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WITH LIBERTY AND JUSTICE FOR ALL:
PSYCHOLOGICAL AND FUNCTIONAL CONSEQUENCES FOR
SERVICE MEMBERS ACQUITTED OF SEXUAL ASSAULT

A Dissertation

Presented to the Faculty of
Antioch University New England

In partial fulfillment for the degree of
DOCTOR OF PSYCHOLOGY

by

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June 2022

WITH LIBERTY AND JUSTICE FOR ALL:
PSYCHOLOGICAL AND FUNCTIONAL CONSEQUENCES FOR
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This dissertation, by Jamie H. Leavey, has
been approved by the committee members signed below
who recommend that it be accepted by the faculty of
Antioch University New England
in partial fulfillment of requirements for the degree of

DOCTOR OF PSYCHOLOGY

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ABSTRACT

WITH LIBERTY AND JUSTICE FOR ALL: PSYCHOLOGICAL AND FUNCTIONAL CONSEQUENCES FOR SERVICE MEMBERS ACQUITTED OF SEXUAL ASSAULT

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Policy makers are tasked with changing laws and improving systemic processes in response to evolving moral standards. As societal outrage grew regarding sexual assault in the military, those in power sought to balance what was perceived as a system that ignored, retaliated against, or unfairly burdened victims. However, as the pendulum swung toward victims' rights and privileges, those accused of this crime inherited the burden of an imbalanced system. In the military context, the experience of the accused is impacted by the lack of separation between functional domains of life (e.g., work, home, community), multiple roles of military commanders (e.g., providing supervision and support as well as being a decision authority for prosecution), and problematic mandatory training that has included misinformation and may have biased court members. Researchers have not previously studied the experience of a court-martial, nor considered the far-reaching impact of the experiences that precede and follow acquittal. The purpose of this study was to explore the psychological and functional consequences for military members that were accused and acquitted of sexual assault through the court-martial process. Analysis was qualitative with a phenomenological approach to identify common themes and more broadly, the essence at the core of the experience. I found that this experience significantly impacted participants while it was happening and in the time since acquittal. Using themes identified by Brooks and Greenberg (2020) with regard to experiencing a false accusation, I determined that most identified themes were salient to the experience of acquitted service

members (e.g., loss of identity, stigma, psychological and physical health, relationships with others, attitudes toward the justice system, impact on finances and employment, and adjustment difficulties). I offer recommendations to mitigate these negative effects. With this information, policymakers and military leaders can more effectively consider the unintended effects of well-intentioned systemic change on those accused of sexual assault in the military. This dissertation is available in open access at AURA (<https://aura.antioch.edu>) and OhioLINK ETD Center (<https://etd.ohiolink.edu>).

Keywords: acquittal, court-martial, false accusation, legal trauma, military justice system, sexual assault

Dedication

This study was only possible because of the bravery my participants showed in sharing their stories. Thank you for your willingness to trust me. I hope that reading about the parallels in your experiences will bring some validation to the hardship you endured and that this study will catalyze a change in how the military meets the needs of the accused.

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At my Antioch interview, I was told that the doctorate endeavor was a marathon and not a sprint. I have deep appreciation for that metaphor as I near the finish line of this journey. Without the people in my life that were willing to pitch in, this would have been a far more challenging goal and I certainly would never have been able to take advantage of all the opportunities that came my way in the last four years. Thank you to Jeannie Kmetz for regularly driving to Keene to spend the night with your (favorite) niece and hosting girls' weekends that were sorely needed and very appreciated. I am so grateful to have a bonus family of amazing in-laws and appreciate all that the Leavey crew has done for our family!

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In one of my more astute moves of graduate school, I picked the very best advisor, Karen Meteyer. Thank you for giving me imaginary deadlines that kept me on track. Not only were you incredibly quick to deliver edits on internship essays and dissertation drafts, but your leadership cemented a bond among our doctoral seminar group that gave us all the sense of community and camaraderie that we needed. Marsha, Larissa, and Bonnie would all agree that we won the advisor lottery!

I also lucked out with awesome dissertation committee members that brought their own immense experience to this project. Jim and Dawn, I appreciate your willingness to share your knowledge and insight on this topic and hope to continue to learn from each of you as I embark on my career as a psychologist.

Confidence is awfully useful when competence is still developing. Thank you to my parents for always treating me like I had whatever it took to do whatever I wanted. Mom, you have always been my cheerleader and your social prowess taught me how to have a conversation with anyone anywhere. Dad, you continue to demonstrate the value of pursuing your passions and I love that seeing me chase my dreams has brought you joy. To my children, Madi, Jack, Dani, and Alex, I hope that you recognize that I too hold a strong belief in your potential to do amazing things and enjoy seeing you make your own dreams a reality.

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**With Liberty and Justice for All:
Psychological and Functional Consequences for
Service Members Acquitted of Sexual Assault**

To be sure, it appears to have been borne largely of a disparate group of concerned and well-intentioned individuals thinking fast about a problem that cries out for thinking slow... “Thinking slow” about sexual assault in the military means marshaling the discoveries of Kahneman and Tversky, and what is known about the workings of the mind, in order to avoid systemic errors (i.e., biases) of judgment and reason. It means privileging “a slower, more deliberative and effortful form of thinking” fueled by empirical evidence and critical self-examination over a faster, intuitive and effortless form of thinking fueled by non-statistical anecdotes and overconfidence. (Burris, 2014, p. 25)

Introduction

Title 10 of the United States Code (U. S. Congress, 2017), also known as the Uniform Code of Military Justice (UCMJ), offers a complex and lengthy legal definition of rape and sexual assault (see Appendix A). In recent years, this definition has expanded to address issues of consent. Specifically, military members can now be charged with sexual crimes in situations where they should have reasonably known that someone was too intoxicated to consent. Further, while current statutes do not specifically require affirmative consent, they do now state that lack of verbal or behavioral consent does not necessarily constitute consent. Legislation has also expanded to include non-penetrative offenses.

Researchers have attempted to understand sexual assault in a military context. Perpetrators of sexual assault have predominantly been male and victims most often female (Turchik & Wilson, 2010). It is the perpetrator’s military status that enables adjudication through

military courts-martial; victims could be either military members or civilians. The rate of sexual violence among military women has appeared similar to civilian females in comparable age groups (Burriss, 2014). However, the data has often been collected and analyzed in ways that make comparison difficult. For example, definitions of sexual assault behavior have varied and sometimes include non-criminal unwanted sexual contact. Indeed, estimated rates have been wide-ranging. One literature review noted various studies had rates from 9.5–33% of female military members as victims of attempted or completed rape (Turchik & Wilson, 2010). Because the military holds a strong public trust, even with comparable rates to the general public, the problem may be perceived as greater among service members (Rough & Armor, 2017).

Over the last three decades, the visibility of sexual assault in the military has significantly increased, in large part due to several high-profile cases. In 1993, a Department of Defense (DoD) investigation found that 90 people were sexually assaulted at the 35th Annual Tailhook Association Symposium, a three-day Navy convention (Schenck, 2014). Although 140 junior officers and 29 admirals were implicated, only six faced court-martial and even those charges were ultimately dropped (Warner & Armstrong, 2020). In 1996, a dozen drill instructors were implicated in sexual crimes against female Army recruits at the Aberdeen Proving Ground (Vogel, 2000). In the early 2000s, reports emerged from the Air Force Academy that female students were suffering retaliation after reporting sexual assaults. Headlines decrying the severity of sexual assault in the military increased the visibility and perception of the issue and by 2016, Congress had enacted at least 47 policies that changed the way sexual assault accusations were handled.

According to Brady (2016), “Since 2004, legislation has radically altered the way that the military justice system handles sexual assault cases, uniformly changing the system to the

alleged victim's benefit" (p. 217). Brady was referring to Secretary of Defense Donald Rumsfeld's 2004 order to the DoD demanding a comprehensive review of policies relating to sexual assault victims. His order led to the creation of a task force and subsequent recommendations for reform (Sexual Assault Prevention and Response [SAPR], n.d.). In 2005, the task force became a permanent entity with the creation of the Sexual Assault Prevention and Response Office (SAPRO). SAPRO continues to direct sexual assault policy and monitor subsequent compliance within the branches of the military. Mandatory SAPRO training aims to prevent sexual assault through educating military members and encouraging bystander intervention (Rustico, 2016).

However, the content of SAPRO training has been implicated in tainting potential jurors with information that is inconsistent with legal definitions. For example, SAPRO training reportedly suggested that if someone imbibed *any* alcohol, they were unable to legally consent to sexual activity, which was not an accurate interpretation of the law. Nonetheless, this notion became a familiar legal assumption among many military members, all of whom were potential jurors (Brady, 2016; Judicial Proceedings Panel [JPP], 2017). SAPRO training has also been implicated in potentially creating bias among members of court-martial panels. Umbrasas (2020) argued that psychological mechanisms (e.g., behavioral reinforcement and cognitive heuristics) explain how frequent and intense SAPRO training sessions could negatively impact juror impartiality, which then increased the likelihood of convictions regardless of the merits of the case.

Other changes to the law have addressed the treatment of sexual assault victims. For instance, two reporting options were created. Alleged victims can elect to file a restricted or unrestricted report, the latter of which is referred to law enforcement for official investigation. In

either case, alleged victims are entitled to receive medical, psychological, and spiritual care. They are provided with a comprehensive system of supports including a Sexual Assault Response Coordinator (SARC), a Sexual Assault Prevention and Response Victim Advocate (SAPR VA), and legal consultation and representation with a Special Victims Counsel (SVC) or Victims' Legal Counsel (VLC; Brady, 2016). Active-duty military victims who file an unrestricted report can also request an expedited transfer to another unit within the same military installation or to another installation (DoD, 2021). SAPRO tracked those transfers and noted that between 2012 and 2016, the annual number of such requests increased significantly from 218 to 746, of which more than 97% were approved (JPP, 2017). This policy has been perceived as possible motivation for false allegations and used as such by the defense in cases in which an alleged victim received a transfer to a more desirable location.

The mechanisms of the military justice system enact broader objectives than civilian systems. In addition to the procurement of justice, its functions include maintaining good order and discipline, ensuring efficiency and effectiveness, and ultimately strengthening national security (Joint Service Committee on Military Justice, 2019). Because of this broad role, Congress' authority over the armed forces has included policies which limit the due process rights (i.e., right to a fair trial) ordinarily held by a criminal defendant (Brady, 2016). As a balance to that extension of government power, the UCMJ specifically prohibits unlawful command influence (UCI), including both actual and perceived efforts to undermine the independence of judicial authority with regard to the disposition or sentencing in military cases (Rustico, 2016). However, allegations of UCI have become more frequent in the court-martial process and a Law Review article noted that appellate courts recently reversed five sexual assault convictions based on UCI (Visger, 2020).

According to the 2017 JPP report, DoD and legislative response to military sexual assault has led to the perception among military attorneys (both trial and defense counsel) that “convening authorities feel pressured to refer sexual assault cases, even when based on weak evidence, to trial” (p. 4). Brady (2016) presented data from the DoD’s 2014 *Annual Report on Sexual Assault in the Military* indicating that between 2009 and 2014, commanders considered 98.2% of sexual assault cases presented to them to be well-founded (i.e., not false or baseless). However, some have questioned whether these cases were objectively well founded. Brady (2016) argued that the politicization of these cases has created intense pressure on commanders leaving them “apparently unwilling to weed out poor cases—a decision that comes at great cost to a wrongly accused Service member, who will be subjected to the humiliation and burden of an unnecessary investigation” (p. 220).

Despite this plethora of systemic efforts designed to eliminate sexual assault in the military through preventative or deterrent measures, current data reflects the persistence of this phenomenon. The most recent report from the DoD (2020) showed an upward trend in the number of sexual assault reports over the past decade. Some have suggested that an increased number of reports might be viewed as a sign of a positively changed climate which has empowered more victims to come forward (JPP, 2017). Others have argued that it is evidence that the changes have been inadequate or unsuccessful (Thayer, 2021). The impact of sexual assault allegations within the military remains salient at all levels, from its effect on individuals to national security. Nonetheless, the system must remain fair and just. In the aforementioned judicial report, Committee Chair Elizabeth Holtzman and colleagues wrote: “The failure to create the perception and the reality of a just system can undermine morale, affect recruiting, and create a corrosive cynicism among military personnel” (JPP, 2017, p. 30).

Military Legal Process

In order to understand the experience of a military member accused of sexual assault, it is necessary to briefly review the legal process of a court-martial. Following an unrestricted report, military criminal investigative organizations (e.g., Office of Special Investigations [OSI] in the Air Force, Naval Criminal Investigative Service [NCIS] in the Navy, and Criminal Investigative Division [CID] in the Army) complete an investigation which is then presented to the appropriate commander and advising Staff Judge Advocate (SJA; i.e., legal advisor to command, akin to district attorney). The SJA advises the commander, who ultimately decides whether to prefer (e.g., initiate) charges or other disciplinary action (JPP, 2017). Alleged victims may also weigh in on this decision, though they do not have final say (Rustico, 2016).

When charges are preferred, an Investigating Officer (IO) or Preliminary Hearing Officer (PHO) is assigned to conduct an Article 32 hearing (i.e., preliminary hearing). Prior to 2014, alleged victims could be compelled to testify, and the hearing included an opportunity for pretrial discovery for the defense (JPP, 2017). However, in 2014, legislation limited the purpose of the hearing to establishing jurisdiction and probable cause along with recommendations to the convening authority. Alleged victims are also no longer required to testify, though remain privy to a transcript of proceedings (Brady, 2016). Given the limited purpose now involved in an Article 32 hearing, it no longer functions in a gatekeeper role to prevent cases with weak evidence from proceeding to court-martial. Because the recommendations for disposition by the IO/PHO to the convening authority are nonbinding, convening authorities can and do refer charges (i.e., proceed to trial) in cases with “little chance of securing a conviction” (JPP, 2017, p. 31). For example, in 2015, out of 416 courts-martial for sexual assault, there were 54 cases that

went forward despite the recommendations of the IO/PHO to dismiss charges; in 45 of the 54 cases, the accused was acquitted of those offenses.

When charges are not referred to a court-martial, the convening authority is responsible for writing a statement justifying the decision (Brady, 2016). The report is then referred to a high-ranking officer (e.g., general officer) for review which increases visibility of the convening authority's decision. Rustico (2016) described the pressure felt by these decision-makers:

Between public statements, media attention, and congressional action (both enacted and proposed), commanders can read the writing on the wall—and that writing says to obtain convictions. It becomes safer to simply refer charges in nearly all cases, even if doing so is objectively imprudent. (p. 2046)

In the 2017 JPP report, trial and defense counsel overwhelmingly indicated they were concerned that decision makers were under pressure:

[Counsel shared] the impression that this pressure causes convening authorities to favor referral to court-martial rather than deal with the potential adverse ramifications of not referring a sexual assault case, such as career setbacks, media scrutiny, the possibility of their non-referral decisions being subjected to elevated review, or questions about why the case was not referred. (p. 46)

The accused servicemember (“the accused”) is provided with a military attorney as soon as one is requested and generally no later than the preferral of charges. Some elect to hire a civilian defense counsel who can work independently or in conjunction with the provided military attorney. Once referred for court-martial, the accused can decide how to plead and whether to be tried by a jury of their military peers (i.e., at least five active-duty military members, referred to as a “panel”) or a military judge alone (Rustico, 2016). The court-martial

then proceeds substantially as a federal criminal trial. If the accused is convicted, maximum penalties include dishonorable discharge, confinement, and in certain cases, death (Brady, 2016). If acquitted, the legal process is finished, and the service member is considered not guilty of the alleged crimes. However, this result may be seen by some as a failure to meet legal burdens of proof for conviction rather than a declaration of innocence. The entire process, including appeals if convicted, may take several years (JPP, 2017).

In this study, I conducted semi-structured interviews with service members who were acquitted of sexual assault in a military court-martial. I focused on better understanding the psychological and functional consequences of the experience and the aftereffects on these individuals. Although the participants were not convicted of sexual assault, it was expected that the court-martial experience likely had a significant impact on their lives. Analysis was qualitative with a phenomenological approach to identify common themes and more broadly, the essence at the core of the experience. This study was formulated with the hope that illuminating the impact that formal policy changes and shifts in commander decision making have had on accused service members would appropriately slow the thinking process on the issue of sexual assault in the military so that all parties receive fair and just treatment.

Literature Review

A large evidence base exists for the psychological impact of sexual assault on victims. Turchik and Wilson (2010) reported victims of sexual assault were more likely to experience symptoms of depression, anxiety, and posttraumatic stress disorder (PTSD). They also noted that many victims experienced self-blame, shame, and problems with relationships. A recent systematic review of the literature revealed that experiencing military sexual trauma was also

associated with risky and self-destructive behaviors, including suicidality and eating disorders, as well as problematic substance use (Forkus et al., 2020).

By comparison, less is known about the psychological impact for the accused. Much of the available research is based on studies on wrongful convictions and false allegations. Within a military context, the literature is currently nonexistent for the immediate and long-term impact for those falsely accused, acquitted, or wrongfully convicted of sexual assault crimes. With consideration to these limitations on available applicable research, predictions of psychological impact were extrapolated from research on false allegations in the general public. It is beyond the scope of this dissertation to determine actual innocence and it is important to note that an acquittal does not necessarily reflect a provably false allegation. However, our justice systems, both military and non-military, rest on a premise of innocence until proven guilty and thus, those acquitted of crimes should also not unduly bear a burden of assumed guilt.

Brooks and Greenberg (2020) recently published results of a systematic literature review on wrongful accusations in the general public in which they conducted thematic analysis on 20 papers. They identified eight themes pertaining to the experience of one who has endured a false accusation: loss of identity, stigma, psychological and physical health, relationships with others, attitudes toward the justice system, impact on finances and employment, traumatic experiences in custody, and adjustment difficulties. The data revealed that the psychological consequences were “extreme and long-lasting... with various problems appearing to interact and compound each other” (Brooks & Greenberg, 2020, p. 48). While Brooks and Greenberg did not specifically look at a military population, their identified themes appear relevant and, in some cases, even more profound for service members. Thus, the interview protocol for this study was largely based around an exploration of these themes.

Changes in Self Identity and Stigma

Brooks and Greenberg (2020) reported that 63% of participants in two reviewed studies experienced permanent personality changes following a false accusation. These were generally described as negative changes, including increases in paranoia, anxiety, and hypervigilance, and decreases in trust, hope, dignity, and sense of purpose. Nearly all participants reported damage to reputations as well as feeling stigmatized by others. Many believed others assumed they were guilty and some experienced harassment. Further, participants commonly endorsed feeling shame, blame, and guilt toward themselves.

