we were scared that we would lose everything that we had worked for to achieve.

ii. The Coast Guard failed—and continues to fail—to provide sexual misconduct victims access to services

Shannon Norenberg, the former Sexual Assault Response Coordinator (“SARC”) at the Academy, has raised concerns about the Coast Guard’s failure to provide Operation Fouled Anchor survivors with documentation necessary to access U.S. Department of Veterans Affairs (“VA”) benefits. She alleges that the Coast Guard withheld these forms because, had they been issued, they would have been entered into the centralized reporting database and therefore become visible to Congress at a time when the Coast Guard was attempting to hide Operation Fouled Anchor:

To prevent Operation Fouled Anchor from being discovered by Congress, Coast Guard leaders deliberately withheld VA military sexual trauma benefits and services from the survivors we were sent around to meet with.

*Worse, we offered them absolutely nothing to replace those lost benefits and services. We just left the victims to fend for themselves.*⁵²

Ms. Norenberg alleges that Operation Fouled Anchor survivors still have not received the support they need to access the full range of VA services and therefore that the fallout of the Operation Fouled Anchor coverup continues.

The Subcommittee has similarly heard from both OFA and non-OFA whistleblowers that they did not receive the necessary paperwork needed to access full services and are struggling to rectify the situation. One whistleblower who separated from the Coast Guard in the 2020s following gender-based discrimination was left without options:

[T]he Coast Guard failed to process me out . . . and I was left without my separation paperwork needed to move on and access veteran services. I was told to leave without my discharge paperwork and I did so. For months I contacted the Coast Guard and my unit requesting my [documents]. I explained that without the [documents] I was limited from accessing VA health care and mental health care, was unable to apply to veterans preference government civilian jobs, and unable to use time sensitive programs designed for recently separated veterans.

This whistleblower is reportedly still waiting for the paperwork necessary to transition to a civilian life. Another whistleblower who experienced multiple sexual assaults while serving in the Coast Guard in the 1970s is seeking to update her VA disability status to reflect those assaults—something she reported not being given the opportunity to do in the decades prior.

iii. The Coast Guard withheld victim records

Whistleblowers recounted difficulty obtaining their full records from their time within the Coast Guard and at the Academy.

⁵² Shannon Norenberg, *The Coast Guard Used Me to Lie to Victims of Sexual Assault at the Coast Guard Academy as Part of their Operation Fouled Anchor Coverup. I Can No Longer Be Part of this System*, June 9, 2024, see <https://www.maritimelegalaid.com/coast-guard/the-coast-guard-used-me-to-lie-to-victims-of-sexual-assault-at-the-coast-guard-academy-operation-fouled-anchor>.

Caitlin Maro testified that she eventually obtained some of her cadet file after being required to submit a Freedom of Information Act (“FOIA”) request, however, “[i]t was clear that there was a lot missing.” The last page of the file produced to Maro by the Academy was an email, which she described to the Subcommittee:

[The email] was from the then-civilian professor that I confided in to my company Commander. . . . [The professor] called me unstable. . . . [A]t the bottom there is a handwritten note from my company Commander . . . saying, ‘This turned out not to be about sexual harassment, but a dispute with her 1st class division lead who wouldn’t let her boyfriend study with her during study hour.’ My company Commander who wrote that note never talked to me about this . . .

Another whistleblower recounted that after her assault, her mother called the Academy regularly attempting to obtain her records. The whistleblower went on convalescence leave after the assault. She reported that during this time she was unable to access her Coast Guard records, which prevented her from receiving the care she needed. After leaving the Academy, the whistleblower reported that she was unable to obtain her academic transcripts. She was forced to address this obstacle by attending a university where she had been pre-accepted prior to attending the Academy. She reported that she was only able to receive mental health care once she was enrolled in another university.

A whistleblower who gave videotaped statements as part of an investigation into his report of sexual assault while an active duty member was later denied access to complete versions of the video statements and interview notes. Without those records, he was unable to verify which shipmates he had told CGIS may have information about the case in those initial interviews, and therefore unable to robustly pursue the case when it was reopened years later.

A culture that fosters sexual misconduct also creates an environment ripe for a variety of other abuses

The cultural issues highlighted by whistleblowers as enabling sexual misconduct—silencing and shaming of victims—are also implicated in reports of other types of abuse. An environment hostile to reporting can lead to the proliferation of a variety of abuses.

In 2019, the House Committee on Oversight and Reform and the House Committee on Homeland Security investigated the Coast Guard and Academy's handling of harassment allegations and examined whether the Academy successfully created an inclusive environment for a diverse student body.⁵³ In a joint report, the committees concluded that Coast Guard leadership failed to both investigate harassment and institute adequate policies to combat harassment.⁵⁴ Many of the cultural failures detailed in that report—lack of prompt, thorough, and impartial investigations, retaliation against people reporting harassment, lack of accountability for perpetrators, and inadequate policies—echo the whistleblowers from whom this Subcommittee has heard.

