2004

Spousal Abuse in the Army

James Palmer

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SPOUSAL ABUSE IN THE ARMY

A Thesis

Presented to
The Faculty of the Department of American Studies
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Master of Arts

by
James Palmer Jr.

2004
APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of

Master of Arts

James Palmer, Jr.

Approved by the Committee, May 2004

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Finally, I thank God for everything, for without Him none of this would be possible.
ABSTRACT

This thesis addresses the problem of spousal abuse within the Army community. Does the hostile environment of the Army contribute to the problem of spousal abuse? What has the Army leadership done to address the problem of spouse abuse?

The thesis includes research regarding the history of domestic violence, and the unique factors within the military that may contribute to the problem of spousal abuse. Also, the research examines treatment programs established by the military to address this problem and it explores the role of the Army chaplain as it relates to the problem of domestic violence. The Army Family Advocacy program offers intervention and treatment services that can turn dysfunctional relationships into healthy bonds.

The thesis is a report of the findings and discussion of spousal abuse in the Army and the Army’s effectiveness in addressing the problem. The military must create an environment that encourages victims to come forward for assistance. The Army must empower soldiers and family members to recognize risk factors in their own lives and encourage them to seek help before violence occurs.
SPOUSAL ABUSE IN THE ARMY
CHAPTER 1
INTRODUCTION

Spousal abuse, which will be used interchangeably with domestic violence in this thesis, occurs far too often in the military and civilian sectors. In her book, *When Violence Begins at Home*, Dr. K.J. Wilson gives a historical perspective, tracing the origins of violence against women from its roots in patriarchal society dating back thousands of years to the beginnings of the grassroots battered women’s movement in the 1970’s. “Until then, the existence of domestic violence had been either denied or tactically approved by law and custom.”

Domestic violence is recorded in ancient history. As a matter of fact, it has been legally and socially accepted in most cultures. Psychologists believe that physical superiority of men over women made domestic violence acceptable with women becoming natural victims. Dawn Bradley Berry gives the following account in her book, *The Domestic Violence Sourcebook:

In ancient Roman times, a man was allowed by law to chastise, divorce, or kill his wife for adultery, public drunkenness, or attending public games—the very behavior that men were allowed, even expected to pursue, on a near-daily basis! During the middle ages, a man’s right to beat his wife was beyond question, yet a woman could be burned alive for so much as threatening her husband.

This general idea prevailed for hundreds of years. A few enlightened souls began to recognize the brutality of wife beating very

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1 K. J. Wilson, *When Violence Begins at Home* (California: Hunter Publisher, 1997), pvii.
early on, though it took centuries before any real efforts were made to curtail the problem.\textsuperscript{2}

Mary Wollstonecraft, an early women’s advocate and author, was one of the first women to address the issue of spousal abuse in eighteenth century England. She referred to spousal abuse as male tyranny. Other advocates and philosophers such as John Stuart Mill also publicly criticized spousal abuse in the nineteenth century. It was during this period that American colonial women organized the first informal support group to help victims of spousal abuse. When suffragist Susan B. Anthony fought for the right for women to vote in the 1840’s, she also fought for victims of spousal abuse.

The cultural acceptance of spousal abuse originated via English common law system known as the “rule of thumb”. Under the “rule of thumb” law, spousal abuse was an every day and routine practice. The “rule of thumb” practice was approved by American courts in 1824 in a Mississippi court. It prevailed for approximately the next fifty years varying in degrees from state to state.

Alabama and Massachusetts courts handed down rulings against wife abuse in 1871. An unusually enlightened Alabama judge wrote that year in Fulgham v. State, “The privilege, ancient though it may be, to beat her with a stick, to pull her hair, choke her, spit in her face, or kick her about the floor, or to inflict upon her like indignities is not now acknowledged by our law.” By the early 1880s, most states had laws limiting the amount of force that could be used against a wife, but few provided any penalties for violation. No state actually passed a law making wife beating illegal until 1883, when Maryland finally made it a crime.\textsuperscript{3}

Unfortunately, the British notion of a woman as property first of her father, then of her husband, still prevails today. In an ironic effort to promote


\textsuperscript{3} \textit{Ibid}, 21.
family harmony, spousal immunity prevails and keeps many women in a cycle of abuse. Spousal immunity is a legal principle that says wives and husbands can't sue one another for civil wrongs, or torts, such as assault and battery. Thus, the prevalence of such laws and attitudes inhibit support to victims.

Until the 1970s, there were virtually no social services for victims of domestic violence. Haven House, the first contemporary American shelter, was opened in San Gabriel Valley, California, in 1964 but it was one of the very few. People in violent relationships had to depend on the police, mental health professionals, churches, friends, and family if they needed support or intervention.4

Progress is being made surely but slowly. President Bill Clinton made a huge stride in reducing domestic violence when his administration established the Violence Against Women Committee (VAWC) at the Justice Department. VAWC keeps a record of domestic violence incidents. It also has a prevention component. Clinton's administration also began a national hotline (1-800-799-SAFE) that offered assistance to domestic violence victims. Community grants are also available from the Department of Health and Human Services for assistance and awareness about family violence.

Today, domestic violence has been defined as a crime and penal codes have been revised. "Advocacy and support groups for victims/survivors have been formed, public and private service agencies have developed programs to educate personnel and the community about the dynamics of domestic violence, its effects, and its treatments."5 As a chaplain in the United States Army, I have dealt with this issue up close. I was intrigued enough by the recent widely publicized occurrences of spousal abuse in the military to the point of making it the subject for my thesis.

4 Ibid, 23.

5 K. J. Wilson, When Violence Begins at Home (California: Hunter Publisher, 1997), pvii.
Spousal abuse is not a clear cut phenomenon. Often the physical, psychological, emotional, social and legal parameters of abuse are all intertwined. This causes an enigma that presents a challenge to the military and the civilian professionals who try to deal with the victims of abuse. To complicate matters further, we are dealing with domestic violence as an aftermath of a military at war, with service members deployed around the world. All of the intricate details and the impact of the current situation must be considered when developing treatment and preventive measures.

A working definition for spousal abuse for this thesis was taken from *The Domestic Violence Sourcebook*. Neither spousal abuse nor domestic violence was defined in any of the standard dictionaries. In the *Domestic Violence Sourcebook*, Dawn Berry defines domestic violence as “abuse by one person of another in an intimate relationship. Relationship is further defined as adults in a current or former husband-wife, living together, or dating relationship.”6 The abuse can take on many forms in a relationship. According to psychologist Susan Forward, Ph.D., “abuse is any behavior that is intended to control and subjugate another human being through the use of fear, humiliation, and verbal or physical assaults…it is the systematic persecution of one partner by another.”7

Four categories of spousal abuse defined in *The Domestic Violence Sourcebook* include physical, emotional, sexual, and stalking. Physical violence includes slapping, hitting, kicking, burning, punching, choking, shoving, beating, throwing things, locking out, restraining, and other acts designed to injure, hurt, endanger, or cause physical pain.

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7 Ibid.
Emotional abuse involves repeated actions or words intended to shame, insult, ridicule, embarrass, belittle, or mentally hurt another person. Sexual abuse is forcing someone to have sex when he or she does not want to. This often occurs after physical abuse, according to Michael Paymar in *Violent No More*:

> My discussions with men who have battered and women who have been battered show the sexual relationship usually changes after violence occurs. Intercourse after a violent episode is common. A man often believes that if he is sexual after being violent, his partner will see how sorry he is or how much he really loves her, and will forgive him for the violence. He may believe that the tenderness he expresses make amends for his abuse. For some men, the violence also provides an erotic charge.  

Stalking involves any pattern of behavior that serves no legitimate purpose and is intended to harass.

In this thesis and in the research used in compiling this report, the female sex is referred to as the victim and the male sex as the abuser. *The Domestic Violence Sourcebook* cites 95% of victims of domestic violence as females. It also cites physical abuse as the most prevalent; however, it is often preceded by emotional and other kinds of abuse.

First, the researcher looked at the frequency of occurrences of domestic violence in society at large. Sociologists, psychologists, law enforcement agencies, scientists, private research organizations, government agencies and reputable researchers, according to *The Domestic Violence Sourcebook*, compiled the following statistics:

1. Each year at least fifteen hundred women are killed by a current or former husband or boyfriend. According to FBI data, four women a day are murdered by a male partner; over thirty percent (some estimate over fifty

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percent) of all murders of women in America are committed by intimate partners.

2. Studies of women killed by a husband or boyfriend show that 90 percent of the victims had reported at least one prior incident of abuse. The average number of calls to a scene before a domestic homicide is eight.

3. According to the American Medical Association family violence kills as many women every five years as the total number of Americans who died in the Vietnam War. Homicide is the second leading cause of death for women ages 15 to 24.$^9$

The issue of domestic violence is not only felt within the civilian community. Yearly, thousands of military families feel the impact of domestic violence, especially in the United States Army. The statistical data provided in this chapter as well as upcoming chapters indicates that domestic violence, and spousal abuse in particular, is a problem in the Army.

The problem of family violence within the Army has made national headlines over the past few years. In 1994, the news program 60 Minutes produced a segment about several cases of domestic violence that took place at Fort Campbell, Kentucky, home of the 101st Air Assault Division. The CBS news program called this segment “The War at Home.” In addition, in 1994 Time magazine published an article entitled “The Living Room War.” In the TIME article, journalist Mark Thompson, suggested that spousal abuse is occurring in one of every three Army families each year. Thompson reported that in a few cases where spouses died at the hands of their Army spouses, the military officials ignored many warning signals prior to the tragic event. Furthermore, military prisons have failed to inform spouses that their husbands were being released from prison. “In a 1990 case, a Kentucky woman, Andrea Turner, was

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murdered by her husband three days after his release from prison. The Army neglected to
tell her that he was getting out two months earlier.”10 The Army continues to work hard
in order to curb the shortfalls. Other cases of domestic violence have raised eyebrows
about how the Army is working with the issue of domestic violence.