With consideration to a military population, I hypothesized that the allegation of sexual assault would radically and immediately change service members' lives and sense of identity consistent with this theme. Professionally, careers are disrupted with promotions and permanent changes of station ([PCS]; i.e., changing locations and assignments) placed on hold. PCS moves to other installations also function to develop careers, and thus the impact of stagnation is significant. Allegations of sexual assault often prohibit someone from continuing to hold a position within their unit. This might relate to the alleged victim being in the same unit or because of security clearance concerns.

Research has indicated that as pressure increased to demonstrate zero tolerance toward sexual assault, the treatment of the accused by their commanders dramatically shifted. One former military defense attorney stated the climate changed such that “many of my clients were relieved of their duties, given menial and demeaning tasks to perform, and treated like pariahs” (S. McCammon, personal communication, November 5, 2020). Thus, in this study, I anticipated that accused service members likely felt ostracized from their professional identity. In the

close-knit military community, ostracization was predicted to seriously diminish personal support systems.

Psychological and Physical Health Consequences Associated with False Accusations

Brooks and Greenberg (2020) identified detrimental changes to someone's psychological and physical health when falsely accused of a crime. These effects were extreme, often resulting in inability to effectively function in work or social environments. Notably, most participants in reviewed studies did not have a history of psychiatric diagnoses or treatment prior to the accusations. Symptoms of depression, anxiety, and panic disorder were common as well as suicidal ideation. PTSD was also frequently present in participants with some studies reporting as high as 67% prevalence. False allegations led to chronic sleep difficulties and an assortment of other somatic symptoms, including pain, weight loss or gain, and high blood pressure.

Among service members, there is an increased concern for suicidal behavior. A recent study estimated that more than 30,000 active-duty military and veterans serving after the September 11, 2001, terrorist attacks have died by suicide (Suitt, 2021). The author suggested multiple factors may lead to this phenomenon. Of particular relevance to this study, he identified traumatic experiences and PTSD as well as moral injury as potential causes. Moral injury was defined by Suitt (2021) as "the result of trauma that shakes the foundations of one's sense of moral goodness, right and wrong," which is "at its core the loss of one's sense of self due to a transgression against one's most deeply held beliefs and moral values" (p. 16). Moral injury has been associated with an increased risk for suicidal behavior (Nichter et al., 2021). A false accusation combined by the ostracization from one's military community may result in moral injury and a sense of betrayal by peers and the broader institution to which the service member has sworn allegiance. Indeed, the Air Force has recognized the increased risk of suicide among

members that are under criminal investigation and in response, established the Limited Privilege Suicide Prevention (LPSP) Program (2015). The LPSP program has enabled those airmen to receive mental health treatment related to suicidality with additional protection of confidentiality. Information revealed in treatment cannot be used in court-martial or discharge processes.

Relationships

Negative impacts on relationships were identified as a common theme among the falsely accused (Brooks & Greenberg, 2020). Isolation was prevalent in participants across studies. Withdrawal from others as well as distancing initiated by those in the person's social network significantly strained relationships and resulted in limited social support. Negative consequences to relationships, including divorce, loss of custody of children, and family estrangement were reported. Family members also experienced "secondary trauma," commonly reporting symptoms of anxiety and depression as well as feeling stigmatized by their communities (Brooks & Greenberg, 2020, p. 49). Personal and professional aspects of life are very intertwined for service members and thus, I expected this study to demonstrate that an allegation indeed had devastating consequences on social support.

Attitudes Toward the Justice System

Attitudes toward the justice system shifted following false accusations, with many reporting a sense of disillusionment in the system and police (Brooks & Greenberg, 2020). Bitterness, fear, and tension were common among reviewed studies and participants continued to feel "as though they were under a cloud of guilt and could not obtain closure" (Brooks & Greenberg, 2020, p. 50) because there was often no public apology or acknowledgment of innocence by the system. In the context of the military, this theme was anticipated to be particularly salient in that the same system to which those accused swore allegiance and

dedicated years of their lives shifts to a more adversarial role during a court-martial. The trial counsel, military judge, and panel members along with the attorney provided are all fellow service members.

Impact on Finances and Employment

Most participants in studies reviewed by Brooks and Greenberg (2020) reported that accusations carried a financial burden even when provided legal assistance. Some lost pensions and faced housing instability, which led to loss of financial independence. Most lost their jobs and had difficulty finding employment even after acquittals or overturned convictions. Those civilian participants whose accusations were related to employment (a parallel for service members) reported feeling angry and bitter toward employers. In a military context, even when a service member is acquitted, the time lost (potentially years) cannot be regained. Thus, achieving benchmarks toward promotion and professional growth within the military is less likely. With consideration to the interplay between these pragmatic issues and the resentment and fear one may feel toward the system, I expected that continuing a military career may no longer be desired. Further, those that chose to hire a civilian attorney may have spent tens of thousands of dollars on their defense. There is no recourse in the system to recover that expense.

Traumatic Experiences in Custody

Across multiple studies primarily focused on participants that were falsely accused *and* wrongfully convicted, Brooks and Greenberg (2020) found reports of fear of assault or murder, experiences of actual violence while incarcerated, and hostility from prison staff related to continued assertions of innocence. As noted above, the participants in this study were not convicted of any crime. However, there was a possibility that they may have been held in custody awaiting trial. Further, some traumatic experiences reported in studies reviewed by

Brooks and Greenberg (2020) were related to police custody during interrogations and other interactions. As with any criminal suspect, participants in this study were expected to have had custodial experiences during the investigation of the allegations.

Adjustment Difficulties

With regard to adjustment difficulties, Brooks and Greenberg (2020) focused on participants who experienced wrongful conviction and readjusted to the community following incarceration. As this paper is limiting study to those acquitted of sexual assault, their findings are less applicable. Nonetheless, readjustment following acquittal was expected to present a number of challenges particularly given the aforementioned factors of identity threats, psychological trauma, loss of trust in the system, and strained relationships. While mental health services are available to military members, I anticipated that service members may feel hesitation to speak with a provider for many reasons, including concerns that records could be provided to the court. Thus, I expected that throughout the process, it would be unlikely that a service member sought professional help to navigate adjustment difficulties. In the aftermath, eroded trust in the system was also expected to contribute to a service member choosing not to access mental health services. Further, while there is a vast network of services immediately offered to alleged victims, it was unclear whether the accused were counselled about available supports or provided with any specific services related to their experience beyond the appointment of an attorney.

Purpose of the Study

Policy makers are tasked with changing laws and improving systemic processes in response to evolving moral standards. As societal outrage grew with regard to sexual assault in the military, those in power sought to balance what was perceived as a system that ignored,

retaliated against, or unfairly burdened victims. However, as Rustico (2016) wrote, “The same discretion that allowed commanders to disregard victims and ignore this issue can also be used to railroad defendants and risks miscarriages of justice” (p. 2030). It appears that the pendulum has swung toward victims’ rights and privileges such that the system remains imbalanced, only with the burden shifted to those accused of sexual assault regardless of the merit of the accusation. As indicated above with regard to false accusations, there are brutal functional and psychological consequences of being accused of a serious crime for civilians. After evaluating the current state of the military justice system in its handling of sexual assault allegations, Holtzman and colleagues wrote:

Convening authorities must be corrected if they erroneously believe that a decision to refer a case to court-martial will have few consequences for the accused, the victim, or the public’s perception of the military justice system. An accused facing court-martial is exposed to numerous adverse career and personal consequences, such as loss of promotion and career advancement opportunities, ostracism by peers, and the ongoing stress of knowing that a federal conviction, confinement, and sex offender registration are possible. Even if ultimately acquitted, the accused often suffers the enduring social and professional stigma of simply having been accused of these reprehensible offenses. (JPP, 2017, p. 56)

Policy makers are limited by the lack of research focused on the court-martial experience from the perspective of the accused. Further, with increased pressure to refer charges, military decision makers may underestimate the impact on a service member that is accused of sexual assault. More research is necessary to fill in these gaps and improve the understanding of the consequences of systemic changes on the affected individuals. A large body of literature exists

with regard to multiple facets of the legal system, including the experience of victims, jury decision-making, and psychological impact for those wrongfully convicted and later exonerated. However, researchers have not previously studied the experience of a court-martial, nor considered the far-reaching impact of the experiences that precede and follow acquittal.

The purpose of this study was to explore the psychological and functional consequences for military members that were accused and acquitted of sexual assault through the court-martial process. Research questions included:

1. How did this experience impact participants while it was happening, and how might it continue to affect them years later?
2. Do the themes identified by Brooks and Greenberg (2020) with regard to experiencing a false accusation similarly appear prominent for acquitted service members (e.g., loss of identity, stigma, psychological and physical health, relationships with others, attitudes toward the justice system, impact on finances and employment, traumatic experiences in custody, and adjustment difficulties)?
3. In what ways have these individuals made meaning out of their experience?
4. Are there ways the military system could better address mental health needs for other court-martialed service members?

Method

This study used a qualitative, phenomenological approach in which I conducted and analyzed semi-structured interviews with six participants. Phenomenological research aims to describe the common meaning, or essence, of a phenomenon that is shared among a group of people (Creswell & Poth, 2018). This type of study was well-suited to the research questions as this particular phenomenon was not previously examined and thus, understanding the essence

was an appropriate first step into the topic. Phenomenology reflects a philosophical understanding that reality is socially constructed and includes both the “subjective experiences of the phenomenon and objective experiences of something in common with other people” (Creswell & Poth, 2018, p. 76). This allowed for the inclusion of various factors that impacted each participant’s experience to facilitate an understanding of how issues such as systemic support (or lack thereof) affected the phenomenon.

Authors are encouraged to bracket themselves out of a phenomenological study in order to “identify personal experiences with the phenomenon and to partly set them aside so that the researcher can focus on the experiences of the participants in the study” (Creswell & Poth, 2018, p. 77). As such, it is prudent that I acknowledge how my interest in this issue developed through my own lived experience. I have had a lifelong affiliation with the military, most significantly as the child of a servicemember and later as both a military spouse and parent of a service member.

From 2006 to 2016, I was privy to my husband’s experiences as an Air Force Judge Advocate General (JAG) attorney. Particularly from 2010 to 2016, sexual assault allegations were very salient to his professional roles as a Staff Judge Advocate and then military judge. From 2014 to 2016, I also completed a master’s degree in forensic psychology and attended investigative hearings and trials held at Ramstein Air Base, Germany, the base at which we were stationed, as well as other military bases in the region. I observed a shift within the system where many cases with weak evidence were brought forward with devastating consequences for both the accused and accuser. Thus, I developed the opinion that the systemic changes (made in response to a very real and very serious problem) had indeed resulted in the solution becoming a problem itself. Nonetheless, as Creswell and Poth (2018) indicated, it was important for me to set

aside my personal beliefs as much as possible in order to remain curious and openminded in collecting and analyzing data as well as determining conclusions based on this study.

Participants

While designing this study, I contacted two military defense attorneys to inquire about being connected with former clients that had been acquitted of sexual assault in courts-martial. In so doing, I was able to confirm that this study was viable, an important step considering the specificity of this population. Creswell and Poth (2018) suggested that phenomenological studies should include heterogenous groups of three to 15 participants which was consistent with my intention to recruit six to 10 people to interview for this study.

Inclusion criteria for participants reflected that they were current or former servicemembers tried and acquitted of sexual assault between 2010 and 2020. The selected timeframe was determined based on the goal of understanding the impact of recent policy changes as well as the current state of the problem. I also excluded any potential participants whose cases were adjudicated by my husband.

I conducted interviews with seven participants. Of note, one participant reported in his interview that he was convicted of other related offenses. Because these convictions significantly differentiated his experience from the other participants in this study, I elected to exclude his data from analysis. Thus, I ultimately analyzed interviews of six participants. All participants were cisgendered males ranging in age (at time of court-martial) from 23 to 47. All served in the United States Air Force (USAF). Five were still actively serving in the USAF, while one participant honorably discharged for medical reasons. Four participants were military officers, ranging in rank at time of court-martial from a USAF Academy Cadet to O-6 (Colonel). The

remaining two participants were enlisted; at the time of court-martial, one participant was an E-3 (Airman First Class) and the other an E-7 (Master Sergeant).

Participants were charged with sexual offenses and brought to court-martial which resulted in acquittal of all charges. All participants denied the accusations and characterized the charges as false allegations of sexual assault. One participant was accused of assaulting a male, while the other five participants were accused of assaulting females. Accusers included fellow service members, the spouse of another service member, and one civilian. Four participants reported having consensual sexual relationships with their accusers prior to the accusation, while two denied any sexual contact. Two participants had charges filed (and later dropped) in local, non-military jurisdictions prior to court-martial.

Events occurred between 2013 and 2021. The length of time from initial accusations and onset of investigation to acquittal ranged from 12 to 19 months and averaged 14 months. Four participants were offered administrative discharge (e.g., “Chapter Four Request”) in lieu of court-martial, but declined to pursue that option. One participant preemptively communicated with the government through his attorneys that he was unwilling to consider discharge.

Measures

In accordance with Moustakas’ (1994) suggestions for conducting phenomenological research, I used open-ended questions that explored the individual experience of the phenomenon and associated contexts and situations. A semi-structured interview protocol was developed specifically for this study (see Appendix B) that began with those general questions and specifically addressed Brooks and Greenberg’s (2020) eight themes of experiencing a false accusation. I interviewed each participant in two video-recorded sessions. Throughout both interviews, prompts and clarifying questions were used as needed to obtain a comprehensive and

nuanced conceptualization of the phenomenon. This yielded a total of 21 hours 26 minutes of video recordings. Interview time per participant ranged from three hours 19 minutes to four hours 12 minutes, with an average time of three hours 34 minutes.

Procedure

Participants were recruited through three civilian defense attorneys and two military defense attorneys. These attorneys provided information to former clients about the study and also shared information through social media. Sixteen individuals interested in participating contacted me. I communicated with them via email and telephone to provide more information and answer questions about the study. Nine individuals met criteria. Seven agreed to participate and completed informed consent forms (see Appendix C). Interviews were then scheduled and conducted via Zoom, an online conference platform. All interviews were video recorded and generated a written transcript.

Analysis

Analysis of transcripts began with the identification of significant statements. Then I broadened those statements to generate clusters of meaning with the ultimate goal of providing a description of the phenomenological essence connecting what happened (i.e., textural description) and how it was experienced (i.e., structural description; Creswell & Poth, 2018). Although I intended to analyze the video recordings for significant nonverbal behaviors that correlated with themes, there were technical challenges related to internet deficiencies for some participants that decreased video quality. Thus, I only analyzed verbal statements.

In the initial analysis, I viewed the recorded interviews and edited the written transcript. I identified a total of 678 significant statements which were then compiled into 77 clusters of meaning. I created an outline with the research questions and located the best fit for each cluster,

grouping clusters together as they reflected varied facets of broader themes. Ultimately, the textural (i.e., what was experienced) and structural (i.e., how it was experienced) descriptions were intertwined and thus, are not presented separately here. Many of the events experienced during and following the court-martial directly provide context for the way participants responded both internally and externally.

Results

The results are presented below, organized by the most relevant research question.

How Did This Experience Impact Participants While It Was Happening, and How Might It Continue to Affect Them Years Later?

Participants reported that experiencing a false accusation of sexual assault in the context of military court-martial significantly impacted their lives. This section focuses on the experience during the court-martial process. Later effects are detailed in the next section.

Initial Reactions

Upon learning of the accusation of sexual assault, participants reported initial emotional reactions, including fear, confusion, and shock. One described, “Oh, I was scared. I was completely terrified.” Another reported, “That was probably my most devastating 24 to 48 hours of just complete and utter freak out, like dark, dark places.” They indicated that the situation seemed “really odd” and that what they were being told “did not make any sense.” One participant wondered, “I didn't know—should I be expecting security forces to come bust down my dorm room door and take me in handcuffs and start interrogating me? I didn't know what to do.” Generally, participants described feeling “shocked” and “blindsided.”

Participants reported subsequently minimizing the severity of the accusation based on their innocence, trust in the system, and what appeared to be an obvious motive for the accuser to

make a false allegation. Four participants reported that their accusers received an expedited transfer as a result of making the accusation. One participant described his thoughts early on in the process: “I’m not really worried about it because... well, I should have been, but everyone in my chain of command was aware that she's trying to get an assignment.” Another shared information with his commander about this motivation, including that the accuser’s dissatisfaction with an upcoming military assignment was common knowledge amongst the unit. One participant actually discovered the accusation when he came upon social media messages written by his accuser stating, “I’m revenge SAPR hitting my ex.” With this evidence, he assumed that there was no likelihood that the case would move forward.

Taking Action

Despite their initial belief that “the truth would prevail,” all participants quickly consulted with attorneys after learning of accusations. Three participants contacted base Area Defense Counsel (ADC) offices to consult with military attorneys, while the remaining three elected to hire civilian attorneys. The financial cost of a civilian attorney was a concern for some participants, and an outright barrier for others. One participant described:

I did [consider hiring a civilian defense counsel], but I just didn't have the resources for it...The problem was [that] I just didn't have the money. And you literally have to weigh that [cost] in the balance. It's like, well, these are the best people in the business, they have a lot of experience, they know how the military legal world operates because they were once JAG officers. And then, this is not just my career that's on the line, this is my life. It's like, what is my life worth? And unfortunately, at the time, I'd have been like, my life's not worth \$10,000. [Choosing military defense counsel] was probably the best

decision I ever made because not only did it save me \$10,000, but he was one of the best lawyers that I've ever come across and I'm actually still friends with him to this day.

For another participant, the decision to stay with an Air Force JAG attorney was based less on the financial burden and more on confidence in military attorneys. He shared:

The Major that was on the case—her record was currently the best... We didn't really see the benefit in [hiring a civilian defense counsel] and I felt comfortable once I met with the team that they were going to do their best by me.

However, in retrospect, he expressed concerns about the high caseload held by military attorneys and inadequate access to investigative resources. One participant that hired a civilian attorney shared these concerns. He stated:

You have to pay the money and stick up for your freedom. There was no question in my mind. [It felt] good to finally have somebody in my corner trying to fight. For seven months, I didn't have anybody swinging for me. I was just getting punched.

Another participant that hired a civilian attorney felt he benefitted from consistent support and valued the immense experience of his attorney.

Frustration With the Process

Participants reported that during the investigation, the initial expectation of being believed and supported shifted toward a growing awareness that the court-martial process would occur regardless of the merit of the case. One participant described:

At this point, it doesn't feel real, like it legitimately feels like a sick joke. The contradictions in everything—I can see them clear as day. I don't know how anybody seeing this [would believe the allegation]. I feel like I'm going insane at this point.