A whistleblower who served in the Coast Guard for over twenty years reported severe retaliation following her reporting of race, sexual orientation, and gender-based discrimination at the Academy. She stated,

The absence of justice is and will continue to be a permanent stain on the Coast Guard. The lack of full accountability sends an indefinite chilling message to any new recruit, current employee, and prospective servicemembers alike that the Coast Guard does not value the dignity of people and is incapable of Righting The Ship. Every day without justice is a failure to survivors, the American taxpayers, and anyone who has ever served.

The Subcommittee has also heard multiple reports of the Coast Guard's inadequacies in combatting domestic violence. A whistleblower who was a victim of domestic violence at the hands of a fellow Coast Guard member spoke about how the Coast Guard repeatedly failed to protect her and hold her abuser accountable. Despite her perpetrator being found guilty of assault in a civilian court, there being two witnesses to the incident, and the perpetrator having a record of similar behavior with a prior partner, he was reportedly never subject to any kind of accountability within the Coast Guard. Instead, he was permitted to remain in the Coast Guard until the end of his enlistment. The survivor's only recourse was a military protective order that the Coast Guard allegedly failed to enforce, even when confronted with evidence of the perpetrator violating it.

⁵³ U.S. Congress, House of Representatives, Committee on Oversight and Reform and Committee on Homeland Security, *Righting the Ship: The Coast Guard Must Improve its Processes for Addressing Harassment, Bullying, and Retaliation*, 116th Cong., 1st sess., Dec. 11, 2019, <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/RTS%20Final%20Report.pdf>.

⁵⁴ *Id.* at 3-4.

The Coast Guard's mishandling sexual misconduct is a problem of the present

Throughout the Subcommittee's investigation, it has become clear that the Coast Guard believes the problem of mishandled sexual assault and harassment cases is one of the past. Those very words—"[p]roblem is one of the past"—were handwritten by then-Vice Commandant Admiral Charles Ray alongside a pros and cons list for disclosing Operation Fouled Anchor to Congress.⁵⁵ Through conversations with numerous whistleblowers, however, the Subcommittee has learned that the problem is very much one of the present.

a. Whistleblowers describe a culture that remains tolerant of sexual misconduct

The Subcommittee has heard from at least six whistleblowers who have experienced or witnessed sexual misconduct either in the fleet or at the Academy since 2020. Many of these whistleblowers have all-too-familiar stories about their perpetrators escaping accountability and they themselves experiencing retaliation and feeling forced out of the service. After making a report of sexual harassment in 2022, one whistleblower was informed that she "acted unprofessionally during the [harassment] and . . . was being removed from [her] assignment and receiving negative evaluations that would also remove [her] recommendation for advancement." She received a similar punishment to the perpetrator of the harassment—a punishment she would not have received if not for reporting the harassment.

A whistleblower who, until recently, served as a Victim Advocate described the modern system's failures:

Over my decade as a Victim Advocate I thought I was doing good, helping victims navigate the system, provide them support, advocate to get their voices heard. However, case after case I learned that the leadership did not value the victims over the perpetrators.

⁵⁵ Letter from Chair Richard Blumenthal and Ranking Member Ron Johnson, Permanent Subcommittee on Investigations, to Admiral Linda Fagan, Commandant of U.S. Coast Guard, Feb. 14, 2024, <https://www.hsgac.senate.gov/wp-content/uploads/2024.02.14-Letter-from-Blumenthal-and-Johnson-to-Fagan-Redacted.pdf>.

This whistleblower told the Subcommittee that none of the victims she supported in her decade as a Victim Advocate felt as though the Coast Guard reporting system provided meaningful justice. She eventually “stopped [being a Victim Advocate] due to failing to feel like [she] was actually making an impact:”

I decided to no longer be a VA because it felt like a lot of work with little to no benefit. I wasn't able to help any member find resolution, I felt like I was just hearing horror stories with no glimmer of hope or accountability. Secondary trauma as a VA is real, the feeling of helplessness when working with a Victim, advocating for trainings Commands don't care to require, and spending hours on additional training to stay up to date and qualified don't feel worthwhile when you[r] role as a VA doesn't seem valued.

At least three whistleblowers who each served for over 20 years described the commonalities between the Coast Guard they initially joined and that from which they retired. They described an organization that remained consistently rife with sexual misconduct across their years of service. In the words of one:

During my 25 years of service, I was assigned to twelve different duty stations across the country. . . . I can say with absolute certainty that at every single duty station I was assigned to that I either personally experienced bullying, hazing, and harassment or either bore witness to or learned of others being treated inappropriately or unfairly. These forms of harassment include but are not limited to sexual assault.

A second whistleblower echoed these sentiments:

I am heartbroken the Coast Guard had 24 years during my career to fix their 'culture'. This 'culture' did not change from the moment I attended bootcamp until I retired. . . . We are now on the 3rd or even 4th generation of females serving in the Coast Guard, and this 'culture' is still not a priority. When will the Coast Guard make changing their 'culture' a priority?