In July of 2002, Fort Bragg, North Carolina reported that four soldiers murdered
their spouses. Three of the four soldiers had just returned to the US from deployment.
Fort Bragg is the home base for the elite 82nd Airborne Division and Special Forces. On
June 11, 2002, Fayetteville police said that Sergeant First Class Rigoberto Nieves, a
soldier in the 3rd Special Forces Group who had been home just two days, shot his wife,
Teresa and himself in the bedroom of their home outside the base. On June 29, sheriff’s
investigator stated that Jennifer Wright was strangled, about a month after her husband,
also with the 3rd Special Forces, returned from Afghanistan. In a subsequent incident, on
June 19, Master Sergeant William Wright was charged with Jennifer Wright’s murder.
“On the same day in which Master Sergeant Wright murdered his wife, Sergeant First
Class Brandon Floyd shot his wife, Andrea, then killed himself in their Stedman home
near the post.”11 These incidents put the Army in the public spotlight and forced it to
publically addressed of abuse in the military.

These incidents were not unprecedented. As early as 1994 reports had
noted the prevalence of domestic abuse in the military. In his article, “The Living
Room War,” Mark Thompson provides the following information concerning domestic


11 Estes Thompson, “Army fights a new enemy: domestic violence in soldiers’ homes,” Associated
violence in the United States Army:

In 1986 there were 27,783 reported cases of violence in military families; last year there were 42,287. Now, a confidential-and unprecedented-Army survey obtained by TIME suggests that spousal abuse is occurring in one of every three families each year-double the civilian rate. Each week someone dies at the hands of a relative in uniform and nearly 1,000 formal complaints of injury are lodged against a family member.12

A Department of Defense (DOD) study in the 1990’s, while it uncovered fewer incidents than TIME did in 1986, still points to a problem:

<table>
<thead>
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<th>Spouse Population</th>
<th>Substantiated Reports</th>
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<td>FY 90</td>
<td>1,026,119</td>
<td>14,860</td>
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<td>FY 91</td>
<td>1,040,090</td>
<td>15,657</td>
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<td>FY 92</td>
<td>1,016,263</td>
<td>18,052</td>
<td>17.8</td>
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<td>923,206</td>
<td>16,728</td>
<td>18.1</td>
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<td>FY 94</td>
<td>934,478</td>
<td>17,584</td>
<td>18.8</td>
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<td>FY 95</td>
<td>855,939</td>
<td>16,282</td>
<td>19.0</td>
</tr>
<tr>
<td>FY 96</td>
<td>777,938</td>
<td>14,552</td>
<td>18.7</td>
</tr>
<tr>
<td>FY 97</td>
<td>755,076</td>
<td>23,032</td>
<td>23.01</td>
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The above data shows that there was a decrease in the spousal population; this is most likely related to the downsizing that has been taking place within the military. However, it is interesting to note that the substantiated reports of spousal abuse have increased, even slightly, in every year but one during the course of the downsizing.

According to historian Linda Gordon, author of Heroes of Their Own Lives, violence among family members arises from conflicts which are historically influenced. For at least 150 years, there have been periods of fear

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13 Family Advocacy Staff Training Course Manual (Fort Sam Houston: Department of Preventive Health Services, Spring 1999), 13.
that the family, meaning the popular image of what families were supposed to look like, was on the decline. “Society was concerned about the break down of traditional family, while policy makers believed that deviant behavior was a threat to the social order. During the 1870’s only child abuse and child neglect were considered to be acts of family violence. It was not until several years later that society recognized wife battering, as well.”

One reason why spousal abuse was neglected for so many years is because certain reforms argued that intervention violated family privacy. Therefore, the authorities would stay clear of any kind of intervention. Occasionally, police would step in, but reports revealed they only arrested the husband on the charge of drunkenness. As the twentieth century approached, there emerged campaigns to prosecute husbands as a criminal act for abusing their wives. Linda Gordon argues that “There were many factors, which the social workers believed led to spousal abuse. Alcohol was a contributing factor but not just the intake of the alcohol; the abuse occurred because the monies needed for food and other necessary items was spent on alcohol.” Money was another factor, which contributed to spousal abuse. Linda Gordon contends, “along with anger, unemployment intensified marital tension.”

In spite of the reluctance of authorities to get involved with spousal abuse, history suggests during late 1800’s and early 1900’s that wives wanted some kind of intervention from outside sources. When social workers and other persons of authority

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15 Ibid,

16 Ibid, 26.
became involved, it was by invitation of a family member. Even though the social workers were invited in the home, this did not guarantee control or the results they wanted.

Prior to 1980 there was no organized efforts to address the issue of spouse abuse in the Army or the other branches.

Within the Department of Defense (DOD), organized efforts at identifying and treating cases of spouse abuse have only been in existence since the early 1980s. The Office of the Under Secretary of Defense for Personnel and Readiness (OUSD[P&R], Personnel Support, Families, and Education (PSF&E) is the responsible agent for all programs related to Family Advocacy.17

The Family Advocacy Program, which shall be discussed in chapter two, provides guidelines for implementation of spouse abuse intervention programs within each service.

Specific programs within each of the Services (Army, Navy, Air Force and Marine Corps) were mandated in 1981 by DOD directive 6400.1. By direction, all contain essential elements including prevention, identification, and mandatory reporting, assessment, command involvement, treatment and coordination with local authorities.18

This was confirmed by a conversation with the Fort Lee Army Community Service (ACS) Facility located at Fort Lee, Virginia.

Over the years, the Army has continued to study spousal abuse within its ranks. According to a study of seven years of substantiated abuse incidents reported to an Army registry, two-thirds of the victims were civilian women married to Army enlisted soldiers

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18 Ibid, 171.
and officers. Furthermore, there were more than 56,287 substantiated cases of spousal abuse in the Army between 1989 and 1996. Tragically, the study reported that during the seven years, 27 females and 11 males died as a result of spousal abuse. The study went on to reveal that 94 percent of the females were between the ages of 18 and 36. Also, the study showed "that half of the victims and offenders were African-American, and that the number of abuse cases involving blacks is increasing. In all, about a third of the Army's 480,00 active duty personnel is black. Through 1995, nearly 48 percent of the victims were black, 40 percent were white and 8 percent were Hispanic.

The high percentage of abuse cases among black soldiers is significant, when we consider that whites soldiers out number the blacks in the Army. Between 1989 and 1997, the Army recorded active duty and civilian spouses, about 37 percent were white and about 51 percent were blacks, according to scholar John Newby. "During this same period, the population of married active duty whites in the Army was about 61 percent; that of blacks was 28 percent. Currently, there are no sufficient explanations for disparity in the racial distributions of spouse abuse offenders compared to their representation in the Army." In the civilian sector income is often used to address the difference between black and white offenders. However, "in the Army, all soldiers are employed, have a steady income; generally have at least a high school education, living

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20 Ibid.
quarters or a housing allowance. They are basically healthy and have free medical care; free from severe alcohol and drug abuse; and are supervised."²²

There are many reasons why domestic violence takes place. Many researchers who have studied domestic violence indicate that drugs, alcohol, increased financial pressures, problems in the marriage, history of abuse within the family and isolation can lead to violence in the family. Certainly, there are a number of studies, which attempt to argue that domestic violence is more apt to occur in the military environment. Many experts argue that the rate of spousal abuse is much higher in the Army, than in the civilian sector. In The Military Family: A Practice Guide for Human Service Providers, Stephen Brannen writes, “several studies have suggested that military families experience higher levels of aggression than families in the civilian sector because the military either attracts aggressive men or that the culture and training promotes aggression.”²³

The primary objective of this thesis is to closely explore spousal abuse in the Army, the unique demographics, which contribute to the violence, and treatment programs already utilized by the United States Army. Chapter Two will examine those factors that can lead to domestic violence and are more prevalent among soldiers in the United States Army. Some of those factors include separation from family, financial stress, frequent moves and isolation.

Chapter Three will evaluate the Army’s Family Advocacy Program and other treatment programs that are in place to assist soldiers and spouses who are involved in

²² Ibid.

domestic violence cases. Also, chapter three will examine the punishment authorized by the Uniform Code of Military Justice and the civilian law. Chapter Four will explore the role of the chaplain in regard to confidentiality and conclude with final remarks.
CHAPTER 2

RISKS FACTORS FOR CIVILIAN AND MILITARY

It is a given that abuse occurs in the military and civilian sector. This chapter, examines the risk factors that are prevalent within both the military and civilian sector. There were many similarities, but the military had several factors that were peculiar to the nature of the military organization that lead to a greater risk of spousal abuse.

When looking at risk factors, one must also look at the characteristics of the abuser. According to the National Domestic Hotline (800-799-SAFE), if a partner exhibits three or more warning signs from the following list, he is a potential abuser:

- Jealousy
- Controlling behavior
- Quick Involvement
- Unrealistic expectation
- Isolation
- Blames others for his problems
- Blames others for his feelings
- Cruelty to animals or children
- Verbal abuse
- Rigid sex roles
- Jekyll-and-Hyde personality
- Past battering
- Threats of violence
- Any force during an argument24

The above list is personal attributes that people in any situation or from any walk of life can have. However, when these characteristics appear in combination with the risk factors to be discussed in this chapter, the environment for abuse is optimal.

Research differs about the risk factors for spousal abuse in the civilian community. Tamara Roleff's edited collection *Domestic Violence, Opposing Viewpoints* evaluates four areas that are considered risk factors: Socioeconomic level, substance abuse (especially alcohol), patriarchal customs, and sports culture. The book is written in debate format and offers discussion in favor of and against each risk factor.

Murray Straus, of the University of New Hampshire, a noted researcher and director of the Family Research Laboratory writes, "for the ordinary violence in family life, the pushing, slapping, shoving, there's not much difference by socioeconomic status or race. But when you come to more serious kinds of violence, then the lower the socioeconomic status, the higher the level of violence, by very large amounts." Other experts in the area of domestic violence have supported Straus' research. "A study of spousal abuse cases found that nine of the cases had a low socioeconomic status as a significant risk factor. Researchers who disagree contend...domestic violence is not strictly a lower-class problem. They assert that battered middle and upper class income women are not as visible to researchers...affluent women are able to use private doctors and clinics."²⁶

While some alcoholics are also abusers, the research shows that this is not necessarily a primary risk factor. In his book *Substance Abuse and Women Abused by Male Partners*, Larry Bennet supports the idea that while there is a link between alcohol abuse and domestic violence, substance abuse does not cause men to batter their wives. He contends that other factors such as a "child's home environment and exposure to


²⁶ Ibid.
drugs and alcohol, the abuser’s education and income level and a need to control other people’s behavior are more likely to increase the risk of abusive behavior than alcohol abuse.”\(^{27}\) Alcohol is not the cause of the abuse, however combined with other factors it can contribute to the violence.

The fourth risk factor, sports culture, is treated similarly to alcohol abuse in Roleff, edited study. Jeff Benedict offers the following view: “news reports of athletes committing crimes, especially crimes against women, are becoming more and more common. However, he asserts that participating in sports does not cause men to batter and sexually abuse women. Instead the fame and idolatry surrounding the college and professional athletes contributes to their deviant behavior.”\(^{28}\)

There is no single factor that can be identified as the cause of spousal abuse. However, with the combination of several factors, that are going to be discussed, the risk of domestic violence rises. This chapter will now examine those demographics more prevalent among soldiers that may contribute to domestic violence in the Army. Soldiers face such challenges as problems relating to family stress, permanent change of station (PCS), social isolation, separation from family, increased financial pressures, force reduction, and drug and alcohol use while, some of these factors experienced by soldiers are similar to those in the civilian sector. Army life also places a great deal of additional stress upon soldiers and their families.

\(^{27}\) Ibid, 63.

\(^{28}\) Ibid, 82.
Family Separation

Many soldiers are separated from their family members when they receive orders for an unaccompanied tour of duty. Usually, an unaccompanied tour means one year without family. Soldiers are also separated from their families when they get a temporary duty assignment or when they are called upon to deploy for war or peacekeeping missions. Current research indicates that stress levels rise during separations such as deployments.

Certainly, being separated from loved ones can place a great deal of stress on soldiers and their family members. There is the fear of wondering if the soldier is going to return. Then there is the stress of the spouse, remaining at home that now has a dual role as mother and father. For some soldiers and their spouses, separation may means simply readjusting roles, but for others the stress can have a tremendous impact. The wife has been both mother and father for one year and the family has to readjust to when daddy returns home. Recently, the Daily Press published an article entitled, "Family Life, Deployment Researched," which reported the following information: Army researchers learned that service in Desert Storm caused martial satisfaction rates to drop slightly, and that after returning from Desert Storm, an apparent spike in divorces was also noted. In June of 2003, WAVY TV 10 reported that domestic violence increased 81% with E-6 and below, when troops return from deployment. The above statistics suggest that Army families encounter difficulties during periods of separation.

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30 The (E) indicates the pay grade of the soldier. The enlisted pay grade range from E-1 through E-9, with increasing responsibility as the rank increases.
Separation in the military is unlike separation in the civilian sector. A soldier is deployed from his or her family for six months to a year or even longer, and much of this separation is under hazardous conditions. Those hazards conditions may include constant hazardous duty. The separation contributes to an already vulnerable relationship.

Another study by James McCarroll explored the relationship between the length of soldier deployment and self-reports of moderate and severe spousal violence. Surveys were administered to a random sample of 26,835 deployed and nondeployed married and active duty U.S., 15% of whom were deployed. The surveys consisted of Army men and women in the 50 United States during the period of 1990 to 1994. The results of the study provided the following conclusion:

After controlling for demographic variables, the probability of severe aggression was significantly greater for soldiers who had deployed in the past year compared with soldiers who had not deployed. Conclusion: Deployment contributes a significant but small increase to the probability of self-reported spousal aggression during a one-year period.31

Moreover, the study results indicate the longer the separation the more aggressive the behavior was from the soldier toward his spouse.

**Permanent Change of Station and Isolation**

Another factor that is more common among soldiers than civilians is that of frequent permanent changes of station. Packing up your possessions and moving from one location to another is challenging for anyone. Often soldiers are required to relocate from one installation to another for career advancement opportunities, yet these frequent moves can place a great deal of stress upon soldiers and their families.

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One of the most common complaints of military spouses is that of frequent moves. Army families are moved as often as every two or three years. A soldier might receive anywhere up to several months or one month that he required to move. Frequently, military families do not have a choice of when or where they wish to relocate. "One wife spoke of having to move during her son's senior year in high school. Another said, I know what time it is when I finally get a house set up...It's time to move."32

The Department of Defense has continued to look at the issue of frequent relocation among military service members. In a briefing to the Chair and Ranking Minority Member, Subcommittee on Defense, Committee on Appropriations, it was reported that the PCS moves varied by pay grade. Junior enlisted, E-4 and below often had shorter tours. This is likely because of the disproportionate number of shorter training school assignments in the early career stages of military personnel. Mid grade enlisted personnel, E-5 to E-6 and senior noncommissioned officers often had longer tours on stations. Again, the junior enlisted soldiers PCS history will include in most cases a disproportionate number of training assignments.

In the Department of Defense (DOD) survey respondents were asked to indicate how many permanent change of station (PCS) moves they had made during their active duty career. Appendix A shows the percentage of frequent moves by rank. The average time between PCS moves was about 2 years. About 20 percent had an average tour length of only 1 year or less, while about 9 percent

averaged more than 4 years per PCS tour.\textsuperscript{33} (see Appendix A).

The greatest impact of the frequent moves, for wives who are victims of spousal abuse, in terms of isolation. Brenda Ford, a supervisor at the Department of Social Work Service, Fort Hood, Texas, "stated in an interview that there are two types of isolation: physical isolation (when spouses isolate themselves from resources that can assist them) and emotional isolation (when a victim feels as though she is the only one who is going through this particular situation)."\textsuperscript{34} Obviously, frequent moves and isolation can have an impact on someone who is the victim of spousal abuse. A wife who does not have any support or resources might feel as though her situation is hopeless; she no one to turn to for help, thus continuing to live in a violent relationship. Frequent moves guarantee that military families will spend a lot of time in transition.

Financial Stress

Certainly, financial pressures contribute to domestic violence in the civilian sector as well as in the Army. Low pay and having dependents to support, coupled with the high cost of living creates a great deal of stress in many people's lives. Many families can identify with the following scene as described by Bridget Meehan in \textit{The Military Chaplains' Review}, "Money, money, money... The number one stress in our house, the thing that causes the most arguments is how our money will be spent. This leads to debts

\textsuperscript{33} Chairman and Ranking Minority Member, Subcommittee on Defense, Committee on Appropriations, U.S. Senate: Longer Time Between Moves Related to Higher Satisfaction and Retention, United States General Accounting Office, August 2001.

\textsuperscript{34} Brenda F. Ford interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.
the family cannot afford. Money has become a taboo topic for us. Our inability to live according to our means is causing all kinds of problems in our family."

In the civilian sector, the tension of financial stress is felt even more, when unemployment contributes to that stress. Jacquelyn Campbell, a registered nurse and professor at John Hopkins University School of Nursing stated, “Unemployment does not cause someone to be violent toward one’s partner, however, it does add a sense of desperateness, the sense there is no hope.” Financial stress along with other factors can contribute to domestic violence. As journalist Katrina Woznicki, noted in The Washington Times article, “with the jobless rate currently at a nine year high, domestic violence experts are wondering if the current economic climate might ignite a spike in abuse.” Even though domestic violence has occurred among the wealthy and the poor, The Center for Psychological Advice reported that families with incomes below $10,000 are more likely to be involved in domestic violence.

Many soldiers and their families have found themselves confronting financial problems, especially enlisted soldiers. Peter Mercier, in *Battle Cries on the Home Front: Violence in the Military* writes, “Evidence also suggests that families living at lower socioeconomic levels experience higher levels of domestic violence. According to Straus

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37 Ibid.
and Gelles and Cornell, low family income, in addition to age, characterizes wife abuse."38

Mercier argues that age and economic factors make the military population a high risk for spousal abuse and other domestic violence. The information provided by Mercier indicates that the demographic makeup of the military closely resembles that of violent families in the civilian community; this would make the military more open to incidents of family violence.

The Issue of Age

The data provided from the previous section on financial stress suggest that age may be a factor as well in many cases of spouse abuse within the military. In an interview, Lieutenant Colonel Dexter Freeman, Chief of the Department of Social Work at Fort Hood, Texas, which is the largest stateside Army installation, stated “that the majority of his clients are young soldiers, E-5 and below.”39 Also, Lieutenant Colonel Freeman stated that research has shown a correlation between age and violence. “The older one gets, the less likely that violence will take place.”40 LTC Freeman’s statement is further supported with data provided by the August 2000 edition of Soldiers magazine. In 1999, the age of the spousal abuse offender was as follows:


39LTC Dexter Freeman, Interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.

<table>
<thead>
<tr>
<th>Age of Offender</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 to 21-years-olds</td>
<td>20%</td>
</tr>
<tr>
<td>22 to 26-years-olds</td>
<td>40%</td>
</tr>
<tr>
<td>27 to 31-years-olds</td>
<td>23%</td>
</tr>
<tr>
<td>32 to 36-years-olds</td>
<td>11%</td>
</tr>
<tr>
<td>37 to 41-years-olds</td>
<td>4%</td>
</tr>
<tr>
<td>42-years-old and above</td>
<td>1%</td>
</tr>
</tbody>
</table>

According to this article, the majority of the spousal abuse occurs at younger age. As the age increases the violence decreases. As the statistics show age is factor in domestic violence.

The Office of the Surgeon General provided the following conclusions regarding youth violence. The violence epidemic is not over. While youth violence has been on the decline since 1993, youth homicide, robbery, and rape arrests in 1999 are actually lower than they were in 1983. At the same time, however, rates of arrest for aggravated assault remain nearly 70 percent higher than 1983. There is considerable evidence that youth involvement in serious forms of violent behavior is quite stable over time and remains a serious national problem.42

The South Carolina Department of Public Safety conducted a study, Juvenile and Young Adult Firearm Use in South Carolina. There were two main objectives with this project. First, the study sought to determine the extent to which firearms are involved in violent crimes committed by children and young adults. Second, it tried to identify characteristics of those arrested for committing theses crimes. The study was conducted


42 http://www.surgeongeneral.gov/library/youthviolence/message.htm
over a two-year period. The South Carolina Law Enforcement Division maintained the
data. The project discovered the following:

**Firearm Use in Violent Crime by Age, Juveniles and Young Adults**

**Two Year Summary: 1996 & 1997**

<table>
<thead>
<tr>
<th>Age</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 &amp; Under</td>
<td>44</td>
</tr>
<tr>
<td>13</td>
<td>49</td>
</tr>
<tr>
<td>14</td>
<td>78</td>
</tr>
<tr>
<td>15</td>
<td>208</td>
</tr>
<tr>
<td>16</td>
<td>306</td>
</tr>
<tr>
<td>17</td>
<td>546</td>
</tr>
<tr>
<td>18</td>
<td>587</td>
</tr>
<tr>
<td>19</td>
<td>606</td>
</tr>
<tr>
<td>20</td>
<td>487</td>
</tr>
<tr>
<td>Total</td>
<td>2911</td>
</tr>
</tbody>
</table>

The conclusion of the Office of the Surgeon General and the statistics from the South
Carolina Department of Public Safety show violence, which exists among young people.

What does the above data have to with spouse abuse in the Army? It is evident by the data provided by the Office of the Surgeon General and the South Carolina Department of Public Safety that some young people behave violently, whether they are in the Army or not. The Army and other branches of the military services recruit young people. Thus, if this age group is more prone to violence, of course there may be some violent behavior. The Army has a young population. If it is the case that young people are more violent, then it seems reasonable that the percentage of domestic disturbances cases would be high whether or not the person is in the Army or a civilian. Evan Stark, director of the Domestic Violence Training Project in New Haven, Connecticut, who has researched and written about domestic violence, says, “What is unique about the military

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43 Juvenile and Young Adult Firearm Use in South Carolina. South Carolina Department of Public Safety, Office of Safety and Grants, 1996-1997.
is not there's more violence, necessarily, but you have such a high concentration of younger couples."\footnote{Army Times, "Spouse abuse rises, child abuse falls," Vol. 56, Issue 43, May 20, 1996, 20.}
The following statistics support this argument. The Army issue of "Hot Topics for Army Leaders" reported the following data in spring of 2003.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|}
\hline
\textbf{The Age of Spouse Offenders} & \\
\hline
18 to 21 years old & 680 \\
22 to 26 years old & 1,263 \\
27 to 31 years old & 750 \\
32 to 36 years old & 379 \\
37 to 41 years old & 164 \\
42 years old and above & 75 \footnote{Hot Topics: "Current Issues for Army Leaders," Vol. 4, No. 1, Spring 2003, 7.} \\
\hline
\end{tabular}
\end{table}

The above statistics represent the age of spouse offenders in substantiated cases in the year 2001. There are a significant number of cases reported against younger soldiers. The research strongly suggests that age is a factor regarding domestic violence. Further, this data supports the argument that violence decreases as with age and maturity.

Journalist Mark Thompson, noted that "compared with the civilian society, the military population is younger and drawn from lower socioeconomic ranks, and consequently more violence prone."\footnote{Mark Thompson, "The Living Room War," Time archive, 23 May 1994, 2.}

The following charts show the rate of spousal abuse by age and income in each of the branches:
Percent of Abusers By Age By Military

<table>
<thead>
<tr>
<th>AGE</th>
<th>USMC</th>
<th>ARMY</th>
<th>NAVY</th>
<th>AIR FORCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-20</td>
<td>33</td>
<td>16</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>21-25</td>
<td>37</td>
<td>41</td>
<td>42</td>
<td>36</td>
</tr>
<tr>
<td>26-30</td>
<td>17</td>
<td>24</td>
<td>22</td>
<td>33</td>
</tr>
<tr>
<td>31-35</td>
<td>12</td>
<td>10</td>
<td>19</td>
<td>14</td>
</tr>
<tr>
<td>36+</td>
<td>1</td>
<td>8</td>
<td>8</td>
<td>6</td>
</tr>
</tbody>
</table>

Percent of Abusers in Pay Grade By Military Services

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>USMC</th>
<th>ARMY</th>
<th>NAVY</th>
<th>AIR FORCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>E1-E3</td>
<td>41</td>
<td>23</td>
<td>14</td>
<td>13</td>
</tr>
<tr>
<td>E4-E6</td>
<td>52</td>
<td>68</td>
<td>79</td>
<td>82</td>
</tr>
<tr>
<td>E7-E9</td>
<td>5</td>
<td>7</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Officers</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

The charts above indicate that the Army is second to Marines in spousal abuse cases in the lower ranks of E-1 to E-3. The lower ranking soldiers in many cases often face financial strains. More than one-third, 37 percent, of the lowest pay grades of E-1 to E-4 are composed of soldiers 30 years old and younger who are married."49

Gender

The discussion of violence among young people leads to the issue of gender. There are many who argue that gender contributes to violence in the household. Why is this so? Many scholars in the area of family relations argue that violence in the

48 Ibid, 23.
household is related to the way in which children are reared. For instance, in *Violence in the Home*, Daniel Glaser writes the following:

That differences in the behavior between men and women is more than the product of biology becomes evident when one observes how children are reared. Toy guns and others weapons are provided primarily for boys, with girls receiving dolls and others toys that cast them in maternal and housekeeping roles. The most violent sports, especially boxing, wrestling, and football, are organized almost exclusively and more diversely in sports than they formerly did. In general, boys are expected to respond physically to being pushed around or challenged to a fight by their peers, while girls are encouraged to be dignified and lady like.\(^{50}\)

This information suggests that our culture teaches men to be more violent than women. Thus spousal abuse may be in part a learned masculinity. Boys were raised to see violence is seen as a viable alternative when seeking solutions to stressful situations.

The authors of *Bridging Separate Gender Worlds* argue that boys are taught how to be boys and girls are taught to be girls. From the very beginning little girls are taught that “men are protectors and you need to be protected. A man’s word is law. Don’t argue with it. Dress up and look feminine... act like a lady. You should look for a husband.”\(^{51}\) In other words, a good girl should look for a husband who will provide and protect. Furthermore, the authors wrote:

> Men and women live in two separate cultures because of the gender messages they receive throughout a lifetime that reinforce and reward different values systems, different personality characteristics, different communication styles, different problem solving techniques, different

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perspectives on sexuality, assign different roles, and hold different expectations for relationships.\textsuperscript{52}

This further suggests that the gender socialization process contributes to the conflict between men and women.

Such research suggests that the socialization of boys and girls into adulthood reinforce certain messages of sex-appropriated behavior. Mildred Pagelow, author of \textit{Family Violence}, argues:

\begin{quote}
Many authors propose that stereotypic gender role socialization along extremes of "masculinity" and "femininity" is an important contributing factor in family violence, particularly in wife beating. Straus writes about cultural norms that legitimize marital violence and discusses "compulsive masculinity" which refers to the requirement that boys and men prove to others that they are "real men" by their disdain for any attributes considered feminine. The author's own study found that strict interpretation of dichotomized sex roles literally set up men to be aggressive (and if necessary, violent), and women to be passive, dependent, and frequently victimized by men (Pagelow 1978a).\textsuperscript{53}
\end{quote}

One other approach is that there are those who believe that children of abuse learn to abuse. In other words boys learn to abuse as men and girls learn to expect abuse as women. Without appropriate role models, children do not learn how to communicate and resolve conflicts. The Army attracts young people. The possibility does exist that the Army may attract some young men who are into real manliness. Further, that stress of young Army life, which includes low pay and lots of moving around, exacerbates this for vulnerable young men whose sense of manliness is threatened by their lack of control.

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{52} Ibid, 65.
\end{itemize}
\end{footnotesize}
Force Reduction

Over the last decade, the Army as well as the other branches in the services have experienced downsizing. As journalist Robert Burns noted, "The fighting force is about 480,000 troops compared with 560,000 in 1994 and 734,000 in 1991." A significant act such as downsizing can place a strain upon soldiers and their families. Despite troop reduction, the Army's mission has not changed. Soldiers face greater work demands and longer work days, which inevitably adds pressures to family relationships. Soldiers are deployed around the world to places such as Iraq, Afghanistan, Bosnia, and Kosovo. This is significant because with a smaller Army, it means being deployed more often and separated from family. In a larger Army soldiers would not be deployed as often, thus resulting in shorter periods of time from home. Along with downsizing there is the stress of promotion to the next level. Downsizing leads to fewer positions and people, in turn effects promotion. "For example, the Army has reduced from 12 divisions to 10 divisions." Fewer divisions means fewer positions to which one might be promoted. With the reduction of units, a soldier's chances to serve in a key position are limited. These limitations create tremendous competition among officers. The stress of being competitive with peers, along with the other factors that are being discussed can contribute to domestic violence. As in the civilian sector, one needs to live up to certain job performance in the military or else promotions and continued employment are at risk.

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55 Ibid.
Alcohol Abuse and Drug Abuse

Alcohol abuse and drug abuse are not unique to the military way of life; however the issue of substance abuse cannot be ignored in examining the factors leading to domestic violence. It is known that alcohol has an effect on behavior. There is a constant effort to link alcohol and drug abuse to domestic violence in our society. Many experts believe that the risk is higher whenever alcohol and drugs are involved in a domestic situation.

The book *Family Violence and Religion*, an inter-faith resource guide, reported that men who batter frequently use alcohol abuse as an excuse for their violence, when it caused by other factors. In fact, not every case of spousal abuse is related to alcohol or drug abuse.

Many men who batter do not drink heavily and many alcoholics do not beat their wives. Some abusers with alcoholic problems batter when drunk, and other when they are sober. For example, Walker’s (1984) study of 400 battered women found that 67 percent of batterers frequently abused alcohol however, one-fifth had abused alcohol during all four battering incidents on which data was collected. The study also revealed a high rate of alcohol abuse among non-batterers. In one batterers program, 80 percent of the men had abused alcohol at the time of the latest battering incident.56

Even though all cases of spousal abuse do not involve alcohol, the statistics clearly suggest that alcohol is a factor in many of the cases. In *Wife Abuse in the Armed Forces*, Lois West writes, “In some families, battering occurs only when a family member is intoxicated. With others, there is no precise relationship between the intake of alcohol or drugs and violence. Again, many researchers and therapists do not believe substance abuse necessarily causes violence, but they know that a relationship between these

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problems does exist." 57 The use of alcohol or drugs can further compound problems and stress by leading individuals to lapse into negative behaviors they otherwise would not do.58 Alcohol abuse is not the cause of spousal abuse, yet along with other stress factors, such as anger, it can serve as a facilitator of the process of spousal abuse.

The Military Wife

"Historically, the role of the military wife was to find satisfaction in motherhood, and as a wife, do nothing to hinder her husband’s military career."59 This was especially true for the wives of officers. “In the 1968 guide for officer’s wives, Mrs. Lieutenant, a wife is told the following: When your husband returns to civilian life, his military career will be his only recommendation and references for the past two years. It will certainly be more advantageous to both of you if his record reflects a man and wife who were sincere in their efforts, could meet and enjoy new people, were able to adapt to different and new circumstances, and who displayed an attitude of cooperation and respect."60 In other words wives were to be seen and not heard, yet was very important to an officer’s career. Marital troubles can sometimes have a negative impact upon a promising military career.

Another issue with which many military wives are confronted is the problem of unemployment. In some cases wives who have degrees are forced to accept low paying jobs. This can create a great deal of frustration for a spouse, especially if the family is

59 Ibid.
60 Ibid., 11.
depending on the extra income. The spouse wants to work; yet he or she cannot find a job suitable to match their level of training. *Home Front*, Catherine Lutz describes the following problem for spouses located in the Fort Bragg, North Carolina area:

The mobility has created a large transient reserve labor force of soldiers' spouses. Depressed wages and a high unemployment rate resulted. Employers perceive soldiers' spouses and teenaged children as ready to work for low wages given the soldier's salary, transience, and their own lack of other options. Some, especially officer's wives, are overqualified for the jobs they do get in an economy centered on service or retailed jobs. The woman who sells towel at one Fayetteville department store was formerly an assistant city planner in a major city, while the person behind the cosmetic counter there has an MBA.61

Thus, the availability of job opportunities for spouses depends upon the existing needs within that military community. This information may explain why the unemployment rate for military spouses is four times higher than their civilian counterparts.

The pay grade for the enlisted ranks was from E-1 to E-9. Spouses must work in order to maintain normal living standards. According to a DOD survey, a whopping sixty-two percent said that they needed to work to help pay for basic family living expenses.62 In addition to financial and employment concerns, junior enlisted families have childcare needs with 21% having young children.63 The uncertain work prospects for spouses can place financial strain and cause tension between partners. The wife is frustrated, the husband feels inadequate and jerked around by the Army with deployments, but sees his wife as the problem.

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Summary of the Chapter

Chapter Two has given an overview of those demographics which can lead to domestic violence, which are more common among Army soldiers than in civilian life. Soldiers are constantly facing the challenge of being separated from their family members because of long deployments and unaccompanied tours. Spouses are dealing with the separations, financial and physical pressures, emotional isolation and unemployment. There is the constant moving from one Army installation to another. Factors such as alcohol do increase the risk of spousal abuse when other stress factors are involved. None of the factors discussed in Chapter Two can be linked as the direct cause of spousal abuse in the Army. Yet, many of the resources indicate that a combination of these factors can and will lead to domestic violence in and outside the Army. Definitely, these factors create stressful challenges for soldiers and their families. They also create a challenge for the Army. For if the Army’s population is more vulnerable to these kinds of situation than civilians the Army needs to deal more effectively with the issues of spousal abuse.
CHAPTER 3
TREATMENT AND PREVENTION

The civilian community and military have programs that target treatment and prevention of spousal abuse. This chapter will focus on primarily military programs.

Civilian help includes medical professionals, the police, the legal system and professional counselors. Every state now has multiple sources to assist victims, which can be accessed through the National Domestic Violence Hotline. Dr. K.J. Wilson recommends support groups, and individual and group counseling for women and children in her book, *When Violence Begins at Home*. She also lists programs such as EMERGE, RAVEN, and DAIP (Domestic Abuse Intervention Project) that are designed to help abusers. One program that was developed by a daughter whose mother was killed by her father has proven to be very effective. Susan Murphy-Milana founded Project Protect as a result of her mother's murder. She also wrote the book *Defending Our Lives*, in which she gives an account of her mother's murder and provided recommendations for surviving abusive relationships. Many of these and other civilian services provide assistance after the abuse has occurred, whereas, the Army programs provide preventive, protection and treatment measures.

For Army personnel, the Department of Defense provides a number of programs. The system that is put in place to address this issue is known as the Family Advocacy Program (FAP). The Army's Family Advocacy Program was established in 1975 to
provide resources to reduce the incidents of domestic disturbances among Army families. However, it was not until the 1980’s that the program formally addressed the issues of spousal abuse. Originally, the focus of the Family Advocacy Program was geared only to address the issue of child abuse. The Department of the Army (DA) has the following policies regarding spousal and child abuse:

a. DA policy is to prevent spouse and child abuse, to protect those who are victims of abuse, to treat those affected by abuse, and to ensure personnel are professionally trained to intervene in abuse cases. Since many incidents of abuse constitute violations of the law, DA policy also recognizes a commander’s authority to take disciplinary or administrative actions in appropriate cases.

b. The FAP will promote public awareness within the military community and coordinate professional intervention at all levels within the civilian and military communities, including the law enforcement, social services, health services, and legal services.

c. The FAP is designed to break the cycle of abuse by identifying abuse as early as possible and providing treatment for affected family members.\[64\]

The Department of the Army has established these policies to help maintain healthy families and to restore families who are not healthy. It is the mission of the Family Advocacy Program to ensure that all military personnel adhere to DA policies related to abuse and neglect. Many of the civilian services, which assist victims, provide assistance after violence has taken place; however the Army seeks to prevent domestic violence.

Army Family Advocacy Program

Programs such as medical treatment, social work services, case review committees, DPCA, Army Community Service and Army family advocacy programs come under the umbrella of Family Advocacy Program. (See Appendix B) In an

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interview, Lieutenant Colonel Dexter Freeman stated that, “the Family Advocacy Program is the commander’s program. In other words in the civilian sector, a boss does not care if you abuse your spouse. The Army is about accountability. The commander does care and every commander is briefed on every incident.” For example, the post commander of an Army installation has a policy that states when a domestic incident occurs, the soldier is placed in the barracks for 72 hours. The barracks are the buildings set aside for single soldiers. However, many commanders may have one or two vacant rooms in the barracks, which allows him or her to place a married soldier for 72 hours. All married soldiers are required to live off post or in family housing. Basically, in the civilian sector a spouse may receive a message from the boss, don’t bother me with your problems. There are no systems in place in the civilian sector that mandate a supervisor to get involved in domestic issues. As stated earlier, Army Regulations mandate that a commander get involved in the lives of his soldiers, whether they like it or not.

The Family Advocacy Program helps the commander stay involved with his soldiers. Commanders must be abreast of all actions of active duty soldiers to ensure that the soldier is receiving proper treatment. The Family Advocacy Program believes that if it achieves its objectives then it will produce the following results as outlined in Army Regulation 608-18:

a. Provide installation commanders with staff assistance in addressing the problems of spouse and child abuse.

b. Provide information and education designed to support strong self reliant families and enhance coping skills.

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65 LTC Dexter Freeman, Interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.
c. Provide services to at risk families who are vulnerable to kinds of stresses that can lead to abuse.

d. Identify abuse as early as possible to prevent further trauma.

e. Provide treatment services to soldiers and their families who are involved in family violence in order to strengthen the family and prevent recurrences of abuse.

f. Encourage voluntary self-referral through education and awareness programs.  

Each Army installation has a FAP for soldiers and family members. If used appropriately, the Family Advocacy Program can serve as a very effective tool for the commanding officer and help to reduce domestic violence.

Again, the Family Advocacy Program is the commander’s program. The strength of this program is that, unlike plans in the civilian sector, it holds the leadership accountable. Military personnel are required to report every kind of domestic violence. As stated once before, every hit, kick, slap or push is recorded with the military. Brenda Ford stated, “with this kind of reporting system, it may appear that the Army is a hot bed for domestic violence, or is overreacting. However, this contributes to the effectiveness in preventing abuse in the Army. The civilian sector does not have the kind of reporting system that the Army has established. The civilian sector relies heavily on shelters and police reports. Therefore, the civilian sector will not record every push, slap or hit that occurs.”

Dr. Wendy Verhoek-Oftedahl stated, “some states rely on court reports or

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medical documents or a blend of both." Thus, the weakness with the civilian sectors form of reporting is that if the slap, hit or push does not reach the courtroom or the hospital it will never be reported. Every act of violence gets reported within the Army system.

One drawback to FAP is the policy that the commander can only make treatment mandatory for the soldier. Civilian spouses cannot be ordered to attend treatment programs sponsored by FAP. This indeed could have some impact upon the couple’s progression, if the civilian spouse decides not to participate in the program. Perhaps the most important drawback to the FAP program is that it is not 100% confidential. It is mandatory that the FAP report every incident of abuse. This may in turn keep soldiers from seeking the help that they so desperately need.

The Role of the Commanding Officer

As it was stated earlier, the FAP is the commander’s program. The commanding officer is unique in his or her position. If a soldier is enrolled in a treatment program the commander will be abreast of the soldier’s progress. A soldier’s commanding officer can intrude upon his or her personal life, unlike a supervisor in the civilian sector.

In a domestic violence case, an installation commander has the authority to remove an entire family from government quarters if measures call for it. If the husband of the soldier is a civilian the perpetrator can be barred from the military installation as well as ordered to stay away from his family; however, off base the commander has no

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authority over the civilian spouse. Also, a soldier suspected of committing spousal abuse may be placed into pretrial confinement in order to prevent the soldier from committing further serious criminal acts. Furthermore, the commanding officer has the authority to bar a soldier from reenlisting. Commanders are in a perfect position to help prevent and treat domestic violence by simply keeping their eyes and ears focused on soldiers' behavior and suggesting the use of prevention tools provided by the FAP.

Department of Social Work Services

One program that plays a vital role in keeping commanders informed as well as treating soldiers who are involved in domestic violence disputes is the Department of Social Work Services (DSW), which is a component of the Army Family Advocacy Program. The Department of Social Work Services on every Army installation offers a number of services for active duty soldiers, retirees and family members who have experienced domestic violence problems, including marital and individual counseling, stress and anger management classes, classes on conflict resolution and support groups for men, women, and children. The DSW does the real counseling work for the installation, but it reports directly to the commander.

According to Brenda Ford, group counseling is one of the most effective tools used by the DSW: "The focus of group counseling is to change the behavior. We believe that if we can change the behavior, we can stop the cycle of violence. We may not be able to change their values and beliefs, but we do believe that we can change behavior."

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70 Brenda F. Ford interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.
The group sessions give couples an opportunity to participate with other couples that are dealing with the same issues. While involved in such counseling, couples are taught effective communication skills. If couples are taught how to communicate effectively, the hope is that conflict will reduce between partners. Also, DSW offers other treatment programs such as individual counseling, marriage enhancement workshops, financial planning and classes on conflict resolution.

While the Department of Social Work Services must keep the commander informed, it only has to mention how the soldier is progressing or not progressing. The counseling sessions are by and large private. In this way, DSW can act much like civilian agencies that protect patients' anonymity. There are, however clear limits to this, if the soldier reveals a violation of the law, or something that might adversely impact the soldier's ability to accomplish the mission, then DSW is required to inform the command.

The ultimate objective of the Family Advocacy Program and the Department of Social Work Services is to ensure that soldiers, family members, and individuals are healthy and no longer subject to victimization. As journalist Amy Stover argues, “Therefore, regardless of whether an individual comes to DSW via an individual, self, command or referral from a variety of agencies, the staff at DSW makes every effort to provide prompt, responsive and sensitive support to every client.”\(^7\) It is important to remember that soldiers can refer themselves to DSW for treatment or they can be command referred. When a soldier refers himself it shows that he is willing to take the

necessary step in order to address his problem. The soldier is taking the initiative and is not being forced by his command.

Finally, in regard to those counselors that work for DSW, every counselor is required to update their certification annually. Also, each counselor receives annual training at the Family Advocacy Staff Course (FAST) and the Family Advocacy Staff Training Advance Course (FASTA). In addition, those members of the Case Review Committees, such as the chaplain, criminal investigation unit (CID) personnel, and military police are required to attend the FAST and FASTA training.

Case Review Committee

The Case Review Committee is a tool that is used to ensure that soldiers and family members involved in domestic violence incidents receive the best appropriate treatment. The Case Review Committee (CRC), which is a multi-disciplinary committee, discusses the cases and decides what treatment should be administered. The members who serve on the CRC include a representative from the department of social work services, the installation chaplain, a representative from the staff judge advocate office, family advocacy program manager, the department of drugs and alcohol, military police, the criminal investigative unit (CID) and a physician. In most cases, the chief of social worker services serves as the chair of the case review committee, as well as the primary point of contact to unit commanders.

The CRC meets on a monthly basis. It is the duty of the Case Review Committee to identify the needs of the soldier and recommend appropriate treatment and inform the commander of the soldier’s progress. Immediately upon receiving a report of an incident, the severity of the violence and the safety of the victim are assessed and the Case Review
Committee has the difficult task of determining whether a case is substantiated or unsubstantiated. A case is found unsubstantiated when the information is insufficient to determine that the abuse occurred. When assessing the severity of spouse abuse, the Committee refers to the Spouse Abuse Matrix. (See Appendix C)

The Spouse Abuse Matrix helps the committee match the level of the treatment with the severity of the incident. Depending on the severity of the incident the treatment could be long term or short term. Long-term treatment may be six months to a year. The Spouse Abuse Matrix indicates the levels of abuse that range from one to five, with level five being the most severe. The committee will ensure that the unit commander is advised of the status of cases involving soldiers and their family members.

Based upon the severity of the case the CRC can make a number of recommendations to the commanding officer, including that a soldier be denied reenlistment. The CRC also monitors the progress of victims every month. In the interest of a soldier who is transferring from one installation to another, the committee can refer a family in treatment to the gaining installation.

Army Community Service

The Army Community Service (ACS) assists commanders in maintaining the readiness of individuals, family and communities within the Army by developing, coordinating, and delivering services, which promote self-reliance, resiliency, and stability during war and peace.\(^2\) Also, ACS works with the Family Advocacy program to educate soldiers and family members about domestic violence. The Army Community Service offers prevention programs relating to anger management and stress

\(^2\) [http://www.goacs.org](http://www.goacs.org)
management, marital enrichment, as well as courses to improve parenting skills. Furthermore, the Army Community Service provides services beyond FAP, such as Army Family Team Building (AFTB), Army Emergency Relief (AER), and the Exceptional Family Member Program (EFMP). These programs assist soldiers who encounter emergency financial problems as well as family members who may have special medical needs.

Army Central Registry

Another system in place to protect victims of spousal abuse is the Army Central Registry (ACR). When a review is complete, case information is forwarded to the ACR, a confidential computer data base that records substantiated cases of spouse abuse. LTC Freeman stated, "If a person becomes a victim, the victim’s name is placed on the central registry. The data placed on the Army Central Registry includes the type of maltreatment, source of case referral, substance involvement (if any), the location of victim’s residence, where the incident took place and social history. This is to help prevent a victim from becoming a victim of another violent relationship."73 The Case Review Committee provides the names of the victims that appear on the Army Central Registry. The victims name may stay on list for several years. Again, this is used as a protective measure. Both civilians and military victims are placed the ACR.

These agencies of intervention, prevention, and education all work within the Army chain of command to prevent and respond to domestic abuse. In doing so, they have a certain amount of autonym and initiative in dealing with problems and they give commanders the help they need in developing their own practices. There are, however,

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73 LTC Dexter Freeman, Interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.
limits to their scope when it comes to violations of the law. These limits are similar to those encountered by civilian agencies, but because of the nature and function of military law, the outcomes can be different.

The Law

The Uniform Code of Military Justice

In the United States, there are three types of legislative jurisdiction existing on Army Installations, the Exclusive Federal Legislative Jurisdiction, the Concurrent legislative jurisdiction and the Proprietary interest. It is under the exclusive federal jurisdiction that prosecution occurs under the Uniform Code of Military Justice (UCMJ) if the accused is military. The Uniform Code of Military Justice (UCMJ) is the regulation that governs the conduct for all military personnel. (see Appendix D)

Spousal abuse is a crime under military law as well as under the civilian law. In the military system anyone has the right to bring to the attention of military chain of command, a suspected violation to have been committed by a service member. Thus, if a wife has been abused, she can file charges against her husband. “When charges are initiated, they are ordinarily forwarded to the service member’s immediate commander for investigation. The commander must make, or cause to be made, a preliminary inquiry into the charges or the suspected offense.” Also, it must be stated that, as in many military cases, the commander has the discretion to drop the charges, if he or she feels led to do so. Thus, this kind of law is shaped very much by the discretion of the commander.

Depending on the severity of the crime, criminal prosecution may be the best

option. Under the Uniform Code of Military Justice, there are several punitive articles that refer to spousal abuse. Some of the articles stated in the UCMJ are not directly related to spouse abuse, but could be applied to criminal prosecution relating to spousal abuse. Those punishable offenses are physical abuse, communicating a threat, and sex offenses.

Certainly, physical assault is a crime. The Uniform Code of Military Justice addresses the crime assault. The UCMJ defines assault as a means of force likely to produce grievous bodily harm, which is intentionally inflicted. Also, crime of manslaughter and the intent to murder are covered by the articles of the UCMJ.

Further, communicating a threat is an offense covered under the UCMJ. Communicating a threat can get a soldier up to three years confinement and a dishonorable discharge. In a case of sex offense, outlined in article 120, the UCMJ does not address the crime of rape within the marriage. "In jurisdiction where such charges can be maintained, resources to the civilian courts may be the only alternative. While a rape charge cannot be brought against a husband, forcible sodomy charge might be brought against him."75 The articles of UCMJ do provide a means by which to prosecute those soldiers who abuse their spouse.

Lautenberg Amendment

Beyond the letter of the law, convictions can carry various broad consequences. Family violence can be a career stopper. On May 21, 1999 a policy was initiated, which "prohibits any soldier who has been convicted in court of a misdemeanor crime of domestic violence from having access to or possessing firearms or ammunition. Since

75 Ibid.
this policy affects a soldier’s capacity to handle or fire a weapon, it means that soldiers cannot undergo weapons qualifications or be deployed."\textsuperscript{76} Also, soldiers who have been convicted of a misdemeanor would be barred from re-enlisting.

This Department of the Army policy was initiated because of the Lautenberg Amendment to the Gun Control Act of 1968, which became U.S. law in September 1996. This law makes it a felony for any persons who has been convicted of a misdemeanor crime of domestic violence to ship, transport, possess or received ammunition or firearms.\textsuperscript{77} This policy applies to all soldiers as well as Department of Defense civilian employees. "The percentage of convictions are probably very low, because most cases result in fines."\textsuperscript{78}

Now, in regard to state laws concerning domestic abuse, laws differ from state to state. One of the most important changes that has come about as states have modified or enacted laws specifically addressing domestic violence is the exception to the usual requirement that a police officer must witness a misdemeanor in action to make an arrest.\textsuperscript{79} Today, many states have mandatory arrest laws, which allow police officers to arrest the abuser, if in their judgment abuse has taken place.

How do military and civilian laws work together? If an incident takes place on a military installation, the military personnel will have authority. If the incident happens


\textsuperscript{77} Ibid.

\textsuperscript{78} Brenda F. Ford interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.

\textsuperscript{79}Ibid., 144.
in the local town, the civilian authorities will take the lead in the case. A military installation is federal property; therefore there maybe situations which the FBI may get involved. If a civilian commits a severe domestic violent crime on federal property, the FBI can come in and take the lead. Jurisdiction depends upon where the incident takes place.

Summary of the Chapter

This chapter has analyzed and explored those programs and policies that the Army has in place to combat the problem of spousal abuse. They include FAP, DSW, CRC, ACS, Lautenburg Amendment and UCMJ. With the military system the Lautenburg Amendment and UCMJ are the laws that governs soldiers committing the crime of spousal abuse.

The commander, because of his or her unique position can intrude in a soldiers’ personal and professional life if spousal abuse is believed to have taken place using the above programs. On one hand it is good to have the commander involved in the personal lives of his soldiers, because it shows that he cares for the well being of his soldiers. On the other hand, it can be a complicated process, because others do have to get involved in cases such as domestic violence, such as FAP, ACS and DSW.

All military personnel, including soldiers, airmen, sailors and marines must obey the articles of the Uniform Code of Military Justice. Further, soldiers must obey the civilian laws as well. The Lautenburg Amendment to the Gun Control Act can definitely have impact upon a soldiers’ military career if he is convicted in civilian court of law for spousal abuse. Any soldier who has been convicted of a crime of domestic violence is
prohibited from having access to a firearm. In reference to state laws regarding domestic violence, the laws differ from state to state.
CHAPTER 4

Conclusion

In Chapter Two this thesis introduced and examined those demographics, that were unique to Army soldiers, which can combine to make domestic violence an ongoing concern in the Army. Some of those demographics included constant family separation, frequent moves, force reduction and isolation. Chapter Three explored those programs that the civilian sector and the Army have in place to address the problem of spouse abuse. Those programs in the Army fall under the umbrella of the Army’s Family Advocacy Program, which is a directive of the Department of Defense. This concluding chapter will explore the role of the chaplain in regard to the issue of confidentiality and conclude with final remarks.

The Role of the Chaplain

Undoubtedly, the Army must continue to assure spouses that there is nothing to fear when making it known to the command that their husbands are abusive. In other words, the commanders, physicians, and social workers must continue to protect the privacy of the victims and also assure them that action will be taken. Of course there are no guarantees. Marital troubles can sometimes have a negative impact upon a promising career. On an Oprah Winfrey show, which aired in October 2002, many of the Army spouses who were interviewed
indicated that they were afraid to come forward due to the fear of repercussions. The repercussions could include further abuse, adverse impact on their husband’s career progression and ostracism. “Some of the spouses who were interviewed on the Oprah Winfrey show stated they were reluctant to report spousal abuse because it might hinder their husband’s career.”

When a spouse has concerns such as these in deciding to report abuse, the chaplain’s role and confidentiality become paramount. Fearing that word may get back to his or her commanding officer, some soldiers might be reluctant to seek counseling. Spousal abuse can become a career stopper for a soldier seeking a position that requires a top-secret clearance, or other critical assignments such as a drill sergeant or recruiter. This situation relates directly to the role of the chaplain.

Army regulation 608-18 states that every soldier, employee and member of the military community is obligated to report information about known and suspected spousal abuse to the chain of command. However, in FM 16-1 Religious Support Doctrine states:

that any communication to a chaplain as a formal act of religion or as a matter of conscience, that is, any communication that is made in confidence to a chaplain as a spiritual advisor, and that is not intended to be disclosed to third persons other than to whom disclosure furthers the purpose of the communication, or those reasonably necessary for the transmission of the communication is considered confidential.

The privilege against disclosure belongs to the penitent. A chaplain may not disclose the content of the communication without express consent of the person.

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to whom the privilege belongs. When deciding whether or not to disclose confidential information, chaplains rely on the tenets of their faith, the provisions of their ordinations, their individual consciences, and Army regulation. Accordingly, the chaplain must know and understand the legal obligation to disclose information; failure to do so may result in punitive action. The space between law and conscience makes it difficult for chaplains to draw clear boundaries. Often the two are intertwined. In other words, in matters of spousal abuse, faith and conscience can collide head on with regulation.

Every day a chaplain faces the messy reality of life. The Army chaplain plays an important part in maintaining the spiritual health of soldiers and their families. Through counseling, the chaplain helps soldiers handle stress and enhances the soldiers’ spiritual well-being. I have personally counseled soldiers on a range of issues including domestic violence. The chaplain’s ability to provide effective pastoral care to soldiers and family members may be strongly determined in part by how careful he handles confidential information. In order to be a good pastor, soldiers must be able to trust the chaplain.

The statistics in Chapter Three from the Fort Hood Social Services suggest that there are ways to reveal the truth, in some cases without violating religious vows. For instance, if a soldier has confessed a crime of abuse to a chaplain as spiritual advisor, then the chaplain as spiritual advisor should try to show the soldier that it is in his best interest to seek professional counseling. Again, LTC Dexter Freeman, who is the Chief of Social Work Services assigned to Fort Hood, Texas, argues that no matter what, if a chaplain is aware of a case of spouse abuse
or child abuse, the chaplain should immediately report it to the proper authorities.

LTC Freeman referred to Army Regulation 608-18 as it speaks about the issue of confidentiality. The content of a report made by a confidential source may be disclosed only in accordance with applicable laws and regulations. If a social worker or physician is aware that abuse is taking place, they are required by law to report it. However, many chaplains and civilian clergy believe that this requirement to share confidential information, in regard to abuse or any other sensitive information violates their pastoral rights and obligations. Further, LTC Freeman argues that, chaplains should reexamine their position on this issue of confidentiality. As far as civilian law, it differs from state to state on the issue of confidentiality. For example, the laws states in South Carolina:

In any legal or quasi-legal trial, no regular or duly ordained minister, priest or rabbi shall be required in giving testimony, to disclose any confidential communication properly entrusted to him in his professional capacity and necessary and proper to enable him to discharge the functions of his office according to the usual course of practice or discipline of his church or religious body. This prohibition shall not apply to cases where the party in whose favor it is made waives the rights conferred.

Also, the Law of Hawaii states the following:

a) Definitions. As used in this rule:
   (1) A "clergyman" is a minister, priest, rabbi, Christian Science practitioner, or other similar functionary of a religious organization, or an individual reasonably believed so to be by the person consulting him.

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81 Army Regulation 608-18, *The Army Family Advocacy Program*, Headquarters, Department of the Army, Washington, DC, September 1995, 1

82 LTC Dexter Freeman, Interviewed by James Palmer, Jr., 24 May 2003, Department of Social Work Services, Fort Hood, Texas.

(2) A communication is "confidential" if made privately and not intended for further disclosure except to other persons present in furtherance of the purpose of the communication. The laws regarding South Carolina and Hawaii were provided to show that laws do vary from state to state. This also shows the precarious position the chaplain is placed in when making judgments of conscience.

The subject of confidentiality is an extremely important issue, especially if a case of domestic violence goes to court. The U.S. v. Benner provides an example as to the sensitivity of this issue. On 30 August 2002, the United States Court of Appeals for Armed Forces issued an opinion interpreting the military rule of evidence and AR 165-1, as they pertain to confidentiality. The ruling hinges on the issue of whether a chaplain, upon hearing a confession, has the duty to report child abuse. A soldier, while stationed in Germany, committed "indecent acts" on his stepdaughter while his wife (her mother) was hospitalized. The child reported the incident to her mother; soon after the wife left the soldier, returning to the United States, telling him to get help. She did not report the incident to military or civil authorities. Two months later, the soldier visited the Chaplain on a Sunday evening. The initial conversation centered on forgiveness and remorse. The chaplain's role here is as spiritual advisor discussing a matter of conscience. The chaplain then informed soldier that he "might" have an obligation to report this incident. They made an appointment for the next morning. Before this appointment, the Chaplain contacted Family Advocacy. Family Advocacy gave him an inaccurate answer, according to their regulation

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84 Ibid.
(AR 608-18, *The Army Family Advocacy Program, Appendix E-5.*) The chaplain was led to believe that he was obligated to report the crime.

After consulting with Family Advocacy, the chaplain informed the soldier that as a chaplain it was his duty to report the illegal act, however things would go easier if the soldier confessed. The chaplain accompanied the soldier to the Military Police station, where he informed the Desk Sergeant that he had a soldier with him who wanted to confess to an "improper relationship" with his child. Immediately, the Criminal Investigation Command (CID) read the soldier his rights, and the soldier proceeded to give a confession. Before his court martial, and subsequently on appeal, the soldier sought to suppress his confession on the basis that his confession was not voluntary. The soldier claimed the chaplain coerced him to confess. Nevertheless, on the basis of the soldier’s confession, the soldier was convicted and sentenced to a Dishonorable Discharge (DD), 6 years imprisonment, reduction to E-1, and total forfeiture of benefits.

The Army Court of Criminal Appeal sustained the conviction. The court acknowledged that there was a breach of confidentiality, but that it was "minor" and found that the chaplain's actions were not coercive. The court did, however, acknowledge the value of privileged communication. The *U.S. vs. Benner* case is a reminder that certain relationships are to be valued and the privacy of these relationships is important to maintaining the fabric of society. Of course this creates a problem. Sometimes allowing the privacy of a relationship can cause or aggravate harm. Do you allow privacy and the harm that ensues, or do you force

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disclosure and the harm to not only the particular relationship, but also all relationships of the same kind?

Some chaplains belong to a faith group whose doctrine of confession contradicts the law, such as the Catholic Priest. There are those who value the Priest’s penitent privilege. If this is so, then someone may get away with a crime, because the priest is not allowed to disclose. If a priest is forced to disclose, and the word circulates, people will not confide in that priest anymore. Chaplain Lyons summed it up this way, “the point is that we as clergy, see privacy in counseling as theological concern. Society in general, however sees it as legal issue.”

Certainly, this issue of confidentiality is a delicate matter. In the end, it appears that each individual chaplain must listen and follow the direction of his conscience. As ordained ministers of their faith group, chaplains made a promise in which they swore to uphold certain sacred vow as pastors, no matter what.

Another issue pertaining to the role of the chaplains relates to the level of expertise and training. Chaplains as well as DSW must keep in mind that chaplains are not social workers. There comes a time throughout the process that chaplains must realize that some domestic problems are beyond their level of training. If a chaplain has not had the proper training he could do more harm than good. So, it is extremely important that chaplains know when a situation is beyond their professional level. In many cases of domestic violence long term treatment is required and chaplains may not be in a position to provide proper care.

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and treatment. The chaplain has a very important role in caring for soldiers and their family members. The chaplain can refer soldiers to the Department of Social Work Services or the Army Community Services. The Chaplain and the Family Advocacy Program work as a team to provided the best care possible for soldiers and their families.

There are other ways that chaplains can assist in this area of spousal abuse. They can assist by creating programs that help to educate and prevent abuse among the soldiers to whom they provide pastoral care. Marital enrichment programs supported by chaplains can provide a great opportunity for ministering to soldiers. Through such preventive programs, the quality of communication and the healthy functioning of families can be raised dramatically. The strategic role of the chaplain is to assist in building bridges with commands, with mental health agencies and with the community volunteer groups to give voice to the concerns and needs of soldiers and their families. Chaplains have an obligation to raise the consciousness of the entire military community to the values and possibilities of family life.

It is imperative that all military chaplains cooperate not only with each other, but also with community groups in and out of the military, to provide a vibrant ministry to soldiers and family members. Chaplains must help to establish trust, offer support, and encourage non-violence and present available problem solving options, which can prevent stressful and violent situations. The Army chaplain has the responsibility to protect the victim from further abuse and help restore the family relationship or mourn the loss of the relationship.

Concluding Remarks

Information from multiple resources including the library (books,
newspaper and magazines), the Internet, military and civilian experts, and the Army Family Advocacy Program (FAP) confirm that, while abuse is a problem in civilian society and the military, it takes on a particular profile in the military. One does not have to look any further than the evening news, *60 Minutes* or The Oprah Winfrey show, to obtain a graphic view of the extent of spousal abuse. The abuse ranges from the murder of spouses after returning from deployment to the more subtle, but still devastating emotional and psychological abuse. The factors that contribute to the abuse range from alcohol to emotional instability on the part of the abuser.

How exactly is the Army addressing the problem of spousal abuse? In light of recent events and media exposure, the Army has heightened awareness and dedicated more resources to preventing and treating abuse. The Family Advocacy Program is the umbrella agency for social, legal, medical, and psychological services. With more and more cases of abuse, the Army is increasing the number of professionals who specialize in handling abuse issues.

The Chaplain's Corps is another resource that has had to extend its boundaries to bridge treatment and prevention programs for abuse. The Chaplains Corps offers programs that are designed to address the entire family, because abuse affects everyone in the family. Every Army installation has a Family Life Chaplain who is responsible solely for family counseling.

The Army has done a moderately good job in dealing with spousal abuse.
However, it was not until the media spotlighted several severe cases that the Army began to look as specifics. It was unspoken but widely known, for example that some spouses feared repercussions from an abusive soldier when it came to promotions. The Army has now made the reporting system more victim friendly. Overall, I believe that the Army has taken great strides, but there is still a great deal of work to be done in making spousal abuse nonexistent or as minimal as possible.
APPENDIX A

Statistical Data on Permanent Change of Station Moves
MILITARY PERSONNEL

Longer Time Between Moves Related to Higher Satisfaction and Retention
Briefing Section I: Permanent Change of Station Moves

Average Duration of PCS Tours During Career

The 1999 Department of Defense (DOD) personnel survey asked respondents to indicate how many permanent change of station (PCS) moves they had made during their active duty careers. We took their response to this question and divided it into the number of years of service they reported. This gave us a measure of the average length of the PCS tours they have had. Since the response alternatives on the question on the number of PCS moves grouped all moves in excess of 10 into a "10 or more" category, our constructed measure tends to produce a somewhat higher estimate of average tour length for personnel with high years of service than such personnel actually experienced.

The average time between PCS moves was about 2 years. About 20 percent had an average tour length of only 1 year or less, while about 9 percent averaged more than 4 years per PCS tour.
Average Duration of PCS Tours During Career by Family Status

- Married, with dependents: More than 4 years (12), 3-4 years (16), 2-3 years (11), 1-2 years (8), 1 year or less (4)
- Not married, with dependents: More than 4 years (11), 3-4 years (16), 2-3 years (11), 1-2 years (8), 1 year or less (4)
- Married, no dependents: More than 4 years (12), 3-4 years (16), 2-3 years (11), 1-2 years (8), 1 year or less (4)
- Not married, no dependents: More than 4 years (11), 3-4 years (16), 2-3 years (11), 1-2 years (8), 1 year or less (4)

The average time between PCS moves varied by family status. Those who were unmarried and had no dependents tended to have shorter PCS tours than those who were married and had dependents. The reason for this pattern is not clear. Since the bulk of those who are not married and have no dependents are in the early stages of their careers, their PCS moves may include more training tours, which tend to be shorter than operational tours. Also, those who have dependents may have purposely sought tours that would provide their families with more stability.
Average Duration of PCS Tours During Career by Pay Grade Group

The average time between PCS moves varied by pay grade. Among enlisted personnel, those who were more junior (E4 or below) tended to have shorter average PCS tours. Again, this is likely due to a disproportionate number of shorter training school assignments in the early career stages. Mid-grade (E5-E6) and senior noncommissioned officers (E7-E9) tended to have the longest average PCS tour lengths. Among the officers, junior officers had a shorter average tour length than senior officers. Again, their PCS history is likely to include a disproportionate number of training assignments relative to operational assignments.
APPENDIX B

Family Advocacy Program Organizational Chart
APPENDIX C

Spouse Abuse Matrix
# Case Management

- Assessment
- Treatment
- follow-up

## Spouse Abuse Matrix

<table>
<thead>
<tr>
<th>Levels of Abuse</th>
<th>Intent of Intervention</th>
<th>Clinical Intervention</th>
<th>Command Intervention</th>
</tr>
</thead>
</table>
| **Level One**   | This level acknowledges that there are: (1) rare cases of substantiated incidents of spouse abuse where the offender acted in a way that is uncharacteristic of his/her general behavior in the relationship and where both partners enjoy relative autonomy and freedom from coercion or threats within the marriage; and (2) cases where the offender in a specific incident is or has been the ongoing victim of violence or threats in the relationship and in this incident used violence that went beyond self-defense. The intervention at this level is to assist a soldier with good career potential. A counseling session with the immediate unit supervisor is designed to be supportive of the soldier. Clinical counseling session is intended to deal with situations related to the incident and determine ongoing service needs of family members. | May include one or more of the following:  
- One or more individual counseling sessions for the offender.  
- Treatment provided for victims and/or family members as clinically indicated  
- Provide special services to alleviate stress or conflict if needed.  
- Consider safety planning.  
- Command notified if the soldier and/or spouse is non-compliant with recommended treatment.  
- Consider referral to the Victim Advocate. | Command Options include:  
- IAW AR 608-18, 1-7 (b), page 3-4, unit commanders will support and comply with CRC recommendations to the maximum extent possible. Provide nonconcurrency with the CRC treatment recommendations in writing through the chain of command to the MTF commander.  
- Command Intervention should not be career threatening.  
- Soldier verbally counseled by the 1SG/CO. |

**Physical Abuse:** No pattern of physical force, coercion or intimidation by offender; single incident that is situation-specific with no visible injury to victim.

**Non-physical Abuse:** No pattern of ongoing attempts by offender to control partner through emotional abuse, isolating tactics, and economic or other restrictions.

Offender is not minimizing or denying the incident.

**Risk:** No identifiable risk to victim of ongoing or increased use of force and/or non-physical abuse.

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**Note:** Corresponds to Appendix B, Section 9, B-1, Mild Spouse Abuse, AR 608-18, 1 SEP 95, Page 40.
### Spouse Abuse Matrix

<table>
<thead>
<tr>
<th>Levels of Abuse</th>
<th>Intent of Intervention</th>
<th>Clinical Intervention</th>
<th>Command Intervention</th>
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</thead>
<tbody>
<tr>
<td><strong>Level Two</strong></td>
<td></td>
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<td></td>
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</tbody>
</table>
| Physical Abuse: | At this level the violence could escalate if the offender does not participate in an intervention process. Command intervention should be non-crisis threatening for those who participate in a treatment program. The intent at this level is to assist the soldier with good career potential. Treatment can be a good economic investment. Treatment is geared toward correcting the offender's pattern of abuse. | a. Offender participates in an intensive short-term treatment program.  
b. Treatment provided for victims and/or family members as clinically indicated.  
c. Actively monitor the case for a minimum of 3 months following the completion of treatment.  
d. Consider referral to the Victim Advocate.  
e. Command notified if the soldier and/or spouse is non-compliant with recommended treatment.  
f. Establish and document a safety plan.  
g. Subsequent incidents of a same or greater risk and/or severity may require reassessment and for modification of the treatment plan. | Command Options Include:  
a. IAWAR 608-18, 1-7 (b), page 3-4, unit commanders will support and comply with CRC recommendations to the maximum extent possible. Provide nonconcurrence with the CRC treatment recommendations in writing through the chain of command to the MTF commander,  
b. The commander may restrict the soldier to the barracks.  
c. Soldier receives written counseling statement from SG/CO.  
d. Command intervention should not be career threatening as long as the soldier completes the recommended treatment. |
| Non-physical Abuse: |  |  |  |
| An emerging pattern of verbal intimidation (instilling fear), pattern of isolation and/or economic restrictions (discourages victim's autonomy), pattern of emotional and/or psychological put-downs/insults (eroses victims dignity/self-esteem), sporadic insults - emotional abuse. |  |  |  |
| Offender does not have a history of more extreme abuse in previous intimate relationships and accepts some personal responsibility for his/her actions. |  |  |  |
| **Risk:** Minimal risk to victim without intervention. |  |  |  |

**Note 1:** Corresponds to Appendix B, Section 9, B-2, Moderate Spouse Abuse, AR 608-18, 1 SEP 95, Page 40.

**Note 2:** At each level, follow-up studies may be conducted in a percentage of cases to determine success of intervention.
## Spouse Abuse Matrix

### