

MILITARY & VETERAN CULTURAL COMPETENCE FOR ATTORNEYS & ADVOCATES

WHY YOU NEED TO KNOW

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AGENDA

- What is the military & how is it different than the civilian world?
- How is the military of the United States organized?
- How are the National Guard and Reserves different from the active duty military force?
- What do we mean by “military culture”?
- How does military culture affect service members and their families?
- What are the government departments who run the military and deal with veterans?

Getting to Know the Military

For someone unfamiliar with DoD, the military services, the Reserves, and the National Guard, it can be quite daunting to figure out how things are organized, much less know how to access the people and services to help survivors of intimate partner violence (IPV) who have a connection to the military.

Advocates must have at least a basic understanding of the structure of the military system to assist survivors effectively.

Section One

TODAY'S MILITARY FORCE

Today's Military Force

- All-volunteer force
 - No draft
 - Different from past
- Currently over 1.4 million active duty military personnel in the United States.
- 85% male, 15% female
- Over 850,000 personnel in the Reserve component (Guard & Reserves)
- Around 1% of US population serves in military

Today's Military Force

- Young
 - Average age 28 years old
 - At same increased risk for social & personal problems as others in age group
- More than half are married
- Almost half have children
- They are not different from us – they are us.

Section Two

MILITARY STRUCTURE

Military Structure

- The President of the United States is the Commander-in-Chief for the military
- The Secretary of Defense is selected by the president and is a cabinet member.
- Civilian control through the three Service departments, the Department of the Army, the Department of the Navy (which includes the Marine Corps), and the Department of the Air Force.

Military Organization



The United States Department of Defense includes the Army, Navy, Air Force, and Marine Corps.

In wartime, DoD has authority over the Coast Guard; in peacetime, that agency is under the control of the Department of Homeland Security.

<http://www.defense.gov/>, <http://www.uscg.mil/>,
<http://www.dhs.gov/index.shtm>

Military Mission



The mission of the DoD is to provide the military forces needed to deter war and to protect the security of our country.

Although all of the services report to the Secretary of Defense, who sets overall policy, they are largely distinct from each other.

<http://www.defense.gov/>

Military Service Branches

The United States Armed Forces are comprised of four service branches



Air Force



Army



Navy



Marine Corps

DoD trains and equips the armed forces through the three military departments: the Army, Navy and Air Force. The Marine Corps, mainly an amphibious force, is part of the Department of the Navy.

Military Service Branches

Regulations can differ between services



DoD directs overarching policy for all of the services; however, each service develops implementing policy and guidance for DoD regulations and directives. Therefore, there can be some differences in implementing regulations and policies among the services.

Military Service Branches



The primary job of the military departments is to train and equip their personnel to perform:

- Warfighting
- Peacekeeping
- Humanitarian/disaster assistance tasks

Advocacy Tip:

To learn more about each of the military service branches, visit:

- *Air Force: www.af.mil*
- *Army: www.army.mil*
- *Marine Corps: www.usmc.mil*
- *Navy: www.navy.mil*

Reserves and National Guard

The Reserve component of the total military force is made up of Reserve and National Guard personnel.

Provide:

- Wartime military support.

- Humanitarian and peacekeeping operations.

- Homeland security.

Increasing activations of reserve component resulting in military-related issues showing up in every neighborhood in the U.S.

(Link to: <http://ra.defense.gov/> and <http://ra.defense.gov/links/>).

Reserves and National Guard

The Reserves are made up of:

- Army Reserve
- Marine Corps Reserve,
- Navy Reserve
- Air Force Reserve
- Coast Guard Reserve
- Army National Guard
- Air National Guard

Reserves

- Part-time military service
 - One weekend per month drill
 - Annual training
- Paid for time spent
- NOT considered active-duty, unless mobilized under Title 10 (federal mobilization)
- ARE active-duty when mobilized/deployed, then back to reserve component

National Guard

State militia that answers first to the governor but can be put into federal service by order of the President.

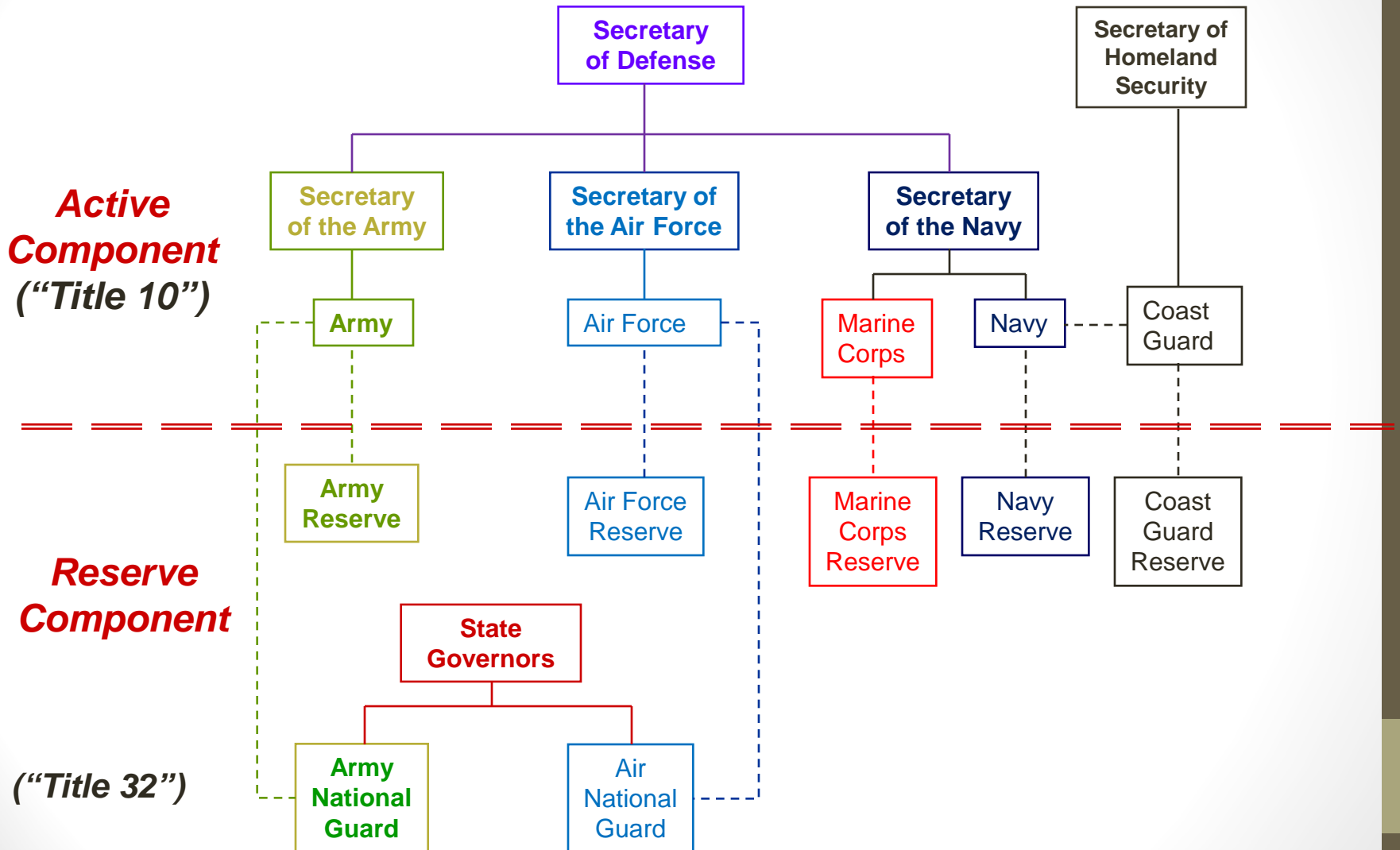
When activated by the president for full-time federal service, Guard members are active duty but are not included in total strength numbers of the active duty Army/Air Force.

Similar drill schedule as reserves when not mobilized.

Can be mobilized by governor for state disaster relief or law enforcement purposes.

<http://www.ng.mil/default.aspx>

"Total Force" U.S. Armed Forces



Advocacy Tips:

- *Develop a basic working understanding of the mission, structure, and organization of the total United States military force to include the Department of Defense, Reserves, and National Guard.*
- *Determine if you have Reserve and/or National Guard units in your community.*

Section Three

MILITARY CULTURE

Military Culture

This section provides information to help advocates understand key aspects of the military culture.

The military is a different world with its own values, rules, and world view. You may not agree with this view or how the system functions, but you need to understand it to work effectively with people who are part of it.

Practice Tip

- *To work effectively with intimate partner violence (IPV) survivors who have a connection to the military, it is important to have an understanding of military culture.*

Hierarchy and Rank

Each of the military services has a hierarchical pyramid of authority and responsibilities based on rank. Each higher level has more responsibilities, required training to meet those responsibilities, and authority to carry out those responsibilities.

Rank and Respect

The military is a hierarchical system based on rank and respect, two of the most important concepts in the military. Unlike the civilian community, people in the military wear uniforms with their rank clearly visible.

The tradition of saluting is a way of showing respect to someone with a higher rank. Rank affects the level of authority, scope of responsibility in the system, and the ability to get things done. There are also different rules and possibilities of punishment for different ranks.

Hierarchy and Rank

The rank structure is as follows going from lowest to highest:

Enlisted (E-1 to E-3)

Noncommissioned officers (E-4 to E-9)

Warrant officers (W-1 to W-5)

Commissioned officers (O-1 to O-10)

<http://www.defense.gov/about/insignias/officers.aspx>

Hierarchy and Rank

Although the rank structure is the same in each of the services, the rank designations (what they are called) and insignias (badges or symbols showing rank or status) vary according to service.

<http://www.defense.gov/about/insignias/officers.aspx>

Advocacy Tips:

- *Each military service has its own rank structure for both enlisted personnel and officers, although some of them are the same across services.*
- *It is important to ask the rank of the person you are talking to and to use the title when you speak to that person. Make some effort to understand the various ranks of the people you may be dealing with.*
- *Don't be embarrassed, ask what to call someone. You can never go wrong with using "sir" or "ma'am."*

Command Authority and Discretion

Each military service member has a chain of command. A commanding officer or commander is in charge of each command.

A commander has very broad powers to issue orders to subordinates, as long as they are lawful orders. A lawful order must be obeyed or the disobeying service member is subject to punishment.

Command Authority and Discretion

The commander also has broad discretion in determining the consequences for any violation of rules or regulations.

Commanders have ultimate responsibility for service members and sponsored family members.

The active duty service member is answerable to the commander 24 hours a day, 7 days a week, 365 days a year.

The commander has no direct disciplinary authority over family members.

Command Authority and Discretion

In the military, the unit must:

Be fit for duty

Be mission-ready

Be trained for combat

Have good order and discipline

The commander's main responsibility is to ensure that his/her unit is ready at all times to accomplish its mission.

Service members must be fit for duty -- physically, mentally, and emotionally -- at all times and ready to act whenever called upon to protect the security of the United States.

Good Order and Discipline

It is critical for a commander to maintain “good order and discipline” in his/her unit to ensure that the unit functions smoothly and is able to carry out its assigned responsibilities.

It is up to the commander to decide how to handle problems, such as IPV, that may interfere with good order and discipline and mission readiness.

Stable and resilient family relationships support service member and mission readiness.

Command Authority and Discretion

Command discretion can be a double-edged sword. A commander's discretion and ability to make decisions and take actions quickly can be a positive asset in responding to IPV.

However, this same discretion can result in a commander taking no action, which can have a negative effect on victim safety and offender accountability.

Because the concern is the unit, and not the individual, service-members who are victims may sometimes suffer consequences they would not in the civilian world

Warrior Ethos

The following excerpt from the Soldier's Creed clearly states important military values for all branches of the military, not just the Army:

I will always place the mission first.

I will never accept defeat.

I will never quit.

I will never leave a fallen comrade.

(Reference: <http://www.army.mil/values/warrior.html>)

This sums up what is different about the military culture. You must be able to trust the people in your unit with your life. This is quite different from most jobs in the civilian world. For military personnel and their families, the stakes are very high.

Advocacy Tips:

- *Understand the concept of military **chain of command**, the line of authority and responsibility along which orders are passed within a military unit and between different units. Every service member has a chain of command. Each higher level has more responsibilities, training to meet those responsibilities, and authority to carry out those responsibilities.*
- *Solving or addressing all issues of abuse involving active duty service members will require going through the chain of command. To help IPV survivors whose abuser is in the military, it is important to understand who is in the chain of command for the offender and for the survivor, if the survivor is also a military service member*

Advocacy Tips:

- *Commanding officers can be helpful in getting things quickly for your clients*
 - *Military Order of Protection*
 - *Order banning civilian from installation*
 - *Order directing payment of family support*
 - *Order removing service-member from housing*
- *Approach with an explanation of why this is needed to assure good order and discipline*

Section Four

VETERANS

Department of Veterans Affairs

It is important for advocates to have at least a working knowledge of the VA system to know how to make referrals and access services when appropriate.

Many (not all) military veterans are eligible for services from the VA.

To see an overview of the VA (Link to: <http://www.va.gov/>).

Veteran “Culture”

Some veterans have belief systems about military vs. civilian, and continue to think of themselves as military.

May be reluctant to talk to, or trust, non-veterans/non-military

May create tension for couples where one spouse is a former service member and the other is not.

May interfere with communication needed to respond to military-related problems (e.g., nightmares, anger, social withdrawal, and isolation).

Veteran Culture

Across systems, from health care professionals to law enforcement, it is helpful to let the veteran know if you are also a veteran and if you deployed to a war zone. By doing so, a level of connection and credibility is immediately established, reducing the barriers to communication.

Many veterans possess and carry firearms and express strong opinions about their use: “Don’t draw a firearm unless you intend to shoot. Don’t shoot unless you intend to kill.” This is important information for law enforcement personnel who may respond to a domestic disturbance. Knowing whether either spouse is a veteran and whether firearms are present is critical in determining the potential dangerousness of the situation.

The Mission of the VA

The mission of the VA is to fulfill President Abraham Lincoln's promise,

“To care for him who shall have borne the battle, and for his widow, and his orphan” by serving and honoring the men and women who are America's veterans.

http://www.va.gov/landing2_about.htm).

Eligibility for VA Services

Eligibility for most VA benefits is based upon discharge status. The discharge must have occurred under other than dishonorable conditions.

Active service means full-time service as a member of the Army, Navy, Air Force, Marine Corps, or Coast Guard.

Generally, men and women veterans with similar service may be entitled to the same VA benefits.

Eligibility for VA Services

According to the VA, there were over 22 million veterans as of September, 2010.

Of those, over 8% were women. Women are the fastest growing group of veterans.

Current information about veteran demographics can be found at http://www.va.gov/vetdata/Veteran_Population.asp.

Eligibility for VA Services

Dishonorable and bad conduct discharges issued by general courts-martial may bar VA benefits.

Veterans in prison and parolees must contact a VA regional office to determine eligibility.

VA benefits will not be provided to any veteran or family member of a veteran wanted for an outstanding felony warrant. (Link to: http://www.va.gov/opa/publications/benefits_book/benefits_introduction.asp)

Eligibility for VA Services

VA facilities generally do not serve active duty military personnel.

This could occur if there is an agreement between a VA facility and a military service (Air Force, Army, Marine Corps, Navy) to provide a specific service offered within the VA.

This may happen when there is a VA facility and military installation located in the same community.

VA Organization

The VA was established in 1930 with the Secretary becoming cabinet rank in 1989.

The VA consists of three branches, the Veterans Benefits Administration (VBA), the Veterans Health Administration (VHA), and the National Cemetery Administration.

Details about the each of these administrations and the services provided by each can be found at

http://www.va.gov/landing_organizations.htm and

http://www.va.gov/landing2_vetsrv.htm.

VA Organization

Within each state, there is a state veterans affairs office (Link to: <http://www.va.gov/statedva.htm>) that is responsible for developing and implementing a comprehensive statewide program for veteran advocacy.

Each state provides a range of medical and mental health services for veterans

VA Facilities

The VA has three types of facilities:

- VA medical centers
- Community-based outpatient clinics
- Vet centers

They are located in many communities throughout the country. The range of services varies by facility and location.

The VA provides services primarily to the veteran and not family members. (Link to: http://www.va.gov/landing2_locations.htm and http://www.va.gov/landing2_vetsrv.htm)

Vet Centers

Vet centers are community based.

The goal of the Vet Center Program is to provide a broad range of counseling, outreach, and referral services to eligible veterans in order to help them make a satisfying post-war readjustment to civilian life.

Vet centers provide readjustment counseling for family members of veterans as well. They also may provide counseling to active duty military combat veterans and support services for their family members. (Link to: <http://www.vetcenter.va.gov/>).

Advocacy Tips:

- *Determine if there are VA facilities in your area and what services they provide for IPV survivors and perpetrators who are veterans.*
- *Determine if there is a vet center in your community and make contact to learn what services are available and who is eligible.*
- *Determine what services are provided by your state Office of Veterans Affairs and how to access them.*

National Center for PTSD

The National Center for PTSD is the VA's center of excellence for research and education on the prevention, understanding, and treatment of PTSD.

The center does not provide direct clinical care.

Its purpose is to improve the well-being and understanding of American veterans and to conduct cutting-edge research and apply resultant findings to advance the science and promote understanding of traumatic stress. (Link to:

<http://www.ptsd.va.gov/>).

National Center for PTSD

The center's website includes a great deal of useful information about veterans and PTSD, such as a guide for service members returning from combat zones and a specific guide for their families. The guides are very comprehensive about reintegration issues and provide good resource information; however, they include little information about IPV. (Link to: <http://www.ptsd.va.gov/public/reintegration/returning-war-zone-guide-families.asp> and <http://www.ptsd.va.gov/public/reintegration/returning-war-zone-guide-sm.asp>.)

Upcoming Webinars

- (Exact dates not yet set)
- June – Department of Defense Response to Intimate Partner Violence
- Military Discipline, Justice & Legal Assistance
- Jurisdiction and Service of Process Issues in Military-Related Cases
- The Servicemembers Civil Relief Act – What Does It Mean for your Case?

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