One of these whistleblowers acknowledged the unusual position she occupies—in a service where, so often, survivors of assault and harassment are forced out, it is unusual for a survivor to have served for decades and seen the cultural failures persist over time.

b. Whistleblowers raise concerns over the Coast Guard’s policies and systems for preventing sexual misconduct

A number of whistleblowers have reported concerns with the Coast Guard’s modern policies and practices around sexual assault and harassment. A whistleblower who served as a Victim Advocate for over ten years detailed the shortcomings of the official apparatus around sexual misconduct reporting. She reported that Victim Advocates are volunteers who do their advocacy work in addition to their official duties—rather than being assigned their victim support work, it is a “collateral duty” that they are forced to fit around their primary responsibilities. Additionally, she identified the rotation schedule of Special Victims Counsels (“SVCs”) as problematic. Because SVCs rotate through the role in tours of two to three years, the whistleblower believes they are not experts in the dynamics of sexual assault investigation and therefore not fully equipped for the intricacies of the role.⁵⁶

Another whistleblower drew a connection between career concerns for leadership and discouragement of reporting, alleging that, because sexual misconduct complaints at a unit reflect poorly on commanders, leadership is not incentivized to diligently record and investigate complaints.

A whistleblower reported frustration around the Coast Guard’s definitions of conduct and, in her view, lesser processes in place for those cases that are not considered sexual misconduct. If an incident allegedly fails to “meet[,] the criteria for sexual assault/harassment[,] . . . the case is deferred to a unit level investigation” where “members who reported feel like their voice would not be heard over the accused since the accused usually had high standing in the Command.” In describing the resolution of cases that don’t fit into the Coast Guard’s sexual misconduct definitions, one whistleblower summarized:

Things like “they are a really great worker” tends to carry more weight than the fact that they promote a toxic work environment for others.

⁵⁶ Defense Advisory Comm. on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces, *Report on Tour Lengths and Rating Chain Structure for Services’ Special Victims’ Counsel / Victims’ Legal Counsel (SVC/VLC) Programs*, August 10, 2022, https://dacipad.whs.mil/images/Public/08-Reports/10-DAC-IPAD_SVC-VLC_Report_20220815_Final_Complete.pdf. See Appendix P. Coast Guard Special Victims’ Counsel (SVC) Program.

Other whistleblowers echoed concerns about the rigidity of misconduct definitions. One whistleblower reported that, because servicemembers are not deeply steeped in the definitions, they often do not know how to report their experiences in a way that adequately fulfills the requirements. The Coast Guard then will reportedly not file the report, which, according to the whistleblower, is often devastating to victims' credibility in the unit.

Definitional rigidity also reportedly stands in the way of victims accessing services. A whistleblower who, alongside several other women, had been stalked and falsely accused of having inappropriate relationships by a perpetrator reported being told that, because the conduct did not fit in the Coast Guard's definition of sexual harassment, she was not entitled to services.

Another whistleblower reported that narrow definitions have created holes in the support system for certain victims of domestic violence. The Coast Guard has reportedly failed to adopt the new Department of Defense definition of "dating partner," which closes the so-called "boyfriend loophole" and expands the category to include all romantic and intimate partners (previously, it encompassed only current and former spouses, current and former cohabitants, and people who share a child in common).⁵⁷ Because dating partners are reportedly not considered intimate partners, per the Coast Guard, dating partner victims allegedly sometimes fail to receive domestic violence support services.

Whistleblowers expressed a desire to improve the Coast Guard and a belief that meaningful change is possible

Many of the whistleblowers who reached out to the Subcommittee expressed their love for the Coast Guard and a desire to see the culture around sexual assault and harassment improved. They report complicated and conflicting feelings of pride and betrayal. A whistleblower who served in the Coast Guard for nearly three decades shared:

I love the Coast Guard. . . . There are so many incredible people in the Coast Guard, serving for the right reasons. Unfortunately, the malignant sub-culture continues and those who don't rock the boat and don't stand up to the bullies for what's right, get promoted. We must do better if we

⁵⁷ 10 U.S.C. § 928b(b).

want a full workforce who trusts the organization to take care of them when they need it the most.

Commander Jennifer Yount told the Subcommittee that her testimony was motivated by both her “love for the Coast Guard” and her “anger and frustration.” Lieutenant Melissa McCafferty told members of the Subcommittee:

I am here today because, despite everything that happened, I love the Coast Guard and am passionate about its missions and its people. I am here today because it is beyond time for Senior Leaders to do better and to be better.⁵⁸

Conclusion

The Subcommittee has heard from more than 80 whistleblowers, who together have made clear the need for immediate change both at the Academy and in the Coast Guard. Their stories detail systemic sexual assault and harassment, including a culture of silencing, retaliation, and failed accountability. Although Operation Fouled Anchor initially brought these problems to light, they span both the Academy and the Fleet—the Coast Guard as a whole must work to build a culture in which everyone is safe, respected, and valued.

The Subcommittee is deeply grateful to all of the whistleblowers who have bravely shared their stories. We thank you for your service, your sacrifice, and your incredible courage.

⁵⁸ U.S. Congress, Senate, Permanent Subcomm. on Investigations, *Coast Guard Academy Whistleblowers: Stories of Sexual Assault and Harassment*, 118th Cong., 2nd sess., Dec. 12, 2023, S. Hrg. 335-224, <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/coast-guard-academy-whistleblowers-stories-of-sexual-assault-and-harassment/>.

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