Some participants described commander and/or investigator awareness of evidence that undermined an accuser's credibility (e.g., changing stories) or the nature of the accusation seeming "ridiculous" (e.g., victim claimed he hypnotized her to obtain consent). One participant reported:

I just felt like a crazy person. I just felt like I was the only one other than obviously my lawyers and my friends, that could see this for what it was. It just felt like I was in some type of simulation where they're just going to force me to experience bad things, regardless of what's in front of them.

That sense of surrealism was shared by another participant; he stated, "I remember saying something along the lines of, she's just saying shit. I can't believe you guys are doing this. She's just saying stuff—this isn't real."

Universally, participants described an enormous frustration with the lengthiness of the investigation and court-martial process. One explained:

I eventually get selected for [redacted]... I'm supposed to PCS. They announced it—he was selected, blah blah blah. But I'm stuck. I'm literally stuck. I can't do anything. I can't move. I can't even celebrate. They initially told me where I was going and then all of a sudden, I'm not going there anymore because of an investigation. They can't take the thing away from me yet, but I can't move. I can't progress in my career. I can't do anything. I'm just in limbo.

Silenced and Attacked

Another prominent theme of this experience was the feeling of being silenced. All expressed that they were advised by their attorneys and, in some cases, military leadership, to not discuss the accusation with colleagues or even friends. One participant described:

I couldn't really defend myself, I had to remain silent, I couldn't discuss details. I couldn't even begin to try to explain the topic, which was just kind of in the room whenever I came in, whenever I went to work, or whenever I met new people.

Coworkers and subordinates were aware of changes in work duties, and some were interviewed by investigators in relation to the accusation. Thus, participants' inability to explain their side of the story to coworkers or subordinates was very difficult.

Participants particularly struggled with feeling silenced when their accusers were speaking publicly about the accusation and later, during the trial, as they listened to the government present the case against them. One participant explained:

It was very upsetting that people out there were actually discrediting my wife and me...and they had a platform to do it. And people listened to them, didn't question them, didn't validate anything. It was just all being recorded and all we could do was let it happen, just sit there, and be slandered by these people... [During the trial], I was just sitting there like, are you kidding me? You're talking about me and I'm sitting right here. You're saying things about me and who I am in a very negative way. It was just completely absurd to me that these things were even entertained and allowed to be said.

There was also a loss of privacy felt by participants during the investigation and trial. One described feeling "violated." Another shared, "They worked so hard to protect [the accuser's] privacy, but they had no problem calling my ex-girlfriends. What about my privacy?" During the trial, one participant reported, "I had to walk them through my personal sexual life."

Details about sexual preferences becoming public particularly impacted one participant who had previously guarded his sexual orientation. He explained:

I told myself I would never allow someone to define me by my sexual identity, I would never relay that information, first and foremost. You know, I won't go up to someone like, "Hi, my name is [redacted] and I'm a homosexual." I want you to get to know me just as a person. I don't want to be a caricature. I don't want you to generalize me. If the first thing you find out is that I'm a homosexual, especially amongst straight conservative men in the military, not all of them, but some of them when they hear that, they're like, "Oh well, you're just going to try to hit on me. I don't even want to try to be your friend. You know, I don't think we can work well together because I'm always going to be concerned that you're going to try to make a pass at me." So, I always tried to get you to see me for me, like being gay has nothing to do with it. That's my private personal life. I'm not going to come into work dressed in a tutu. So, the fact that all of this was put in such a public domain really destroyed that for me, because now, this is all people are going to think about me even if they wholeheartedly believe that I'm innocent. That's always going to be in the back of their mind, like, "Oh shit, you remember when [he] went through that case where he allegedly sexually assaulted another dude?" Even though I felt like everybody, like my peers, my actual peers, you know people in similar ranks, were on my side and believed me, that's in the back of their head as much as it is mine.

Preferral of Charges

Participants indicated the preferral of charges was a particularly "traumatic" event in this experience. They described it as a "big dog and pony show" in which they were summoned to a commander's office to hear charges read aloud in front of a group of colleagues and leadership officials. One participant described, "I was amazed, how many people are in the room." For a

service member accused of sexually assaulting a male, the experience was “humiliating.” He described:

Everybody is in there and he's reading line by line exactly what I'm being charged with and what I had allegedly done to merit this charge. He was just describing very graphic things in front of all these people and the majority of these cases tend to be male-on-female cases. Mine was unique in the sense that it was a male-on-male and at the time, “don't ask, don't tell” was the way you could serve openly in the military. It's not supposed to be a big deal, [but] people still have their beliefs. You're not going to shed people of their beliefs. I'm surrounded in there by a bunch of straight men with the exception of my first sergeant at the time, who was the only female in the room. So, that was humiliating.

Other participants also described a mixture of feelings: “disappointing,” “embarrassed,” “ashamed,” and “angry.” However, one participant indicated that he felt “somewhat of a relief to finally get things going” given that the process had been so frustratingly slow.

Publicity

Two participants indicated that their cases were covered in national news articles and other media. At the time of this study, links to articles were still readily accessible through an internet search of participants' names, and for one participant, news agencies only reported on the charges and never updated published articles once he was acquitted. In both cases, photos of the accused were taken from earlier events with one photo retrieved from a family member's social media page. He described:

If you just Googled my name, the first search result of that time was like accused of sexual assault, accused of rape... [People were] hearing [about the allegation] on the

radio, the TV, everything, and it just felt as if the whole world at that point was just judging me and viewing me as this monster that I wasn't.

Misinformed About Likelihood of Charges Being Dropped

In multiple cases, participants were told by their attorneys that due to insufficient evidence of guilt and/or evidence negating guilt, charges would likely be dropped. In two cases, decisions were made by immediate commanders to dismiss the case, but reversed by higher-ranking leadership. At a preliminary hearing, one participant was informed that the Article 32 officer recommended not going forward and the charges were being dropped. However, later, the decision was reversed after progressing up the chain of command and he was brought in for a second preferral of charges.

Confinement Bag

Four participants recalled being given a list of items (e.g., particular clothing, toiletries, etc.) and instructed to pack it into a “confinement bag” which they were supposed to bring with them to court every day during the trial in case of a guilty verdict and subsequent imprisonment. While one participant simply refused to pack the bag, the other three recalled this part of the experience as difficult. One worried about the impact on his family of the presence of this bag, so he prepared the items secretly. Another described:

Out of everything that happened, every single event, every single thing that I had to go through, the worst part of it was that I had to pack a bag—a prison bag. And I had to bring that to the courtroom before it all started and carrying that bag in my service dress in front of all of my peers going to [redacted] at 7:00 in the morning, was probably the most humiliating thing I've ever done in my entire life.

Do the Themes Identified by Brooks and Greenberg With Regard to Experiencing a False Accusation Similarly Appear Prominent for Acquitted Service Members?

Participants were asked about the eight themes generated by Brooks and Greenberg (2020): loss of identity, stigma, psychological and physical health, relationships with others, attitudes toward the justice system, impact on finances and employment, traumatic experiences in custody, and adjustment difficulties. This section includes participants' experiences during and after court-martial. While significant statements sometimes overlap between themes, they were included in the section that represented the best fit.

Loss of Identity

One participant indicated that while the experience impacted him in many ways, his sense of identity remained intact. The other five participants reported significant shifts in their identity consistent with research by Brooks and Greenberg (2020). One participant stated:

This situation has changed me. Even though I feel like I won, I have gotten my life back and my career, and I'm moving forward, everything's like it never happened, but it's still there... I recognize that it has changed me and then I also can see the changes and as much as I want to go back to how it was, I don't think I can.

Another described that for a long time after the court-martial:

I was no longer me if that makes sense. I wasn't the bubbly person that I was. I was no longer reaching out to people to go really anywhere or to do anything. I was pretty much just in lockdown mode. I didn't want to see anybody. I didn't want to talk to anybody.

Loss of Confidence. Self-confidence was negatively impacted by this experience for several participants, particularly in a professional context. One participant shared:

I'm a lot less confident as far as my leadership role in the Air Force and being a [higher rank], expected to mentor, advise, and take people under your wing where that always used to come pretty naturally to me. I'm a lot more reticent now to reach out and do that.

Another reported difficulty with public speaking:

I just don't have confidence. [Speaking] in public—I can't do that anymore. I get lightheaded... I did my first speech, and I couldn't... I mean, I got through it, but it was embarrassing. I was lightheaded, all shaky, and it's only when I'm standing exposed in front of a large crowd.

Bitterness. Bitterness about the experience was prevalent and to such a degree that it has become a significant part of some participants' sense of themselves. One reported:

I'm not a person who wishes bad things on other people because then I feel like I'm a bad person, but there were times that I wouldn't have cared if something did honestly. And that's how wrong I was—it sounds crazy to want bad things to happen to people. It's not normal. It's just I feel like they could have destroyed me.

Another reported:

So, the first couple months [after the acquittal], it was kind of freeing. There was a sense of euphoria like, yes, I have been fucking vindicated. Everybody knows this shithead was a fucking liar. But then, I don't know, things just kind of went back down. I started thinking about the fact that I went through that. Even though I was vindicated, he still got away with what he did. And I started thinking about the things that I lost, the opportunities lost, the fact that this FBI record is going to be with me for the rest of my life. When I was applying to [redacted] school, I had to disclose everything that I went through. It's just really traumatizing all over again every single time.

Others were particularly impacted by the unfairness of facing consequences for a false accusation of sexual violence because they or loved ones were survivors of such offenses. One reported bitterness about the fact that his own childhood abuser was never prosecuted. Another shared, “My little brother [was sexually abused]. I remember dealing with that with him and all this stuff hits a little hard for me because of what my brother went through and to her, this is some sick game.”

Increased Skepticism. Several participants reported feeling troubled by becoming a person that is overly skeptical of alleged victims of sexual assault. One participant described:

Unfortunately, this situation has pushed me to feel like, wait a minute, I need to see the proof, I need to see the evidence. Could this be one of those situations where they're motivated by something other than [being] a victim and wanting justice to be served? And so, it feels terrible to feel that way because, unfortunately, that is what this does. False allegations not only hurt people that are accused, but they also hurt real victims because real victims would come forward and say this is what happened to me. I have a daughter, I have a wife, and if someone took advantage of them and completely violated them, I wouldn't want to be there saying, well, hold on a minute. Let me make sure that your story is going to make sense. I'm going to be this person I don't want to be because of my situation, which is terrible to consider.

Military Identity. Generally, participants reported the loss of some degree of pride in their identity as Airmen. For some, it has chipped away at this facet of identity, while for others, the impact was more catastrophic. One participant described:

I decided in middle school that I wanted to join the military... I loved my job. I loved being in the Air Force. I loved putting my uniform on. I took pride in myself, I carried

myself a certain type of way—like I had made something out of nothing. I had started from nothing and had built a reputation and built a career and had built a journey up until this point and it felt like all that got taken away. It felt that everything about me got taken away. Everything that I had worked for, everything that I had sacrificed, for all the funerals that I had to miss, all the things that I had to give up, it was all for nothing, because now there's this projection to everyone else that I'm a rapist. Everyone looks at me that, like I break people. And they treat me differently... When I left home as a little 17-year-old that wanted to join the military, I had hopes, dreams, things I wanted to pursue. I wanted the whole cliché—take the world by storm type of thing... I don't feel that same drive anymore. I don't feel the same dedication towards this company that has basically abandoned me to a lie. They didn't care. They didn't take into account any aspect of how things would affect me.

Stigma

All participants reported feeling stigmatized by the allegation of sexual assault, particularly in the context of the military. The words “guilty until proven innocent” and “pariah” echoed through multiple interviews and characterized the feeling participants had of being prejudged for a crime they did not commit despite the promise of the criminal justice system that an accused is presumed innocent until proven guilty. Actions taken by commanders, such as removal from supervisory positions, were perceived by participants as sending a message to colleagues and subordinates that leadership no longer had faith in the character of the accused.

One participant described:

When they [removed me from my position], I remember saying to the commander directly and leadership staff, this is making me look really bad. I haven't done anything.

There's an allegation, there's an investigation, and we have to wait until the truth is revealed. But taking this action makes me look like I did something wrong and in fact... I'm being treated like I'm guilty.

Stigma and Colleagues. Some participants expressed feeling ostracized by military colleagues. One described, "There were times when I would say [good morning] to people and they would just look at me and just keep walking and they made it a point to... look at me with disgust." Another explained:

Based on who I am—a dude—I am a natural liar, an evil person and she's incapable of lying based on her genetics, who she is as a woman. That's when that stuff starts to just really set in. You're in it, like you are demonized at this point. This is it and they just don't believe you just because you're a dude and that's what dudes do is sexually assault, I guess.

One participant described:

There's a stigma for [sexual assault allegations], and a lot of people just don't want anything to do with it. So, they're like, 10-foot pole, get away from me, I don't care. I know that this climate produces a guilty until proven innocent environment, so sucks to be you, but it's better you than me. Or even if they don't feel that way, they're just like, hey, it sucks that is happening to you and you're just going to have to ride it out, so into the mud you go.

Even those that did not feel that they were treated poorly still expressed feeling concerned about losing the trust and respect of colleagues during the investigation. One participant described:

If I ever had to go to the [unit], I wanted to get in and out. I didn't want to hang out. I didn't want my face to be seen too much because, again, I was afraid of the gossip. I was really, really fearful of what the other female crew members thought... I think that was one of the worst things—having those women think of think of me in that [predatory] light.

Persistent Stigma Following Acquittal. Participants often felt that stigma based on the allegation has remained after the acquittal. As one person described:

You do have to recognize that anytime that I say I was accused of something, they always want to say, well, what is it? And when I say what it is, immediately I'm put in the position where I feel like maybe they're not going to believe me. Maybe they know someone who has been assaulted. So, no matter what I say—this person lied, or this was their motive, or this is the evidence—no matter what, I take a risk that they're going to treat me like either I got away with it. They didn't have enough evidence or, I don't know, whatever else they could think, because there is a stigma with it.

Sexual Assault Training. SARC briefings also were seen as contributing to persistent stigma, in part because the training has emphasized believing a victim of sexual assault. Thus, some participants felt that an acquittal would not dissuade continued belief in an accuser's story.

One participant explained:

In the briefings that you get every year, the terminology that they would use made me a very angry person—a very, very angry person—because those briefings, whoever came up with them was agenda-driving in a bad way. They were pretty much telling everybody in the military if someone's accused, they're guilty. No ifs, ands, or buts about it. If someone claims to be a victim, they have no reason to lie—none whatsoever.

Statements from Accuser After Acquittal. One participant reported that his accuser has continued to share her story with military colleagues. He stated:

When does my name stop being run through the mud? I didn't think she could do that. I thought, after the court-martial and I was proven innocent, that she can't go around defaming me anymore. But there's nothing in the military that I can do.

Psychological and Physical Health

All participants were asked about their psychological and physical health before, during, and after their court-martial experience. Two participants reported combat-related traumatic brain injury and a prior diagnosis of PTSD. One of the two also had an alcohol use disorder that was mostly in remission prior to the accusation. Both of those participants had received psychological treatment and one was still seeing a therapist at the time of the allegation. A third participant also reported a history of childhood trauma, but had no related psychiatric diagnoses. No participants reported significant concerns with physical health prior to the court-martial.

Suicidal Ideation and Behavior. Five participants reported that during the course of the investigation and trial, they experienced suicidal ideation. One participant attempted suicide after learning of the allegation. He described:

Here I am, stuck in [redacted], no support from my leadership, and I didn't want the embarrassment of this to come on my wife and my kids and my parents. I just got to the end of my rope with everything else.

Those that had suicidal thoughts described having “moments of complete despair.” One participant explained:

The best way to describe it is it's like having tunnel vision. So as these problems get compounded by other problems and other things and you feel more and more alone, your

vision just narrows almost like there's just seeing the one thing and everything has been dark. I like to describe it by saying that it's never a point that you stop loving your children or your wife or your family or your friends—it's just that the problems are so difficult that you forget about it. And that's why I think that sometimes people can help people by reminding them of what's important and that's one thing that my wife would do for me because that's the only person I had. We didn't even tell our kids.

Another participant explained his own protective factors that helped prevent him from acting on suicidal thoughts while also expressing concern about others that might be more vulnerable. He stated:

The amount of years I was in and the money that I was able to have really benefited me. I don't think about it that much anymore, but I did always think, what about a 20-year-old E2 or E3? He's away from his family and all he knew was he was going to serve his country and now he's got to face this. And the world is against him... my god, I was an idiot when I was 20. I cannot imagine the suicidal thoughts or anything that a 20-year-old would have during this.

Chronic Stress and Related Anxiety. Given that the process lasted on average 14 months, participants remained in a heightened state of stress and anxiety over the uncertain outcome of court-martial for quite a long time. One participant reported, “You never really get calmed down when you're dealing with something like that.” Another explained:

Every morning I contemplated taking a sick day. I just didn't want to get out of bed. I didn't want to go anywhere. I didn't want to do anything. I just wanted to exist in my room because my room—once I cross the threshold, I have a rule that whatever emotions I'm feeling stay in that room.

Worries about potential consequences of a guilty verdict were prevalent throughout the process. One participant shared, “I was scared to death I wasn't going to see the birth of my daughter because I was going to be in prison.” Others worried about having to register as a sex offender. The persistent stress mounted for some participants, with one reporting:

I would compartmentalize about as well as I could. I think two, maybe three times I had to have a complete breakdown and let it all out. I remember one of them was when I was at my buddy's house, he wasn't around, and I just kind of just kind of hit the ground, and I was just kind of a wreck for about an hour... It just kind of mounts and every once in a while, you've got, I guess, to have a good cry and just release it all.

For other participants, the response to prolonged stress was more dissociative. One participant explained, “The things that I cared about so much and meant so much to me, I hardly thought about that, like my sister died during that time and I just wasn't able to—I wasn't there.”

While participants unsurprisingly reported feeling instant relief upon being acquitted, most also experienced the moment with strong emotions. One participant described:

Throughout the court-martial, I was able to maintain that level of stoicism that, to me, is very important as a military leader. Maintaining that the entire time was difficult, but I was able to do it up until the ruling. Once they gave the ruling of not guilty, I had a brief—maybe like two seconds of feeling a sigh of relief and everything coming off my shoulders and then, at the same time, all of the walls that I had built within myself came down and I just started crying. I couldn't control it anymore. I couldn't hold it back anymore. It just felt like I went through all of this as like a sick joke, and nobody cared as far as leadership went other than my direct commander.

Isolation and Disengagement. Isolation as a result of following advice to remain silent about the case also had an impact on wellbeing. One participant described feeling “shame” in not being forthright with colleagues in his unit. Another explained:

[I was being told] I need to take care of myself, but how the hell can I take care of myself if I can't get out what's on my mind? They're asking why this is being done to you or how can these allegations be true. You have to at least give some of the facts, in order to really be on the same level with them, so I still don't know how to navigate that one. That was very challenging for me because people say you need to talk about it, but then defense is like, “don't say a word.”

Vulnerability. Participants also expressed feeling extremely vulnerable while waiting for trial. One explained, “It clicked in my mind—this is the full weight of the government. They just have infinite power over you at this time and there's nothing you can do about it.” One participant worried about problems arising with witnesses or evidence. He explained:

I'll never forget what the attorney said, “Hey, this guy is going to basically make our case and destroy theirs... You better hope that he doesn't die.” And I remember that because there was no control over that. I was like, oh my God, I don't even know who this person is.

Participants reported significant continued vulnerability following court-martial. One described:

I thought after the case was over, the nightmares that I was having throughout that whole year and three months would go away. I thought my ability to trust people again would come back. I somewhat naively thought that I could be made whole again if that makes sense. But that didn't happen, and I continued to just kind of bottle it up, suck it up, hit

the liquor bottle to try to deal with my feelings hoping, one day, it would just go away, and it didn't.

Another shared:

I haven't felt that I have caught a break in a long while... It has been a long grueling task to slowly build myself back up to where I was. I'm slowly getting back to how I used to be, it's just I don't think it'll ever be the same. The state that I am in health-wise, like mentally, physically, spiritually, all that, is definitely a lot weaker than the person I would like to be for [my wife], but she also understands that this is a slow process to build back up to anything close to what I was. She knows that I'll never be the same.

Similarly, another participant reported:

It is an ongoing process to realize how much this has bothered me, so I don't have all the answers on where my mental state is at. It has definitely lasted two years plus, and I think it will continue to last until I start to really figure this stuff out.

Hypervigilance and Persistent Fear. Several participants reported a continued struggle with hypervigilance and fear that has persisted to the present day, particularly regarding interactions with women. One participant described:

It took me a good couple of months to wake up in the morning, or when I would start thinking about things, to realize I didn't have to worry about that anymore... Still, at certain times, I'll get a feeling, or something reminds me of it. I'm like, I don't have to worry about that, but in the back of my head I'm still like, well, is there anything else that could come out of this?

He also reported that this persistent unease affects his ability to perform his duties:

I'm very cautious about situations at work that I get into if it's just myself and a female. I would have never even thought about it before, but now I'm on alert. Even if I'm still able to have those mentorship conversations or it's just a work conversation or whatever, I still feel like I'm not 100% present. There's always something in the back of my mind like, what is this about? And so, I feel like I'm not able to be as effective as I was.

Other participants also reported fear of being accused of sexual assault again. One described:

If I'm alone in the car with someone, nothing stops them from making an allegation. If I'm in the car with the wrong type of person, you know? This could happen again. We're not safe. We feel very vulnerable now.

Another shared:

The number one fear that I have is that any person in my past now—after this went through to court-martial in the way that it did—any person that I've ever had a sexual interaction with can now just make up a story and come forward.

He also reported feeling “paranoid” and vulnerable to continued fallout from this accusation, describing:

People like an underdog story. People root for the victim all the time, but in this case, they have a case of mistaken identity. This isn't the victim. This is a cruel human being that has nothing in her life, but to cause others pain. And who's to say that somebody that decides what [position I am assigned] or if I get promoted, didn't hear this sob story and come to a conclusion themselves without being exposed to the truth and decides to screw me over because they've heard a story and they don't like me?

Situational Triggers. Participants reported that certain situations continue to trigger anxiety or panic. One shared:

When I'm networking and I'm standing around [a small group of] people, sometimes I have to sit down. I'll start to get rattled in my head. I was trying to find every other explanation for it, but I think this [experience] is it and I'll have to see somebody about it. I think that, overall, goes into losing my entire identity.

Both fictional television shows and news stories related to sexual assault can also be activating for participants. For one participant, remaining at the base in which his court-martial occurred has been troublesome. He described:

My biggest fear is that that they're going to send me back to the unit that I was in when all of this happened. Even though the leadership has changed and pretty much everybody that was there when I was there are all [gone], it's that place that still traumatized me. Even when I have to drive by it, I get a sinking feeling of just starting to revert back to that trauma that I was in. Even though all the people that were there are pretty much gone now and it's all new people, that physical place is still there, it still deeply ingrained in me as to what happened.

Difficulty Sleeping. At least four participants experienced sleep disturbances following the court-martial, primarily nightmares and difficulty falling asleep because of intrusive thoughts and memories. One participant described:

I would wake up sweating. I'd be dreaming that I was actually found guilty and not innocent, and I was taken away in handcuffs and thrown in jail and had to be registered as a sex offender. I'd wake up screaming and sweating because it was so vivid. It felt very real. So eventually, it got to the point that I just couldn't take it anymore. They say time

heals everything; that's a load of shit. Time heals some things, but not everything, especially traumatic experience like that.

Depression Following Acquittal. Two participants reported current depression related to their court-martial experience. One reported he had lost a significant amount of weight and described, "I have really positive days and then there's a lot of days where it's not really a feeling of anything other than just lack of interest in doing anything... I'm always tired."

Another explained:

Usually, guys in the military don't try and get out in front as being victimized. We really try to keep it to ourselves, grin and bear it, which I was able to do for a year, but I still think that my brain is strong, but I think it's tired.

Substance Use. Two participants reported an increase in drinking related to this experience, and the participant with a prior alcohol use disorder received residential substance use treatment during the investigation. One of them described the impact of isolation on his drinking behavior:

I started burying my troubles in the bottle. And a part of that, a lot of that, was practically speaking that I shouldn't be talking about the case because the more you talk about a case, it always gets back to the people that are investigating you.

He continued to struggle with alcohol misuse in the years following the acquittal. He described:

Finally, maybe it's just getting older and then maybe because I was having nightmares and just all this stuff combined, I started hitting the bottle of liquor more. So, I took solace in that because I can't smoke pot because I'm in the military. I can't do any illegal drugs.

He also reported receiving a citation for driving under the influence a few years after his court-martial.

One participant reported that he decreased his drinking during this experience. He explained:

I didn't let myself drink a whole lot. My buddies would take me out to get drinks, but I made it a point to only have one or two drinks because I knew that if I had more than that, my control over my emotions would stop and my big thing was maintaining the appearance that everything's okay. Like we're all sunshine and rainbows—I would even joke about it. And then I'd be in the room, and I would just lay in the bed, just stare at the ceiling.

Mental Health Treatment. Most participants denied seeking mental health treatment during the court-martial, citing concerns with professional consequences or difficulty trusting a military provider. One participant was seeing a mental health provider for PTSD treatment at the onset of investigation, but later discontinued treatment because he believed that the notifications his commander received regarding mental health appointments were contributing to decisions to limit his eligibility to perform regular work duties. Nonetheless, he acknowledged that the situation aggravated his PTSD symptoms, and his psychological functioning would have benefitted from continuing with treatment.

Out of the six participants, two sought mental health treatment after the court-martial. One had a prior diagnosis of PTSD and is currently prescribed psychiatric medication for related symptoms. The other described frustration with feeling his court-martial experience was not perceived by his provider as traumatic. He described:

They never labeled me with PTSD. I tried to explain to them how traumatic of an experience it was and how there are moments where stuff would trigger stress on me, but they never actually labeled me with PTSD, which I found strange. Not that I was going in there looking for a PTSD diagnosis to try to get a VA disability rating. That wasn't in my head. I just found it odd that I went through something as traumatic as that... sure it wasn't combat, but it was still a very traumatic experience to me. I thought, surely, if anything, it was PTSD, even if it's just a mild case of it.

The remaining participants continue to worry about repercussions for mental health treatment. One that worked with a psychologist prior to court-martial shared:

I am somewhat hesitant to do it... it's a gamble every time that that provider is willing to treat me for the needs that I have for mental health and that they are going to work with me to retain my ability to perform my duties because once I disclose my condition, once they review my record, they can formulate an opinion and determine whether I am fit or not.

Another participant reported:

You can't be hurt and still maintain your position, so I'm not. When I leave this room, every day, when I leave my space, I am the perfect Airman. I'm exactly what I'm supposed to be. I pass all my tests. I do what I'm supposed to do... it's the only thing that's safe.

A third participant explained his continued lack of trust in the military system:

You lose a lot of trust in institutions... There was zero chance that I was going to go to mental health not only because I wanted to prove to the Air Force that they couldn't

break me, but also you just don't trust that they won't tell your command or anything like that. There's just no trust in any institution after that.

Lack of Encouragement to Seek Mental Health Treatment. Generally, participants reported that leadership did not overtly encourage them to seek out mental health services, though most were provided cursory information (e.g., handed a brochure). One participant reported:

[My] mental health was not good for sure, and I don't know why I didn't recognize that I should talk to somebody because I like to think myself as never judging anybody for seeking that kind of help. I will say unfortunately... that when I talked to the ADC, they advised me not to talk to mental health because they said things seem to get filtered up to leadership from mental health on that base.

Participants expressed concerns about consequences to their career if they sought mental health treatment. One participant shared:

There were a lot of days where things got pretty dark and in my career field, I can't afford that. I can't go to mental health. I can't do those things. I can't get counseling or depression meds or anything like that. [I] will get removed. I can never ever admit to having any problems like that, so I don't.

Another described:

If you talk to anybody flying, for the most part they will tell you that they won't [seek mental health services] because there's no guarantee [that there would not be repercussions in career]. There are no guarantees—it's too much gray area for most people to completely trust in the mental health stuff.

Impact of Distrust on Seeking Services. Another significant concern reflected the erosion of trust in the military that participants experienced during this time. One participant reported:

I was so scared during this time that I personally felt like I couldn't even trust the chaplain or the mental health. I didn't go to mental health for several reasons because there still is the stigma that if you go to mental health, it'll ruin your career. That was definitely the pervasive mindset at the time. The chaplain is supposed to be someone that you can go to and literally spill your heart out to, and they can't say anything, which is true. But these are people who, at the end of the day, are still in the Air Force. So, it was hard for me to even—I did try to go to a chaplain, to try to bring some calmness to my life during this time. But even I struggled telling the chaplain everything that was going on, because ultimately when you go in there, they're in uniform and I just couldn't trust them. I couldn't do it... These resources, even though they're available to you, these are still military members. The military destroyed me and I, at the time, could not trust anybody in the military.

There was some awareness among participants that there might have been a pathway to treatment within the community rather than with a military provider. However, as one participant described:

Could I have gone to see a civilian a person not attached to the military? Yes, the Air Force answer is yes. That avenue is always there for you. But here are all these little roadblocks you have to first overcome to get to that avenue. You have to go to your [primary care provider], who then is going to refer you to mental health, and you have to do sessions with mental health first before. Just simply going to mental health and saying,

I don't trust you—they're not going to give you a referral because of that. They have their duty to try to diagnose you and treat you. [They refer only after] they've done everything that they can do and then feel like the best avenue is to refer you off to someone else for more in-depth professional help.

Resilience Factors. Retaining a sense of purpose was useful for several participants in managing prolonged stress. Maintaining a meaningful professional role was helpful. One participant explained:

It's definitely an all-time low. That being said, I think I persevered pretty well—I did okay. I had my job to distract me a lot, so I got pretty invested in that, and I did a good job with that and luckily, I had enough going on there that it kept my mind off stuff for the most part, but it was always there obviously.

Several participants credited physical fitness in maintaining their health as they continued to rely on exercise for stress relief. Some actually noticed an improvement in physical health as they relied on increased physical exercise (e.g., running and lifting weights) for stress relief.

Physical Effects. Although most participants reported that their physical health was unaffected or even improved during and after this experience, one participant described a decline as he approached his trial:

Aside from my mental state, my physical state surprisingly was really good. Now, when it got closer to the actual court day and the fear was really setting in like, oh my God, this could literally go bad, that's when my physical state started to change. I had very incessant nosebleeds every day. I was puking every day just uncontrollably. I didn't really eat because my nerves didn't really allow me to. It was throwing everything out of whack in my body.

Another participant experiencing medical problems at the time of this study believed that “stress could have been one of the factors that caused this to worsen as bad as it did.”

Relationships With Others

Participants reported that their court-martial experience strongly impacted relationships with others from the onset of investigation to the present day.

Military Context. As anticipated, participants noted that in the context of the military, professional and personal lives blend together, and social support systems almost always include colleagues. As one participant described:

The team that we work with are very close knit. When you get separated from them, it’s unnatural and you feel like you’ve lost your support system. And a lot of people might not understand that, because they go to work and they just—when they leave work, they don’t give a shit about their coworkers, but that’s not how we function. We have to rely on each other to survive.

Impact of Isolation. All participants reported feeling isolated, especially with regard to their military community, during their court-martial. Some felt that being associated with them during the investigation was burdensome for colleagues. One described:

I began to realize that was very taxing, like I can’t put them through that. I can’t put myself through that, so I’m just going to stay away. So, I cut ties with everybody on that base and the only support system I had was my family.

Another explained, “I couldn’t show that to anyone, like how heavy it was. It felt like I was being crushed by everything.”

Shame. Several participants were ashamed of their connection to a sexual assault accusation. One shared, “I just tried to stay away from it because [of] shame and embarrassment,

especially around the women in the squadron. I was just like, I can't really bear the thought of being seen as a predator." One participant shared the shame he felt in not contributing to his team:

[I was] not able to do my job or help in any way. And I sat at home earning a paycheck, but feeling guilty because I was getting a paycheck for not working... The timeline that's involved in it is just—and I understand why, I get all that—but that's a long time for someone to be sitting on an island.

Legal Reasons. Participants were also motivated to isolate in order to protect themselves during the legal process. One described:

I would try to intentionally avoid conversation...[Socially], it was a huge shift, so I kept my core friends, but my core friends even shrunk to basically the dudes I knew were trustworthy... I would try to avoid basically everybody... I was just trying to avoid and duck for seven months. I was just trying to find whatever way to not do anything and to be as disconnected from my peers or leadership as much as I could. It was active, like I actively tried to do it.

Positive Experiences with Leadership. Participants reported varying degrees of support from their military leadership. However, one participant recalled a meaningful conversation with a supervisor. He emotionally described:

[My Chief said], "Don't let them see you with your head down. Hold your chest out proud." Oh man, I can't even say it. He said, "because if they see you suffer, you're letting them win." He's like, "So don't do that," and then he said, "Remember that the people that know you will always remember the things that you did for them." I'll never

forget that, because that was so true because the people that really mattered didn't need a story. They just did what I needed them to do—to be there for me, to support me.

Social Support. Support from family and friends was reported as very helpful. One participant described, “[Having immediate social support] was huge because there [were] just a lot of emotions, a lot of breakdowns, a lot of stress, and fear going on at that point.” Several participants reported that spouses and parents were vital to their ability to cope with broader social isolation, stigma, and anxiety during this experience. Close friends and colleagues also often had a positive impact, particularly when they conveyed their belief in the accused's innocence. One participant shared, “[When my case was publicized], I got a text from every one of them [coworkers], saying we're supporting you, we got you, we understand.” Another participant received support from a chaplain. He explained:

I just remember discussing [the allegation with the chaplain]. I was probably talking about the betrayal and at that time, his response to me was, I believe you. I realized that no one had ever said that besides my wife and my brother. No one would come out and say, I really believe you. I believe you, no one would say that, and he said it to me, and it was like, wow, I didn't realize that I needed to hear that, even though it doesn't mean shit. It's not going to leave this room. It doesn't solve my problem, but it felt good.

Some participants struggled to rely on even close friends and family, withholding information about the court-martial until the trial or, in one case, never sharing the information with them. He described, “I was so ashamed with what was going on, that I never actually told my family what I went through.” Another participant stated, “I did not tell [my parents] any of this until the night before the court-martial just because they didn't do well with my first trauma and there was nothing they could do to help.” Even those that wanted to rely on friends found

their social circle diminishing, either due to their own reticence to talk about the accusation or people choosing to distance from them as a way of supporting the accuser. One participant described, “I started losing friends. Everybody started treating me differently because one person was spreading lies and building this whole circus around my life.”

Impact on Loved Ones. Several participants described a negative impact of this experience on their partners and families. One shared, “[My wife] has had her own trauma through it.” Some spouses or intimate partners were pressured by military colleagues or their family and friends to end relationships with the accused. In some cases, OSI agents interviewed former intimate partners of the accused and asked explicit questions about their sexual relationship. Family members present for the trial were then exposed to these sorts of details. Those participants that had children were faced with determining how and when to inform them of the situation. One man described:

Before the court-martial started, we had to tell our kids why I was getting in my blues every day... and potentially on Friday I might not be coming home. There was that possibility, so that that was not a fun conversation.

Decreased Trust. They noted decreased trust in others and a general suspiciousness. One described being much more cautious now about socializing with or offering assistance to fellow military families. Another shared, “[I have] more trust issues, especially with either leadership or other roles. My circle has gotten smaller. I can definitely say that.” One participant spoke about the loss of a sense of hope and optimism that had actually developed out of his earlier Air Force experience.

Challenges to New Relationships. Participants generally agreed that this experience has challenged building new relationships. One man described:

It's really hard for me to date anyone because I'm always of the mindset, how is this person going to try to fuck me over kind of thing. I think a lot of that is the reason why I'm still single because it is so hard for me to trust anybody, to want to get close to them emotionally and physically when it gets to that point.

Others that have since developed intimate relationships describe the difficulty in explaining this part of their past as well as ways it has impacted sexual interactions. One participant explained, "I was very self-conscious about making sure this is not just consensual but wanted [to the extent that it interfered with intimacy]."

Attitudes Toward the Justice System

As briefly discussed earlier, prior to the accusation, most participants had a strong faith in the military justice system and in their commanders. Thus, when the accusations were made, they trusted that they would be believed. One participant described:

I had a lot of faith in my leadership because I knew I had personal relationships with my deputy, my director, and then I knew the group commander. And I said, hey, as soon as we talk about this and will kind of give the back story as to why this is occurring, I'm pretty sure they're going to see right through it and we're going to move on.

Another participant explained:

I just kind of went on about my day. I really didn't care, just because it was so early, and I trusted in the investigative process. I was like there's no way, there's no possible way—I literally have screenshots of them saying this is a revenge thing and them bragging about it to their peers like there's physically no way like I don't really have to worry about anything.

Loss of Faith in Justice System. As the investigation progressed, participants began to lose this faith in the system. A major factor of this change was a developing awareness of the power of the political context of sexual assault accusations in the military and the presumed reluctance of those in command to be perceived as weak on addressing the problem. One participant described:

When the topic of sexual assault is the header, I now know looking back on it that that colonel is more worried—I believe that Colonel is worried about his name and his position and his career... He's just going to pass the buck and say, hey, I'm going to push this up to my general or my wing commander and then the wing commander says, I don't even know this guy or this other person, but this sounds really bad. I'm going to push it up to the general of the command... And then the general says, I'm not going to turn that off because I'm going to let the process find the truth because if I turn it off, that person can file against me. So, they're extremely reluctant to stand up for what's right. They lack the moral courage to do the right thing even if they know there could be consequences.

Political Context of Sexual Assault in the Military. Participants described feeling scapegoated in order to present an image of taking sexual assault case seriously. One man explained:

From what I understood, this was not supposed to go to a court-martial, but the three-star general pushed it forward to make an example out of me and to show Congress that they are doing everything that they can to prevent sexual assault and giving everything the furthest point of justice that they can to ensure that things are being handled the way that they were supposed to.

Another shared:

My fear was that the politics were going to determine the outcome of everything, the politics were going to infect every aspect of the legal system playing out, and that the outcome has already been pre-determined. It's just we have to go through this formality, so there was a fear—how am I going to explain this to my family? If I go to jail, how long am I going to go to jail for? When I do get out of jail, am I going to end up flipping burgers the rest of my life because no one will want to hire me once they figure out what I was in jail for?

Impact of “Believe the Victim.” Some participants reported that the public outcry around sexual assault was necessary, but the assumption that all accusations are true created a context in which any skepticism about an allegation is vilified. One participant shared, “I was acutely aware, as was everybody else in the military at that time, of just how serious they were taking the accusation of sexual assault, as they should. Absolutely, as they should.” Another participant explained:

The pendulum has swung so far over that any commander in their right mind wouldn't take that political or that career risk because next thing, you're going to be the one. It's not going to be that person in the *Air Force Times*; it is going to be you with your picture in the *Air Force Times* getting fired because you didn't uphold the standards.

Impact on Court Members and Judges. Participants were also concerned about the impact of the political context on potential jurors or judges. One explained, “It might be a bias that [panel members] don't even realize that they have. I'm sure some of them do, but some of them probably don't. If I don't convict, is it going to hurt my career potentially?” Another described:

The fact that I got a call from the ADC at one point saying it doesn't sound like this is going anywhere tells me that there were people having that discussion [about whether to move forward with court-martial], but no one wanted to take that political risk, that career risk.

Participants' loss of faith was also related to experiences with individuals working in the military justice system. One man shared:

[My military defense counsel told me], I'm going to be honest with you—I don't have faith in the legal system anymore... After the court-martial, I had people come up to me that were involved in the investigative process or in the prosecution office who told me—and I actually believe them because they sought me out—that they were so happy that there was a not guilty verdict because they knew from reading through the OSI report or conducting the interviews, he was full of shit. But the Air Force at that time during heightened attention [about sexual assault]—their hands were tied.

Abandoned by Leadership. Participants often felt that leadership's efforts at providing support were, at best, perfunctory. One participant described:

To satisfy the requirement of like, hey, we got to make sure this guy doesn't kill himself, this is terrible stuff, let's send someone to check on him. I realized that he just became the checking guy. He didn't really offer assistance; he really didn't help me. He just came in and said, "How are you doing, are you okay?" And then, I say, "Yeah, man, I'm fine, it sucks, I'm struggling, my family is suffering, this is a true hardship, I don't know what I'm going to do." He would just report back and say, "Yeah, he says he's okay. So, there, we checked on him." And I was like, this is so phony because you're not really supporting me. You're just coming in to get a status check.

Offering resources also was perceived as fulfilling a requirement rather than genuine concern. A participant explained:

This is one of those things where I start getting bitter with the Air Force of where and how things were handled. At the time I was a flight commander, and I was in charge of like 30 to 35 people and I just feel like I have a better talent and knowledge of how to help people at this point because I felt like my commander kind of read me my rights, and then he was kind of done with me after that. And then the Shirt [First Sergeant; i.e., the senior non-commissioned officer who is supposed to help people in the unit that are having difficulties] was completely useless where this should be their time to shine, in my opinion. He brought me into his office and he's essentially like, well, you know, just try to compartmentalize and here's some flyers if you need some help... I could have used somebody to be like, hey, we know what you're going through, you're not guilty, you're still part of the [team], and if you need anything, let us know.

A belief shared by participants was that commanders were more concerned with protecting their own career than making ethical decisions about recommendations for court-martial. One man explained:

I realized that I used to be mad at the Air Force. The betrayal was so significant. But then I realized that it wasn't really the Air Force, it was people in positions for the Air Force that did this to me.

Several participants referred to an "absence of leadership" and indicated that their commanders did not attend legal hearings or contact spouses to offer assistance. A participant shared, "Nobody from my leadership shows up [at the Article 32 hearing], so, good, we're all family here." Another explained, "This is part of my bitterness—the commander that charged me

with the court-martial... never showed to any of the court-martial proceedings. He wasn't there for any of the testimony, and he wasn't there for the verdict.”

Decisions made by commanders to reassign participants during the investigation also increased the sense of distance felt between leadership and the accused. One participant stated:

I think there's a little bit too much in the Air Force of, they're ostracized, and we send them to the island of misfit toys. But I think [leadership needs to] let them know they're still people and help them stay busy and focus on the positive if possible.

Support from Leadership. While the consensus among participants was an overall feeling of abandonment from leadership, some participants did have some positive interactions with military leaders. One participant noted that his first sergeant was helpful, while a few others had a positive relationship with a commander. One participant described, “Things got really dark for a long, long, while. I was [talking to] a mentor... She was kind of that backboard for me to bounce my ideas off of, to just talk to.” Another explained that a commander that did not supervise him, but was familiar with the case, approached him to offer evidence about the accuser's motive.

Broad Disillusionment. The process of the investigation and court-martial led to a pervasive disillusionment of the Air Force and military justice system. As one participant described:

The Air Force is very good at invalidating you throughout each step. They're very, very good at letting you know what you're feeling is invalid and the process has to take its place. “She said it, so we have to go forward.” Right there is one of the most invalidating things that you could ever think of. And then just being prosecuted by the Air Force, sitting in front of the Air Force, is invalidating in itself.

Another explained, “It's like once they get so far in believing something, they have to keep moving forward. No one takes a step back and says, wait a second, this doesn't meet the sniff test.”

Perception of Investigator Bias. Beginning with the initial accusation, participants felt that OSI conducted an investigation that was skewed toward proving rather than investigating an allegation. One participant stated, “OSI does everything they can to investigate the accused, but there's nothing being done to look at why this is [happening] or if there is any other rationale for this.” Another added:

When they find out you've been talking to anybody, they're going to reach out to those people, to bring them in to figure out what you may or may not have said to them and then they're going to try to connect the dots. They always say that their job is only a fact-finding mission. It's way more than that; they're literally looking for dirt.

The report of investigation was also perceived by participants as biased. One explained:

They produce a report that can very well omit any exculpatory evidence. They don't have to put it in, so what you end up with—people would think that the report of investigation is going to have a bunch of facts in there—it's not necessarily true because the complaining witness in this case is basically telling this horrible story that is only made up by her imagination. So, there's no one to question it, whatsoever. They collect it. So, if she said that I then pulled out a gun and shot out the window at somebody that was trying to help her, it is what it is. They're not going to, no one is going to argue with her. And then the commander reads that and goes, wow, that is crazy significant and then it's up to them to look at what actions they are going to take.

Perception of Unethical Behavior by Military Trial Counsel. Trial counsel were sometimes viewed as ignoring ethical standards of practice. One participant described:

At that point, it felt as if the lawyers [prosecution] weren't doing their job to seek justice. They were doing their job to protect their client. But at a certain point, I know you're doing your job to represent these people, but your job is to uphold the truth and the law and uphold justice and this is staring you in the face.

Another participant shared:

It was very apparent that they never had a case. You can say I had a great lawyer, which I did, but it was just very apparent that they didn't have a case and the prosecution was frustrated that they didn't have it, and they were trying their best to build one.

Betrayal. Hearing arguments from trial counsel also felt like a betrayal of loyalty as fellow Airmen:

That JAG member got up in the closing arguments [and says], “He's a rapist,” pointing [at me]. And yo, blue on blue here, come on. I don't get it, I signed, I've served honorably. I was top 10%. I'm not [top 10%] anymore—I got that. But I was crushing it. I'm doing the job. You're not flying over Syria—you're just sitting here screaming at me that I'm a rapist. Who are you? What are you doing? This is insane.

Interactions with Commanders. Advice by commanders also led to disillusionment. One participant described his thoughts during the experience:

I don't understand. Can't you stop this? [The acting commander and first sergeant] were just basically like, go along to get along, be honest, just cooperate [with OSI] ... you work for the Air Force, and it's the “20 years, you take care of each other,” but they're an

extension of the federal government. They don't care about you. [Cooperating with OSI] was just naive, and I knew it.

Further, inconsistencies in commander actions suggested that they believed in the accused's innocence despite pushing the case forward to court-martial. One participant explained:

My commander said, "JAG, you know, they tied my hands. I know it's just got to be frustrating. Someone's just saying something about you and there's nothing, but you know, the burden of proof is just so low. They just really tied my hands." He gave me the buddy speech. He doesn't even have the spine to say, "I did it and I'm moving this stuff." Between [that] and me still getting promoted, me still keeping the [redacted] training slot, me still being able to go TDY [temporary duty] ...everything points to, you don't believe this. This is a political thing.

Belief that commanders were unwilling to speak honestly about the credibility of the accuser led to disillusionment with military leadership for one participant. He explained:

One of the most disturbing things that angers me to this day [is that the squadron commander] was interviewed by OSI and his comment about her was that she was an upstanding hardworking officer and that was just his only impressions of her. Everybody in the squadron knew that wasn't true, and he had already removed her from the squadron because of her work ethic. Then I also later find out... that she was also under investigation for [redacted] pretty close to when all this started, and she was ultimately given an LOR [letter of reprimand] for it... My squadron commander was completely spineless. He had an opportunity to go into OSI and be like, no, she's not a good officer, she's not trustworthy, and in fact, she was given an LOR... right when this all happened.

Inattention to Exculpatory Evidence. Beyond self-awareness of their own innocence, participants believed that the evidence in their cases negated the veracity of the allegation and that players within the military justice system were aware of this yet pushed the case forward regardless. One participant shared:

It makes you insane because you know you didn't do it, they know you didn't do it, but they're just going through this for what—ultimately for the good of the Air Force. My commander would end all his emails with the slogan “family first.” It's just so crazy. Would you ever do this to your son, man? Family first? Hey, we know you didn't do it, but it's the process, you know. And it's like, yeah, I got it—it's a process, but I'm a person. I am a person in this machine, and you just let me go through it. This is insane. This is a year of my life. And I got it—it's a process, but you could stop it. Somebody can stop this. And it never stopped until a jury of my peers and even then, it doesn't feel like it's ever stopped. It's always something that looms even until this day and that was two years ago. It's something you can't talk about because who's going to believe you? You know—well, it did go to trial, there had to be something there. No, there wasn't, you don't get it. There was nothing there.

Lack of Restoration of Justice. A source of the frustration felt by participants in relation to the justice system is the lack of restoration of justice following acquittal. One participant described:

There is no justice, in my opinion, for an accused that's been acquitted because there is no recourse. There's literally nothing for us there when we are pulled aside and told, suck it up, just pretend like nothing ever happened and shut up and color.

In addition, there is an awareness that an acquittal is not necessarily vindication or proof of innocence. One participant shared, “I was 100% acquitted, which is another let down because it’s really not [the same as innocent] ... they can just sum it up as we didn’t have enough evidence.”

No Recourse. Similarly, participants reported frustration that the system did not provide consequences to the accuser. One participant shared, “He never ever had to pay the price for what he did. In my mind, what he did was a crime...The fact that he got away with it is infuriating. Our justice system allowed that to happen.” Another stated:

Just the amount of resources when you're sitting on that side and granted my resources were better, like he [attorney] is a heavy hitter, but I’m paying big league money for that kind of stuff. It was just clear as day—no repercussion at all, nothing out of her pocket, nothing out of her work, like nothing. She just said it and then she gets this flood of attention. And then boom, she just gets to do whatever she wants, no worries.

One participant reported anger that his commander has continued to rise in rank and position despite poorly handling the allegation. Of note, one participant has filed a civil lawsuit against his accuser. Other participants reported that they considered civil litigation, but were advised they would be unlikely to win, and attorney fees would be expensive.

Insensitive Remarks from Leadership Following Acquittal. Misguided conversations with leadership following acquittal were commonly experienced by participants. While they acknowledged that the guidance may have been well-intentioned by commanders, it nonetheless was perceived as insensitive and for some, quite invalidating. A participant described:

When that coward [commander] called me into his office and he said, “I just want you to know one thing—we knew that you were going to be okay” ... I said to him, you put me through this. That person told a story, but you 100% supported it. Without you, it

wouldn't have gone anywhere. So, you did this to me. I can't control psychos that aren't even in the military, but I have to deal with people like you. You did this to me. When you tell me, we knew that you were going to be innocent and at least now you got your day in court so the world can know the truth? How dare you? Because nothing changed... the world could've known the truth. The only reason the world was involved is because they took it to the world. They drug me through the mud, and then made me stand before a jury of my peers and basically prove my innocence. And I'm still suffering a lot of the consequences for that.

Another participant reported:

My Chief [i.e., the highest enlisted member in the unit] on that first duty day after [the acquittal] pulled me aside and said, "I understand you went through all this stuff, just pretend like it never even happened." And then my commander... kept pinging me [saying], "If you ever want to talk, my door is open. If you have some stuff you want to get off your chest or want to talk, just set up an appointment." And I didn't believe him... but I was like, what the hell, he keeps asking, I'm going to take him up on this offer. I'm going to set up an appointment with them and it's just going to be me and him. I don't want anybody else in that room. And I'm just going to hear him out. I want to see what he has to say and why he was pushing so hard for me to come talk to him after everything was said and done and the case was over with.

That was also a disappointment because, basically, I think that whole meeting lasted maybe 45 minutes. It was just him saying, "Hey, you know, it was a very tough year, but you fought the system, and good on you, you persevered. That speaks to you as a person that you're strong. You're going to have a fulfilling career." Blah blah blah, and

the one thing that he said, the one thing that he said that stuck out the most, was when he [said], “Think of it like this, you’ve got a blank canvas, and you have a paintbrush in your hand, and you can just literally paint your life from here on out.”

And I’m like, is this guy fucking for real? Is he fucking serious? This is what you kept bothering me about? This is what you brought me in your office to say? Get the fuck out of here. I didn't say much because I was like, if I say anything, I'm going to lose my shit and I’m going to end up getting in trouble and it’s just not worth it... I know what he was saying—you have a chance to start all over again. No. No, I don't. Want to know what my chance to start all over again is? It’s going to be getting out of this base and going somewhere where nobody knows me, nobody knew anything about the case, nobody knows my accuser, and nobody knows shit. That's me starting over and you can't provide that to me. I wasn't naïve, I wasn't going in there thinking he was going to apologize. I knew those words were never going to come out. But I just wanted to see what he had to say, and it lived up to my expectations. Absolutely.

Other participants who did not have conversations reported an interest in being able to share the details of their experience with military leadership. One participant explained:

I would love to be able to sit down with him in a room... and just talk to him and have him tell me, man to man, why he put me through that. I am a person. I am a person that came to you to succeed. I always tried to give you the best version of myself that I could, and you disregarded it and just kind of put me through hell.

Enduring Loss of Faith in the Air Force. The culmination of these facets of negative attitudes of the system and its actors has led to a loss of faith in the Air Force for most of the

participants, despite the fact that the majority are still serving in active duty. One participant described:

It definitely changed my entire perception of how the government operates, particularly when it comes to the US military. I lost a lot of faith in fairness and the rule of law throughout the entire investigation, and to this day, I still take a very cynical view to the government. I do, which is weird because I'm still active duty. I'm still doing the government's bidding in uniform. But that faith that I had before this incident is completely destroyed—completely.

Another participant described:

It didn't feel like the Air Force really gave a shit. It felt that no matter what the accusations could have been, any and all accusations, would have taken me straight to a court-martial and there's nothing that I could have done. There's no evidence proven otherwise. There's no logic that was used to make this decision. There was no anything and you don't have any hope after that. I had a lot of hope and looking on the positive of things for the majority of my lifetime, and I still hold on to it, but it's not as strong as it used to be. It's not even close. The sense of justice that I thought existed in this world does not exist. And it was disheartening to know that a thing that I've sacrificed over 10 years of my life to, just so casually was ready to throw me away. And I know that we're all replaceable in the military and that's the mindset you should have—that you train your replacement, but I didn't think it would be as if I was treated as garbage and made a spectacle for my peers and those above and below me. It made it really hard. It still feels hard now, and it feels that it is something that I will never escape.

Impact on Finances and Employment

The financial impact significantly varied among participants as some paid tens of thousands of dollars for civilian defense counsel and experts, while others relied on military attorneys and reported no financial hardship.

Changes in Work Duties. Participants had varying experiences with regard to the impact on their employment. Loss of position and other pre-trial actions were common. Most participants reported being removed from positions of authority. One man was told that he would not be considered for a supervisory role because “someone under investigation cannot be the front headline of a program like this.” He explained, “I was able to still make a difference and develop myself... It just took so much more work because I wasn't in a position of authority and because I had to go through all these different hoops.” Another participant found out he was being removed from his leadership position via Facebook message from his replacement. He described:

I was blindsided. I took a lot of pride in my job. I loved my job. It is the best job I've ever had in the Air Force. I was good at it. I took care of my people, and I had a lot of people rely on me... I get it—I've been accused of a serious heinous crime. I understand my security clearance has to be suspended, but I shouldn't be finding out from my friend.

Special duty pay (e.g., flight pay, hazardous duty pay, etc.) was stopped for some participants as well as loss of security clearance during the investigation and court-martial. In at least one case, that pay was reimbursed following the acquittal, but as that participant explained, “The hardship had already occurred.” Loss of stratification rankings, which can be an important factor in promotions, also impacted performance evaluations during this time. One participant explained, “[The commander] knew me well. I was a top-rated guy, like number two of 10 flight

commanders, top 10% in the group... just on the allegation alone, I lost those strats.” Others were unable to attend training necessary for career development.

Those participants that remained in their normal positions also found it challenging and for some, confusing given the nature of the charges. One participant stated:

During the investigation, they didn't fire me. I was a flight commander, so I was in charge of 30 people, [including] some women. [Despite the violence of the allegation], they didn't fire me. That was one of the frustrating things about all this—the inconsistency. So, did I do it or didn't I? Do you think I'm capable of this? I remember—obviously I'm glad I wasn't—but I remember saying it would make more sense to me after I found out what she said, if they were to throw me in jail right away while I wait for trial.

Long-term Impact on Career. In the time since acquittal, participants have noted a continued impact on their career. One participant received a lower score on a performance evaluation (i.e., four out of five possible points) linked to the sexual assault accusation. He explained that having a “firewall five” in which all categories are marked with the top score of five, is believed to strongly increase the likelihood of selection for promotion. Thus, he believed that the lowered score directly impacted his promotion odds during the time that evaluation was part of the promotion review process. Another participant who had previously been promoted early (i.e., “below the zone”) for two ranks received a “referral” performance review following his acquittal. Referral reviews are given to indicate failure to meet standards or because within the review, there are derogatory comments related to conduct, character, judgement, integrity, or disciplinary actions. Airmen who have referral performance reports are almost never selected for promotion. Another participant reported that following acquittal, his squadron commander gave him a letter of admonishment for adultery. He shared, “I think they wanted to [demonstrate] he

can't get away scot-free; meanwhile, there are no repercussions for her [active-duty accuser] whatsoever.”

Participants that remained active duty believed the accusation alone limited the trajectory of their careers. One participant described:

Especially going up for promotions and job placement... things like that, it feels that it will always haunt me, so there's no point in trying. It feels as if you're running a race, but you're cemented to the floor, and everybody gets a two-mile head start. It has created a mindset that I just don't care anymore. I really don't.

Another participant took a different stance, stating:

There are probably going to be consequences in my career and that's fine. Ultimately, I think it probably made me a better officer in the long run because it prepared me for seeing that other side that you don't imagine you're ever going to see.

Traumatic Experiences in Custody

As anticipated, none of the participants in this study were held in custody as part of the court-martial or investigation. However, most were interviewed by OSI agents and processed after being formally charged (e.g., fingerprints, oral swab, mug shots). One participant described, “It is almost like you’re being arrested without being handcuffed.” None of the participants had lengthy experiences with OSI agents as they all retained attorneys and elected not to speak with investigators on the advice of counsel.

Adjustment Difficulties

As referenced in an earlier section, once acquitted, many participants received advice encouraging them to simply move on from the experience and forget about it. They often immediately returned to work with little time or opportunity to process their experience. They

perceived others as expecting them to “just return to normal.” This was a difficult adjustment. As one participant described, “I really don't like that term ‘return to normal,’ because when you go through something like that, there is no old normal. It's a new normal.” He had hoped that he might be eligible for an expedited assignment:

At this point, my name has been dragged through the mud, even though I was rightfully found not guilty. Just having to still go into that place of business every single day, working alongside the same people every single day who know what I went through is very traumatizing to me, but I had nothing available to me. They're like, no, no humanitarians [i.e., reassignment for compassionate reasons] are available to you.

Another participant that also had a difficult time afterward described:

Most people see the victory, but I don't really feel like it's a victory. I endured it and it was done to me, but the most interesting thing that most people don't realize is when it was over, when it was finally over and the Air Force and society accepted that this person is lying or we're not going to believe them fully or however they want to minimize it, once it was over, the Air Force just dropped everything. They didn't care what resulted to me, like what has this done to me as a person? What parts have I endured and who am I now? They just stop talking about me. They say, “Go to a new assignment and pretend like it never happened.” It's hard to do that. It is so hard because it has changed me. It changed my wife. It changed everything about me and how I view things, and you know there's so many things I can't trust anymore that I used to, and it is just amazing to me that as much as the military claims to [put] people first and take care of their members and provide treatment and services and things like that, they just dropped it. They just never bring it up again. It's almost like if you abuse someone and then, you know, you

put them through hell. They're your prisoner, and you abuse the hell out of them physically and then the next day, you just show up and you just have breakfast with them as if it never happened. It is so shocking. That is my reality.

Decreased Interest in Continuing Military Career. Participants who previously intended to serve long careers in the Air Force began to rethink that decision following the acquittal. One who did elect to reenlist received advice from military colleagues suggesting that he should not extend his time in the military. He explained, “People told me, your career is over, so you should plan for getting out.” Another participant that decided to retire explained:

There's no opportunity for me to make rank, but there are certain jobs that would be fun, and I think I would add value to, but the likelihood of me getting selected for those is zero. So, there's no sense in sticking around.

For one participant, discharge due to medical issues that arose after the acquittal ultimately allowed him to leave the Air Force, an outcome that he felt was positive in allowing him to more easily move on with his life.

Other participants that either chose to remain active duty or have continued to serve based on significant prior time commitments expressed attitudes that have shifted based on this experience. One participant shared:

[I have] entirely selfish reasons [for staying in the military]—money, a steady paycheck and working towards a retirement... health care... What that experience did to me was change the way I think about how I use the military since they're using me. When I first enlisted, sure, there was the money aspect to it, but a lot of it was pride and what I was doing, what I signed up for. That went away.

Another participant originally hoped to serve a long career well past the twenty years typically required to attain retirement. He explained:

I have a time commitment of at least 12 years. So, I don't have a choice [about staying in the military]. My mindset afterwards, like my mindset lately with everything—it's really hard, and it is still affecting me and my job now. I don't have the same motivation that I used to have. I don't have the same trust in the system. I don't have the same love for this Air Force that I used to have. I don't wake up and feel the same things that I used to do because this happened to me. It's like I'm kind of done with it, but I have to see it through.

Difficulty Sharing the Experience with Others. Another adjustment challenge reflected the difficulty in explaining this experience to others. One participant explained:

I'm just tired of the preface that I have to say, like, "Of course this is bad." That does get old because when you're telling your side, you still have to acknowledge that what they accused you of is bad. It's like, yeah, no shit. You still have to acknowledge that you were associated in that category, and you still have to denounce it and sell it. When I tell it, I have to say, "Of course, there are people who are guilty of this, the process could work sometimes." You have to do the preface which is insanely exhausting and annoying. It adds to the stigma that you have to acknowledge what you're accused of is bad.

Some participants have spoken publicly about their experience. One participant that spoke to a group of military members stated, "Although it was somewhat positive to go through it [and tell my story], I realized that it was also difficult at the same time because it did bring up a lot of the same emotions and feelings and stress." Others worried about the ramifications of sharing their story. One participant explained:

You're actually the only person that I've ever talked about this in depth with outside of my command and my wife. I was hesitant to do this [participate in the study]... I've been asked why I don't fight for guys' rights, like why I don't step forward and try to take up the banner and be that person for dudes that go through this. I know that we are a very small percentage of cases, and I know that sexual assault is still a problem in the military, and I know that there are bad people out there, doing bad things. I do not want to be the doorway they use to get out of trouble. I do not want to be the court case that they use to be found not guilty of a crime they actually committed.

Role of Agency. Nonetheless, taking assertive actions appeared to alleviate the adjustment difficulties of some participants. For one participant, it was through “small victories,” such as responding with “Yes” rather than “Yes, sir” when his commander read him the charges or refusing to pack the confinement bag. For another participant, demonstrating his sense of agency was reflected in testifying at his court-martial and later advocating for himself after the acquittal when he received an assignment that was effectively a demotion. He also took action toward letting go of the bitterness that persisted after the acquittal. He described:

I had the transcript, and I had all the documents, and I held on to those for a long time. It sounds kind of silly, but [keeping everything weighed on me] because I had a lot of anger about the way things happened. It would keep me up at night. I actually ended up going to my group commander and presented him a lot of documentation about squadron commanders not doing this right. I don't think most people would do that—I'm a little different that way. I try to hold my uppers a little more accountable. But I essentially burned it all, it was a “I need to let this go” kind of moment. I need to move forward. I think I held on to it for a year and a half. I just had it in a drawer, and it was just there. I

mean, it was a part of my life, it happened, it shaped me, you have to accept it. But I needed to move on.

In What Ways Have These Individuals Made Meaning out of Their Experience?

Participants characterized their experiences differently. One described thinking of the hardship similarly to his deployments. Another shared that the experience made him “a very patient person” and “more resilient.” One participant explained:

I’m probably better off now. I think I’m more self-aware than I was back then. I try to read stuff. One thing I’ve been big on the last six months to a year is gratefulness and recognizing what you have and actively being grateful... [I have tried to] learn something from it and I try not to be angry and bitter about it, because ultimately that hasn’t gotten me anywhere.

One participant shared:

I know that there are people in this world that are picked to be gritty and resilient and suffer through the trials and tribulations that life can throw at you and the cruelty of this world. Some people just have to have it directed at them and that's fine. I would prefer it not be me personally, but at the end of the day, I’m just going to keep my head firmly looking forward, and just keep moving in that direction, and there's nothing that's going to change that. I might be sad some days, I might be happy other days, but the only thing that stays consistent is that my feet are going to keep moving in the direction that I want them to.

Although he tries to maintain an optimistic perspective, he also described:

I view the world in a much crueler lens than I used to. I think there are still good people, of course, but I feel that there are a lot more conniving and ill-intentioned people that

exist in this world, and I think that the only thing that you can do to protect yourself against something like that is just to anticipate it. Being able to get ahead of something helps, but then you go through your entire life thinking that the person next to you that you might not know well has ill intentions towards you or for you and it's either at their benefit or their gain or sometimes it's for the entertainment of weaker people to just watch you struggle.

Regret. In the process of sharing their stories, many participants remarked on regret for their own actions, particularly with regard to how different behavior may have reduced or eliminated the likelihood of a false accusation. One participant noted several decision points in his interactions with the accuser that, had he taken the opposite action, he could have avoided the situation. Another described, “We met on Tinder, so I guess there's my first mistake... I always knew I made the decision to have a one-night stand. That's on me.” Another participant that acknowledged engaging in consensual sexual activity with his accuser stated:

When I saw that video of her originally going to OSI, it turned my stomach because, how could you get involved with a person just that mentally wrong? I guess that just always struck me, like disappointed in myself, like how stupid can you be because there's clearly something wrong with this woman?

Service to Others. Participants often expressed that since their acquittal, they have been contacted by others facing false accusations. This ability to be a resource to others has been meaningful to some of them. One described, “There was an influx of guys that came to me after my court-martial with a similar situation—hey, my ex-girlfriend is upset that we broke up and is now threatening to court-martial me for sexual assault.” Several participants believe that their continued military service affords an opportunity to provide better support to others facing

court-martial, regardless of the circumstances, explaining that their own experiences have facilitated a more empathetic, nonjudgmental stance to others.

Are There Ways the Military System Could Better Address Mental Health Needs for Other Court-Martialed Service Members?

Participants shared many suggestions for improving the way that the military responds to sexual assault allegations in order to provide adequate support for the accused.

Revise SARC Training. The first recommendation was to ensure that SARC training is consistent with the legal definitions of sexual assault. As one participant described, “Immediately after [the acquittal], I still had to attend the SAPR training, which was insane. Then you realize they’re not teaching what [the legal standard is]. They’re teaching what they define it as.”

Ramifications of “Believe the Victim” Stance. Participants strongly advised reevaluating the stance on automatically believing an accuser. One participant shared:

[During a SARC briefing after the acquittal], I had to remove myself from that room because I was literally blinded by rage. I was about to flip out on her [the SARC representative] because she literally stood up there and said that an accuser never lies, and that if you are an accused, you are more than likely guilty. That kind of language should not be in a program—ever... People in the military are being conditioned to believe that no one will ever lie about this stuff, so if they say they're a victim, then it's 100%, the god's honest truth and the person that they accuse is guilty beyond a reasonable doubt. And therefore, you should convict them as such.

Similarly, another participant explained:

I am of the mindset that when something like this happens, it's not necessarily “believe the person.” You are not in a position to make any assertions as to what happened, but

you are in a position to support the persons going through it on both sides and not play sides. Just support them in whatever way they need that is within reason, without drawing lines in the sand and making judgment calls that are intended for the jury and the actual courtroom to make.

Limit Expedited Transfers for Accusers. Another major concern are programs that offer potential incentives for false accusations. Four of the six participants reported that their accusers received expedited transfers following the allegation. Among the entire group of participants, there was a pervasive belief that while well-intentioned, this program has motivated false accusations. One participant explained his concern with the public awareness of expedited transfers through SARC trainings:

[SARC briefers were saying], “Oh, by the way... [if you accuse someone], here are all of these wonderful glowing shiny objects that we have for you.” You're enabling bad people. When you so openly advertise the avenue to take to abuse the system, to get what you want out of it, it ruins it for everybody, even for people who are legitimate sexual assault victims because those bad faith actors, they're going to come out of the woodwork and bet your bottom dollar, they are going to play that fiddle all day long.

One participant that struggled to initially understand the motivation of his accuser explained, “I was TDY... and I saw a sexual assault poster and it was listing the things you get when you come forward, the protections, and I saw the expedited PCS, and I was just like, that's it.” He expressed his concerns:

[False allegations are] scarily more common than you think and unfortunately, I think the Air Force or maybe the DOD, has just incentivized it too much... I think the expedited

PCS needs to be for special circumstances and not every circumstance, because I think most bases you're at, you can keep two people apart easy enough.

Balance Resources. Another recommendation proposed by participants was to ensure litigation resources are appropriately balanced. Among participants who elected to rely on military defense counsel rather than hiring a civilian attorney, there was a perception that their ADC was overwhelmed with the workload and did not possess adequate investigatory resources. One participant explained, “My ADC wasn't always easily reached... [The ADC] doesn't just cover this base; it covers a couple other bases as well and it's a one-lawyer-deep shop with one paralegal covering multiple bases.” Another shared, “I say I was the investigator and that's been one of the biggest frustrating points. If you don't do anything for yourself, you sit back and just let the system beat you up.”

Generally, participants felt that resources were unbalanced between the accused and accuser. One described, “It just seems like everything they do is stacking the deck against the accused.” Another shared:

She ended up getting tons of resources. I mean, I got nothing. And then I had the full weight of the government at her behest against me... It was difficult because [of] the long hours and the amount of resources that they gave her, but not you. I'm paying 40,000 for this [civilian attorney] and she has two victim advocates [attorneys]... The process is in complete favor of the alleged victim.

Evaluate Bias Within Investigatory Process. Participants universally reported that they felt the OSI was biased toward the prosecution and did not include mitigating or potential exculpatory evidence in the report of investigation. One participant explained, “[OSI] can choose

what they want to put in and, in my experience, they chose to put things that were damning towards me.” Another shared:

The investigators should be investigating and not just trying to find one little thing that they can catch me on. They should be looking at everything objectively. The commander that's in charge of this should [also] be looking at things objectively.

Because of this perception of OSI bias as well as advice from defense attorneys, participants were often unwilling to participate in the investigation. As one participant explained, “I had zero real chance to defend myself unless I wanted to talk to OSI, which again I just looked at them as a hostile interrogator.”

Shorten Duration of Court-martial. Participants also recommended that the Air Force evaluated factors that cause delays in the court-martial process in an effort to shorten the timeline and limit sustained traumatic experiences. One participant described:

There's something to be said for having a determination sooner than later because on some level after a while, I just wanted it to be over. I never thought about giving up and just throwing in the towel, but at the same time, the longer this drags out, it just is so miserable and hard on our family. We couldn't make any plans as far as moving forward with life because we didn't know what was going to happen. Are we going to retire? Are we going to have insurance? All that can be stripped away.

Increase Transparency of Legal Process. Although some participants were concerned with maintaining privacy and limiting public awareness of the accusations, others advised increasing transparency of individual cases and more broadly, the awareness of false accusations. A few participants suggested publicly broadcasting the trials. One man stated:

A majority of people, they don't get to see any of [the trial]... They didn't get the report of investigation. They didn't get the evidence. I tell people now I want you to read it all. If I could have televised my trial, I would have done it because I wanted the world to know. This was the first time I could speak in my defense. I was silenced.

Another shared:

What I would consider an absolute win for this whole situation is if the entirety, start to finish, from the evidence hearing to when I was pronounced not guilty, was video recorded and was made public and accessible. I think if people were able to see that and witness what I witnessed in the courtroom, I would never have to explain myself again—ever.

Acknowledge False Allegations. While some participants did not want information publicized about their cases, there was also the belief that remaining quiet perpetuated stigma and inaccurate assumptions about acquittals (e.g., not enough evidence rather than actual innocence). One man shared:

The Air Force is able to get away with this stuff because we don't talk about it... It's just because it's so stigmatized that they can keep getting away with it because we're silent... There is a mob mentality of not recognizing that humans are broken and there's two sides to every story, but we don't give any grace on that right now, and the Air Force definitely doesn't either.

Provide Ample Legal Training for Military Leadership. Finally, participants recommended that military leadership (e.g., commanders, chiefs, first sergeants, etc.) be better educated on the legal process and experience of the accused in order to provide more effective support. One participant shared his frustration that commanders generally lack a professional

background in legal matters. He explained that their primary roles have evolved in a particular field (e.g., civil engineering) and they have limited experience in the court-martial process or making legal decisions. While they have legal advisors, they are the ultimate decision makers with regard to moving a case forward to court-martial. He explained:

That's the problem with the military's progressive discipline processes—the majority of the time they have zero experience in any of this [legal process], but they're afforded so much power similar to a judge and they make these life-changing decisions about members.

Another participant shared:

Most, if not all, the squadron commanders I had in my life, don't know how to deal with these things very well because they don't have any practice. The Air Force is failing them because they're being brought up in these stovepipes of how they think a leader is supposed to be and it is school and it is education, which is important, and it's paperwork and it's not actually meeting people. When I have my squadron commander who has probably never had to deal with any kind of legal circumstance, he's going to lean on the superintendent a lot, who's probably a Chief who has a certain way of thinking, and then he's going to lean on legal a lot, and legal—you know, they're prosecution. That broadens out to a whole lot of things and problems I have with the Air Force. I just think they're setting a lot of the squadron commanders up for failure because the first time they're probably dealing with a lot of the people you've interviewed is when they're squadron commanders and their life is really in their hands.

Discussion

As hypothesized, participants were profoundly impacted by the experience of a sexual assault allegation, criminal litigation, acquittal, and aftermath in the context of the military.

Prominent Factors Impacting Experience

Despite significant differences in individual characteristics and contextual factors (e.g., rank, position, age, etc.), participants' stories reflected a shared experience of substantial hardship during the court-martial and following acquittal.

The Role of Innocence

Participants described initially feeling fear, confusion, and shock upon learning they were being accused of sexual assault. Early on, they also tended to minimize the severity of the allegation, likely a result of certainty of their own innocence and faith in the system. False confession expert, Saul Kassin, described a “naïve belief in the power of their innocence to prevail” experienced by people being falsely accused of crimes (Hamilton, 2017, para. 42). Kassin linked this perspective with the “just world” hypothesis, which refers to the belief that the world is basically a fair place and as such, good things happen to good people and bad things happen to bad people. Therefore, an innocent person often believes that because they are innocent, their innocence will be recognized and nothing truly threatening is likely to emerge from a false accusation. Beyond just world beliefs with regard to themselves, participants also minimized the severity of the allegation because they perceived the accuser’s motivation for a false accusation to be obvious. These beliefs likely gave comfort to participants early in the process, but ultimately led to disillusionment as they realized that in this case, they were not being viewed as a good, truthful person. The lack of consequences for the perpetrator of a false accusation further diminished belief in a just world.

The Role of the Process

When participants grasped the gravity of the accusation and the process began to unfold, their faith in the system shifted to frustration and disillusionment. They described the experience as feeling “like a sick joke” in which they were trapped, perpetually in limbo with the outcome at the whim of actors within a system that was rapidly losing their trust. They were advised to remain silent by their attorneys and in some cases, their leadership. Meanwhile, rumors of the allegation spread, and participants felt unable to defend themselves. The details of their sexual behaviors were no longer private and for one service member, his identity as a gay man became public information.

One event in the court-martial process was painful for all of the participants: the preferral of charges. Hearing details of a false accusation by one’s commander in a roomful of people, including colleagues and leadership, was described as “humiliating.” Participants also found it “disappointing” and expressed frustration and anger that the allegation had led to criminal charges. Some cases were publicized in local and national news outlets, leading to a further invasion of privacy.

Participants also reported being ordered to pack a confinement bag that was to accompany them to court during the trial so that if it ended in conviction, they would have necessary clothing and toiletries. One participant indicated that carrying this bag to court each day was the “worst part” of the experience and “the most humiliating thing” he has ever done.

The Role of Agency

All participants contacted an attorney soon after learning of the accusations. This action was perceived by participants as useful in restoring some sense of control over the situation, even if only to help them understand the process and how it would progress. During the investigation

and court-martial, steps taken to assert one's agency proved meaningful for some participants both during the experience and in the readjustment period after acquittal. Certain participants also continued to take assertive actions throughout the experience. From a psychological perspective, these actions reflected a declaration of individual power and self-determination which were particularly valuable in the context of feeling otherwise powerless. Participants who exerted agency appeared less likely to continue to feel bitter as they moved on from the experience.

Brooks and Greenberg Themes

This study strongly suggests that most of the eight themes identified by Brooks and Greenberg (2020) in relation to false accusations were consistent for participants in this study.

Loss of Identity

Participants reported a significant shift in the way they saw themselves following this experience. They noted a loss of confidence that has challenged participation in leadership roles and public speaking. They have struggled with bitterness and an increase in skepticism about sexual assault, for which they felt both justified and ashamed. Most prominently, they have lost pride in their identity as service members which has represented a particular challenge for those still on active duty.

Stigma

Participants strongly endorsed feeling stigmatized based on an accusation of sexual assault, particularly in the context of the military. The words "guilty until proven innocent" and "pariah" echoed through multiple interviews and characterized the feeling participants had of being prejudged for a crime they did not commit despite the promise of the criminal justice system that an accused is presumed innocent until proven guilty. Actions taken by commanders,

such as removal from supervisory positions, were perceived by participants as sending a message to colleagues and subordinates that leadership no longer had faith in the character of the accused. They also reported feeling ostracized at times by peers, and for some, this has continued to the present day.

Indeed, participants indicated that stigma has persisted following their acquittal. They have felt defensive, cautious, and fearful about sharing their story with others. They have worried that others will assume that the accusation was true and that they avoided conviction due to insufficient evidence rather than actual innocence. Participants expressed feeling that sexual assault training also contributed to perpetual stigma through teaching military members to believe accusers and not acknowledging the probability that some accusations will be false.

Psychological and Physical Health

The most important finding in support of this theme is the prevalence of suicidal ideation among five of the six participants in this study. One participant acted on these thoughts and attempted suicide after learning that he was being accused of sexual assault. The investigation and court-martial process may significantly exacerbate the already elevated risk of suicide for service members.

The long duration of the investigation and court-martial process appears to inflict chronic stress and related anxiety on the accused. Participants described persistent fear of conviction and associated consequences, including incarceration, registration as a sexual offender, and being unable to take care of family members. They responded in a variety of ways with some reporting several emotional “breakdowns” while others reported dissociating and feeling numb. They felt isolated and unable to effectively navigate accessing help without compromising their defense.

Trauma Symptoms. Although it is unlikely that this experience would meet criterion A of PTSD (i.e., exposure to actual or threatened death, serious injury, or sexual violence), participants did report a constellation of indicators consistent with symptoms of intrusion and avoidance, negative alterations in cognitions and mood, as well as marked alterations in arousal and reactivity. Two participants who were diagnosed with PTSD prior to the accusation reported that this experience exacerbated their symptoms.

With regard to intrusion symptoms, several participants reported nightmares related to the experience, including dreaming that they were convicted of sexual assault. They also reported vulnerability to situational triggers that remind them of the experience. Participants' report of avoidance symptoms included dodging external reminders (e.g., buildings, films and television programs related to sexual assault) and any situations or social interactions that could represent a potential threat of another accusation.

Negative alterations in cognitions were also significant with participants reporting persistent negative beliefs about themselves, others, and the world. For example, one participant described perceiving the world "in a much crueler sense" than he did prior to this experience. Participants generally described themselves as less social and trusting of others and several described a continued struggle with low mood and anhedonia. With regard to arousal and reactivity symptoms, participants reported persistent hypervigilance and sleep disturbances. In addition, some of the participants reported an increase in substance use such that it was reckless or self-destructive. Even if participants would not meet full criteria for a PTSD diagnosis, the presence of trauma-associated symptoms suggests that the experience has had a profound effect on their psychological functioning.

Mental Health Treatment. Participants generally chose not to seek mental health services during the investigation and court-martial, and only two have connected with providers after their acquittal. There were significant concerns about professional consequences, particularly for certain career fields in which participants perceived that a psychiatric diagnosis could result in loss of position or inability to continue in a given field (e.g., pilot). While acknowledging that he was indeed continuing to suffer psychologically after this experience, one participant explained, “I can never admit to having any problems like that, so I don’t.”

The other prominent reason for not seeking services was related to distrust of military providers based on threats to confidentiality during the court-martial process and later with the erosion of faith in the military system. Participants were either unaware of how to access a civilian provider or perceived the process to be daunting or tedious, and thus continued to experience symptoms of anxiety and depression without seeking help.

Physical Health. In some cases, stress related to this experience was perceived as exacerbating or creating physical illness, but overall participants maintained (or even improved) their physical health during and after this experience. Exercise was strongly endorsed as a coping strategy to manage anxiety related to the allegation. Nonetheless, researchers have demonstrated that chronic untreated stress can lead to increased risk of health problems, including heart disease, heart attack, high blood pressure, stroke, and cognitive impairment (Mayo Clinic, 2022). Time will tell if there are long-term health consequences for these participants based on their experiences of elevated stress for a lengthy period.

Relationships With Others

The results suggest that experiencing a sexual assault allegation and subsequent acquittal significantly impacts one’s relationships with others. Maintaining and initiating relationships was

difficult following this experience. Of particular note for service members, the military context did reflect a heightened impact on social support due to the overlap between professional and personal relationships and probable physical distance from one's family of origin and pre-military friends. Feeling isolated from and unable to confide in their military peers represented a significant hardship for participants in this study. Having a spouse, close friend, or mentor enhanced coping skills. However, participants described a form of secondary trauma experienced by those close social supports due to prolonged worry about the outcome of the court-martial, social pressure to end relationships with the accused, and exposure to intimate details of participants' sexual histories.

Attitudes Toward the Justice System

This experience significantly impacted the way participants viewed the justice system, and more specifically, the military justice system. They experienced a profound loss of faith in actors within the system to investigate allegations without bias, objectively make decisions about adjudication, provide balanced resources to all involved parties, prosecute a case with integrity, and restore justice for the falsely accused. They perceived that the political context of sexual assault in the military pushed leadership to proceed with cases despite exculpatory evidence. Further, they thought that the "believe the victim" stance has encouraged and supported false accusations. To support this, they cited mandated training that indoctrinates potential court members and the presence of publicized and easily accessible incentives for accusers to gain privileges otherwise unavailable (e.g., expedited transfer). Throughout the process, they often felt abandoned by leadership and, following acquittal, described being treated as if the hardship was minimal through invalidating, if well-intentioned, efforts by commanders to encourage them to move forward with a "blank slate."

Impact on Finances and Employment

Given that military members are offered a military defense counsel and maintain their military employment status throughout the investigation and court-martial, this category does not compare as easily with the participants in this study. Nonetheless, some participants did hire a civilian defense counsel, pay experts, or experience loss of certain pay (e.g., special duty) during the court-martial. While pay was reinstated following acquittal, legal expenses were not reimbursed.

Another financial impact that is less tangible, but very real, is the impact that this process has had on their careers and chances for advancement. All of the participants had at least one annual performance report (some may have had two) while under investigation and pending court-martial. Any less-than-stellar reports, or reports without favorable stratifications, will almost certainly impact their chances of getting selected for enhanced training or professional education. In turn, this will limit their ability for career advancement or promotion. This can potentially cost thousands of dollars in pay over the course of their careers and in retirement.

Despite a less obvious negative impact on finances, there appears to be an effect on employment. Opportunities are lost throughout the process, including leadership roles and professional development. Being “stuck” for the duration of the investigation and court-martial entails an inability to move forward in one’s career or make plans for the future. Participants also identified a long-term impact on their career with loss of stratification and firewall five evaluations related to the accusation. Those that once hoped for high rank and position now perceive a ceiling as to how high they can advance in the military based on just an accusation of sexual assault.

Traumatic Experiences in Custody

With consideration to the eight themes, this was, as expected, the least relevant to participants in this study. None of the participants were held in custody, though most experienced a booking process with OSI during which they were fingerprinted, photographed, and ordered to provide a DNA sample with an oral swab. This DNA sample is uploaded to the national database and will remain there for the rest of their lives.

Adjustment Difficulties

Participants reported that, following acquittal, they were advised to simply move on from the experience and forget it happened. They quickly discovered that returning to normal was not so easy to achieve, particularly with little time to process the experience after the court-martial. The insensitive pep talks provided by leadership felt invalidating and unhelpful. For most, this difficult adjustment experience contributed to an enduring loss of faith in the Air Force. Many lost their motivation for a long-term military career, but remain active duty due to prior time commitments or because they would otherwise sacrifice benefits of military retirement following a lengthy investment of time toward that goal. It is worth noting that continuing to serve in an active-duty role leaves those participants in a situation in which they continue to avoid seeking mental health treatment based on the perception that doing so would be detrimental to their career.

Participants reported struggling to navigate talking with others about this experience, even though they may see a value in processing and making meaning out of it. They worry about being viewed as guilty, unsympathetic to victims of sexual assault, or empowering the actual perpetrators of this crime. They tire of prefacing their story with statements acknowledging that

sexual assault is a bad act and feel that the label of being accused remains affixed to their identity once people are aware of their history.

As noted in an earlier section, taking assertive action to express one's agency was a mitigating factor of adjustment difficulty.

Meaning of the Experience

Given that service members operate within a culture that strongly advocates resiliency, it is unsurprising that most participants took an optimistic attitude when directly asked about how they made meaning out of this experience. They described themselves as more patient, self-aware, and resilient. They searched their memories for ways in which their own actions might have contributed to the allegation, even while remaining adamant that it was false. They regretted putting themselves into situations with their accusers or being careless about the risk of a false accusation.

One shared factor of meaning is the empathy toward others that face false accusations. Several had been contacted by others seeking guidance and support, and at least one intended to work toward systemic change in the future. Those that were still active duty saw an opportunity to facilitate change within the system by encouraging others to maintain an openminded stance toward the accused and to reserve judgment until the ultimate outcome of court-martial.

Recommendations

Participants had several suggestions that they believe would mitigate the negative effects for others facing a similar situation. Several of those suggestions merit consideration by policy makers and I have also identified additional recommendations for systemic change and future research based on this research.

Revise SARC Training

Participants advise that SARC training should reflect the legal definition of sexual assault and eliminate the messaging which encourages automatically believing an accuser. There is ample evidence in this paper to suggest that there is at minimum the perception (if not the actuality) that SARC training is not aligned with the law and could misinform and bias potential court members. Convictions have even been overturned due to misinformation from sexual assault prevention training (Lopez, 2016). Further, the accused is harmed when military peers are conditioned to believe an accuser rather than wait for a case to be adjudicated. To be clear, participants were not suggesting victims be denied support services, but simply that the broader scope of training avoid entangling itself with determining guilt or innocence.

SARC training materials should be subject to a legal review which can determine whether messaging is consistent with the law. This is fundamentally important in order to maintain the integrity of the justice system as the intended recipients of SARC training are all potential jurors for whom misunderstanding of an offense could have dangerous consequences. Further, the impact of preventive training for sexual assault is lessened when it includes statements that contradict other beliefs. In their enlistment or commission oath, military members swear to protect and defend the Constitution, which for many represents fundamental ideals about the safeguarding of rights, including the right to a fair trial and the presumption of innocence. Nonetheless, in order to “believe the victim,” one must not believe the accused. Thus, in the task of resolving cognitive dissonance, a service member must choose between accepting, dismissing, or forming their own subjective interpretation of SARC messaging. In order to effectively address the problem of sexual assault, SARC training should reflect legal definitions

and avoid conflicting with other important and arguably fundamental beliefs of military members.

Provide Ample Training for Military Leadership

Participants recommended that military leadership have increased training with regard to the legal process and court-martial experience for the accused. Legal training could be accomplished with more thorough training. This study could function as an opportunity to help facilitate the second part of this recommendation in that commanders and other military leadership could read firsthand accounts of accused service members and better understand the unique challenges and needs of that experience. While reading these stories may be uncomfortable for leadership, learning about the impact on the accused would prepare leaders to make more informed choices about their actions with service members accused of sexual assault.

Change Expedited Transfer Policies

Expedited transfers were perceived as incentivizing false accusations. Participants advised limiting these to cases in which there are extraordinary circumstances and no other viable option to separate the accused and accuser within an installation. This study supports the suggestion of reconsidering the relative automaticity of expedited transfers if other options would also address the concern.

Particularly if expedited transfers remain readily available to accusers, leadership should also consider allowing service members acquitted of sexual assault to qualify for an expedited transfer. Having a fresh start at a new installation may enable an easier readjustment as well as another opportunity to reinforce a sense of agency.

Offer Honorable Discharge to Those Acquitted of Sexual Assault

Given that participants in this study have described significant hardship and loss of faith in the system, the option of an honorable discharge offers another remedy to aid in restoring justice and prioritizing the needs of the individual service member. This action would also assist a service member in reestablishing a sense of agency in their decision to remain in the military.

Eliminate or Offer Waiver for Ceremonial Preferral of Charges

There is no legal requirement that charges must be read to a service member in a ceremonial fashion. This lack of legal guidance probably helps explain why many participants described a range of roles represented among those present during the preferral of charges. In short, it is an unnecessary part of the process that was universally regarded by participants as humiliating. I recommend either eliminating the ceremonial preferral or permitting the accused to waive this step. Simply providing the option may enable a greater sense of agency for the accused.

Remove Commanders from the Process

In 2021 while this study was in process, Secretary of Defense Lloyd J. Austin III announced major changes in the way that military sexual assault allegations would be prosecuted (Lopez, 2021). Most prominent of these changes was that Austin ordered the DoD to prepare to shift responsibility for sexual assault prosecution from commanders to a new corps of offices dedicated to the task within each branch of service. While the efficacy of this action remains to be determined as the changes take effect, the dual role held by commanders in providing support to subordinates while also representing the decision to prosecute them has been rife with challenges.

Implications

This study demonstrates the negative impact of well-intentioned, but shortsighted systemic change. Congress and other decision makers can be further educated on the ramifications of policies designed to improve the way sexual assault cases were handled. With this knowledge, they can take into account a less considered, but equally important perspective and take more steps to ensure fairness in the process.

Military leadership, from commanders to first sergeants, must also reconsider how they treat subordinates accused of sexual assault. Beneficent intentions can still have deleterious effects. This study highlights the importance of validation. It is unnecessary and ill-advised for leadership to independently validate the truth of either party's account of the allegation, but validating the psychological impact of the experience is important. Training in this form of communication for military leadership would provide a useful skillset for this and other unrelated, but challenging, encounters with subordinates.

Clinicians must also be aware of the damage inflicted by this experience. This study allows for a more informed approach to therapy with a framework for how clients with similar experiences might have been impacted. For military psychologists, advocating for a simpler referral process would benefit service members reluctant to trust military providers.

Future Research

Very little research has been done on understanding the topic of military sexual assault from the perspective of an accused service member. More data on a broader scale could illuminate the iatrogenic effects of well-intentioned, but problematic, systemic changes based on reactivity rather than reflection. With more attention to this issue, policy makers could make

more informed decisions about how to effectively navigate the issue of sexual assault in the military in a way that prioritizes liberty and justice for all.

Alcohol-related allegations (e.g., unable to consent to sexual activity due to intoxication) were rather surprisingly absent in this sample. Still, the ambiguity represented both by those experiences and related policies are worthy of further study. As noted in this study, the definition of consent varies and may not correspond to a legal definition, which itself varies by jurisdiction. Certainly, on college campuses, the difficulty in determining threshold of alcohol intake and consent has been a significant issue with a calculation challenged by differences in the law and social opinion.

Binge drinking and other problematic alcohol use is more common for military personnel than the general public (National Institute on Drug Abuse, 2019). Further, alcohol use has been called a major contributing factor of sexual assault (Maryland Collaborative to Reduce College Drinking and Related Problems, 2016). The majority of allegations of sexual assault in the military involved alcohol use by either perpetrator, victim, or both parties (Adwar, 2015). Research has been done on these cases from a systemic or victim-centered perspective, but there is limited understanding of the perspective of the accused and how the complexity of alcohol-involved cases impacts the experience.

Finally, researchers should consider further investigating bias within the investigatory process. Participants strongly held the perception that the investigation of their cases lacked sufficient analysis of mitigating or exculpatory evidence as well as consideration of possible motives for a false accusation. A closer look at the policies in place and how the process has shifted on account of larger systemic changes would be useful in analyzing potential bias.

Limitations

First and foremost, this study is limited by the lack of prior research on the topic. Thus, it was exploratory in its aim to better understand the phenomenon of being acquitted of sexual assault in a military court-martial. It also remains a small base rate event, which corresponded to a small sample size for this study. Rather than representing several military branches, all participants in this study served in the Air Force. As such, it is difficult to generalize results across the population of military members.

Conclusion

In shining a light on the perspective of the accused, this study has demonstrated that an allegation of sexual assault and court-martial has profound psychological and functional consequences. Policy makers must consider all sides of the issue and make decisions that are respectful to the rights and privileges of all service members. When an accusation is reported, it must be taken seriously and objectively investigated. Further, it must prompt appropriate support for the accuser. However, this study indicates that adequate support is also necessary for the accused in order to mitigate the unavoidable harm of the experience. Leadership must be trained to more fully understand the legal process and experience of the accused so that their decisions are informed and sensitive to the consequences for all parties. In order to most effectively address sexual assault in the military, policy makers must slow their thinking on the issue so as to thoroughly consider ramifications of major changes and ensure protections of liberty and justice for all.

Injustice anywhere is a threat to justice everywhere.

—Martin Luther King, Jr., *Letters from Birmingham Jail*

References

- Adwar, C. (2015, February 17). 'Alcohol is a weapon' — Inside the military's new tactic to combat sexual assault. *Task & Purpose*. <https://taskandpurpose.com/news/alcohol-weapon-inside-militarys-new-tactic-combat-sexual-assault/>
- Brady, H. L. (2016). Justice is no longer blind: How the effort to eradicate sexual assault in the military unbalanced the military justice system. *University of Illinois Law Review*, 2016(1), 193–250. <https://www.illinoislawreview.org/wp-content/ilr-content/articles/2016/1/Brady.pdf>
- Brooks, S. K., & Greenberg, N. (2020). Psychological impact of being wrongfully accused of criminal offences: A systematic literature review. *Medicine, Science, and the Law*, 61(1), 44–54. <https://doi.org/10.1177/0025802420949069>
- Burris, M. (2014). Thinking slow about sexual assault in the military. *Buffalo Journal of Gender, Law, and Social Policy*, 23(4), 21–72. <https://digitalcommons.law.buffalo.edu/bjglsp/vol23/iss1/4>
- Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design* (4th ed.). SAGE Publications, Inc.
- Department of Defense. (2020). *Department of Defense annual report on sexual assault in the military: Fiscal year 2019*. https://media.defense.gov/2020/Apr/30/2002291660/-1/-1/1/1_department_of_defense_fiscal_year_2019_annual_report_on_sexual_assault_in_the_military.pdf
- Department of Defense. (2021). *Department of Defense instruction: Sexual assault prevention and response (SAPR) program procedures*. Washington Headquarters Service. https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/649502_vol1.PDF
- Forkus, S. R., Weiss, N. H., Goncharenko, S., Mammay, J., Church, M., & Contractor, A. A. (2020). Military sexual trauma and risky behaviors: A systematic review. *Trauma, Violence, & Abuse*, 22(4), 976–993. <https://doi.org/10.1177/1524838019897338>
- Hamilton, A. (Host). (2017, September). False confessions aren't always what they seem (No. 49) [Audio podcast episode] In *Speaking of Psychology*. American Psychological Association. <https://www.apa.org/news/podcasts/speaking-of-psychology/false-confessions>
- Joint Service Committee on Military Justice. (2019). *Manual for courts-martial*. [https://jsc.defense.gov/Portals/99/Documents/2019%20MCM%20\(Final\)%20\(20190108\).pdf?ver=2019-01-11-115724-610](https://jsc.defense.gov/Portals/99/Documents/2019%20MCM%20(Final)%20(20190108).pdf?ver=2019-01-11-115724-610)

- Judicial Proceedings Panel. (2017). *Report on panel concerns regarding the fair administration of military justice in sexual assault cases*.
https://www.researchgate.net/publication/320809455_judicial_proceedings_panel_report_on_panel_concerns_regarding_the_fair_administration_of_military_justice_in_sexual_assault_cases/link/59fb7619aca272347a1dd6d7/download
- Limited Privilege Suicide Prevention (LPSP) Program, 6.8. (2015). *Air Force Instruction (AFI) 44-172*.
- Lopez, C. T. (2016, September 30). *Army secretary: SHARP needs to increase focus on prevention*. U.S. Army.
https://www.army.mil/article/175944/army_secretary_sharp_needs_to_increase_focus_on_prevention
- Lopez, C. T. (2021, July 2). *Sexual assaults will no longer be prosecuted by commanders*. U.S. Department of Defense. <https://www.defense.gov/News/News-Stories/Article/Article/2681848/sexual-assaults-will-no-longer-be-prosecuted-by-commanders/#:~:text=Secretary%20of%20Defense%20Lloyd%20J,its%20findings%20just%20last%20week>.
- Maryland Collaborative to Reduce College Drinking and Related Problems. (2016). *Sexual assault and alcohol: What the research evidence tells us*. Center on Young Adult Health and Development. <https://marylandcollaborative.org/sexual-assault-and-alcohol-what-the-research-evidence-tells-us/>
- Mayo Clinic. (2022). Stress management: Chronic stress puts your health at risk. *Mayo Foundation for Medical Education and Research*. <https://www.mayoclinic.org/healthy-lifestyle/stress-management/in-depth/stress/art-20046037>
- Moustakas, C. E. (1994). *Phenomenological research methods*. SAGE Publications, Inc.
- National Institute on Drug Abuse. (2019, October 23). *Substance use and military life drug facts*. <https://www.drugabuse.gov/publications/drugfacts/substance-use-military-life>
- Nichter, B., Norman, S. B., Maguen, S., & Pietrzak, R. H. (2021). Moral injury and suicidal behavior among US combat veterans: Results from the 2019–2020 National Health and Resilience in Veterans Study. *Depression and Anxiety*, 38(6), 606–614.
<https://doi.org/10.1002/da.23145>
- Rough, J. A., & Armor, D. J. (2017). Sexual assault in the U.S. military: Trends and responses. *World Medical & Health Policy*, 9(2), 206–224. <https://doi.org/10.1002/wmh3.228>
- Rustico, G. (2016). Overcoming overcorrection: Towards holistic military sexual assault reform. *Virginia Law Review*, 102(8), 2027–2074. <https://www.jstor.org/stable/24878285>

- Schenck, L. M. (2014). Informing the debate about sexual assault in the military services: Is the Department of Defense its own worst enemy? *Ohio State Journal of Criminal Law*, *11*(2), 579–671.
https://kb.osu.edu/bitstream/handle/1811/73448/OSJCL_V11N2_579.pdf
- Sexual Assault Prevention and Response Office. (n.d.). *Mission and history*. United States Department of Defense. <https://www.sapr.mil/mission-history>
- Suitt III, T. H. (2021). *High suicide rates among United States service members and veterans of the post-9/11 wars*. Watson Institute, Brown University.
https://watson.brown.edu/costsofwar/files/cow/imce/papers/2021/Suitt_Suicides_Costs%20of%20War_June%2021%202021.pdf
- Thayer, R. L. (2021, March 24). Sen. Gillibrand: No progress combating sex assault in the military shows need for major reform. *Stars and Stripes*.
<https://www.stripes.com/migration/2021-03-24/Sen.-Gillibrand-No-progress-combating-sex-assault-in-the-military-shows-need-for-major-reform-1518234.html>
- Turchik, J. A., & Wilson, S. M. (2010). Sexual assault in the U.S. military: A review of the literature and recommendations for the future. *Aggression and Violent Behavior*, *15*(4), 267–277. <https://doi.org/10.1016/j.avb.2010.01.005>
- Umbrasas, K. (2020). Panel bias during sexual assault courts-martial. *Journal of the American Academy of Psychiatry and the Law*, *48*(3), 350–357.
<https://doi.org/10.29158/JAAPL.003939-20>
- U.S. Congress. (2017) *United States Code: Uniform Code of Military Justice, 10 U.S.C. §§ 801–940*. [Periodical] Retrieved from the Library of Congress,
<https://www.loc.gov/item/uscode1958-002010047/>
- Visger, M. (2020). The canary in the military justice mineshaft: A review of recent sexual assault courts-martial tainted by unlawful command influence. *Mitchell Hamline Law Journal of Public Policy and Practice*, *41*(1), 59–98.
<https://open.mitchellhamline.edu/policypractice/vol41/iss1/3>
- Vogel, S. (2000, May 14). Scandal-scarred Army busts drill sergeant in sex-crime clampdown. *Los Angeles Times*. <https://www.latimes.com/archives/la-xpm-2000-may-14-mn-29893-story.html>
- Warner, C. M., & Armstrong, M. A. (2020). The role of military law and systemic issues in the military’s handling of sexual assault cases. *Law & Society Review*, *54*(1), 265–300.
<https://doi.org/10.1111/lasr.12461>

APPENDIX A: U.S. CODE § 920–ART. 120, RAPE AND SEXUAL ASSAULT

(a) Rape. Any person subject to this chapter who commits a sexual act upon another person by—

- (1) using unlawful force against that other person;
- (2) using force causing or likely to cause death or grievous bodily harm to any person;
- (3) threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping;
- (4) first rendering that other person unconscious; or
- (5) administering to that other person by force or threat of force, or without the knowledge or consent of that person, a drug, intoxicant, or other similar substance and thereby substantially impairing the ability of that other person to appraise or control conduct;

is guilty of rape and shall be punished as a court-martial may direct.

(b) Sexual Assault. Any person subject to this chapter who—

- (1) commits a sexual act upon another person by—
 - (A) threatening or placing that other person in fear;
 - (B) making a fraudulent representation that the sexual act serves a professional purpose; or
 - (C) inducing a belief by any artifice, pretense, or concealment that the person is another person;

- (2) commits a sexual act upon another person—
 - (A) without the consent of the other person; or
 - (B) when the person knows or reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring; or
- (3) commits a sexual act upon another person when the other person is incapable of consenting to the sexual act due to—

(A) impairment by any drug, intoxicant, or other similar substance, and that condition is known or reasonably should be known by the person; or

(B) a mental disease or defect, or physical disability, and that condition is known or reasonably should be known by the person;

is guilty of sexual assault and shall be punished as a court-martial may direct.

(c) Aggravated Sexual Contact.

Any person subject to this chapter who commits or causes sexual contact upon or by another person, if to do so would violate subsection (a) (rape) had the sexual contact been a sexual act, is guilty of aggravated sexual contact and shall be punished as a court-martial may direct.

(d) Abusive Sexual Contact.

Any person subject to this chapter who commits or causes sexual contact upon or by another person, if to do so would violate subsection (b) (sexual assault) had the sexual contact been a sexual act, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.

(e) Proof of Threat.

In a prosecution under this section, in proving that a person made a threat, it need not be proven that the person actually intended to carry out the threat or had the ability to carry out the threat.

(f) Defenses.

An accused may raise any applicable defenses available under this chapter or the Rules for Court-Martial. Marriage is not a defense for any conduct in issue in any prosecution under this section.

(g) Definitions. In this section:

(1) Sexual act. The term “sexual act” means—

(A) the penetration, however slight, of the penis into the vulva or anus or mouth;

(B) contact between the mouth and the penis, vulva, scrotum, or anus; or

(C) the penetration, however slight, of the vulva or penis or anus of another by any part of the body or any object, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person.

(2) Sexual contact.

The term “sexual contact” means touching, or causing another person to touch, either directly or through the clothing, the vulva, penis, scrotum, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate, harass, or degrade any person or to arouse or gratify the sexual desire of any person. Touching may be accomplished by any part of the body or an object.

(3) Grievous bodily harm.

The term “grievous bodily harm” means serious bodily injury. It includes fractured or dislocated bones, deep cuts, torn members of the body, serious damage to internal organs, and other severe bodily injuries. It does not include minor injuries such as a black eye or a bloody nose.

(4) Force. The term “force” means:

(A) the use of a weapon;

(B) the use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or

(C) inflicting physical harm sufficient to coerce or compel submission by the victim.

(5) Unlawful force.

The term “unlawful force” means an act of force done without legal justification or excuse.

(6) Threatening or placing that other person in fear.

The term “threatening or placing that other person in fear” means a communication or action that is of sufficient consequence to cause a reasonable fear that non-compliance will result in the victim or another person being subjected to the wrongful action contemplated by the communication or action.

(7) Consent.

(A) The term “consent” means a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent.

Lack of verbal or physical resistance does not constitute consent. Submission resulting from the use of force, threat of force, or placing another person in fear also does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent.

(B) A sleeping, unconscious, or incompetent person cannot consent. A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered unconscious. A person cannot consent while under threat or in fear or under the circumstances described in subparagraph (B) or (C) of subsection (b)(1).

(C) All the surrounding circumstances are to be considered in determining whether a person gave consent.

(8) Incapable of consenting. The term “incapable of consenting” means the person is—

(A) incapable of appraising the nature of the conduct at issue; or

(B) physically incapable of declining participation in, or communicating unwillingness to engage in, the sexual act at issue.

APPENDIX B: INTERVIEW PROTOCOL

1. Collect demographic information, including age, gender, military status, and rank at the time of court-martial, military status now. Determine current location.
2. What is the story of your court-martial experience? How did it begin and what important things happened along the way?
3. If not fully addressed in prior response, follow up as needed:
 - a. Did your sense of identity change with this experience and if so, how? How has it changed since the acquittal?
 - b. Did you feel stigmatized during the experience? After?
 - c. How was your psychological and physical health prior to, during, and after the experience? Did you notice changes, both temporary and more long-lasting? Were you offered counseling or other services?
 - d. Who offered support for you along the way? Family, friends, command, colleagues?
 - e. What impact did this experience have on your relationships with others?
 - f. How has this impacted your attitude toward the justice system or military?
 - g. Was there an impact on your finances and employment? Did your experience impact your decision as to whether you continued a military career?
 - h. Were you held in custody at any point, and if so, what were your experiences while detained or incarcerated? Did you experience any maltreatment or witness any traumatic events while in custody?
 - i. What adjustment difficulties, if any, have you experienced since your acquittal?
4. How do you think your experience might have been similar or different from others that have also faced a sexual assault charge in the military?

5. What contexts or situations affected your experience? Are there things that made it better or worse? Are there things that could have been done to mitigate any negative effects during or after the experience?
6. How have you made meaning out of this experience?

APPENDIX C: INFORMED CONSENT FORM

Name of Principal Investigator: Jamie H. Leavey

Name of Organization: Antioch University, Psy.D. in Clinical Psychology program

Name of Project: With Liberty and Justice for All: Psychological and Functional Consequences for Service Members Acquitted of Sexual Assault

Introduction

I am Jamie Leavey, a doctoral candidate in the Psy.D. in Clinical Psychology program at Antioch University New England. I am completing a research project as part of my dissertation requirements. I am going to give you information about the study and invite you to be part of this research. You may talk to anyone you feel comfortable talking with about the research, and take time to reflect on whether you want to participate or not. You may ask questions at any time.

Purpose of the Research

The purpose of this study is to better understand the psychological and functional consequences for military members that were accused and acquitted of sexual assault through the court-martial process. By gaining this knowledge, I hope to provide information that guides policymakers in considering the unintended effects of systemic change as it specifically relates to sexual assault in the military. This study has the potential to encourage those in power to make more informed decisions about policy while increasing motivation for efforts that might mitigate any negative effects of current policy.

Type of Research Intervention

This research will involve your participation in two approximately 90-minute interviews. Each of these sessions will be held on Zoom, an online conference platform, and will be video-recorded solely for research purposes. Efforts will be made to de-identify participants'

contributions prior to publication or the sharing of the research results, but participants should be aware that in sharing information about their case, it is possible that readers may be able to determine participant identities. All recordings, and any other information that may connect you to the study, will be kept in a locked, secure location.

Participant Selection

You are being invited to take part in this research because you are/were a military member that was accused and acquitted of a sexual assault charge through the court-martial process between 2010 and 2020. In order to participate, you must be able to attend both interviews. It is also important that you can speak and understand English as the interviews will be conducted in English.

Voluntary Participation

Your participation in this study is completely voluntary. You may choose not to participate. You will not be penalized for your decision not to participate in the study. You may withdraw from this study at any time. If you choose to withdraw and the interview has already taken place, you will be given the opportunity to decide whether the information you provided will be used in the research study.

Risks

No study is completely risk free. However, I do not anticipate that you will be harmed during this study. Given the sensitivity associated with the topics of discussion, it is possible that you will experience some distress or anxiety associated with sharing your story. At the end of each session, I will provide information on crisis hotlines and mental health services in your local area and encourage you to reach out to members of your support system.

Benefits

There will be no direct benefit to you, but your participation may help others in the future by increasing awareness of the experience of the accused during and after a court-martial. You will not be provided any monetary incentive to take part in this research project.

Confidentiality

All information collected by the researcher will be de-identified, so that it is less likely to be connected back to you. Your real name will be replaced with a pseudonym in the write-up of this project, and only the primary researcher will have access to the list connecting your name to the pseudonym. This list, along with video recordings of the interviews, will be kept in a secure, password-protected location. Personal identifiers will be removed, and the de-identified information may be used for future research without additional consent.

Limits of Privacy Confidentiality

Generally speaking, I can assure you that I will keep everything you tell me or do for the study private. Yet there are times where I cannot keep things private (confidential). The researcher cannot keep things private (confidential) when:

- The researcher finds out that a child or vulnerable adult has been abused.
- The researcher finds out that that a person plans to hurt him or herself, such as attempt suicide.
- The researcher finds out that a person plans to hurt someone else.

There are laws that require many professionals to act if they think a person is at risk for self-harm or are self-harming, harming another, or if a child or adult is being abused. In addition, there are guidelines that researchers must follow to make sure all people are treated with respect and kept safe. In most states, there is a government agency that must be told if someone is being abused or plans to self-harm or harm another person. Please ask any questions you may have

about this issue before agreeing to be in the study. It is important that you do not feel betrayed if it turns out that the researcher cannot keep some things private.

Future Publication

The primary researcher, Jamie Leavey, reserves the right to include any results of this study in future scholarly presentations and/or publications. All information will be de-identified prior to publication.

Right to Refuse or Withdraw

You do not have to take part in this research if you do not wish to do so, and you may withdraw from the study at any time without penalty.

Who to Contact

If you have any questions, you may ask them now or later. If you have questions later, you may contact Jamie Leavey at [redacted] or her advisor, [redacted]. This proposal has been reviewed and approved by the Antioch Institutional Review Board (IRB), which is a committee whose task it is to make sure that research participants are protected. If you have any questions about the research procedures or your rights as a research participant, you may contact [redacted].

Consent

I have read the foregoing information, or it has been read to me. I have had the opportunity to ask questions about it and any questions I have asked have been answered to my satisfaction. I consent voluntarily to be a participant in this study. I voluntarily agree to let the researcher videotape me for this study. I agree to allow the use of my recordings as described in this form.

Participant Name (print) _____

Participant Signature _____ Date _____

I confirm that the participant was given an opportunity to ask questions about the study, and all the questions asked by the participant have been answered correctly and to the best of my ability. I confirm that the individual has not been coerced into giving consent, and the consent has been given freely and voluntarily. A copy of this Informed Consent Form has been provided to the participant.

Researcher Name (print) _____

Researcher Signature _____ Date _____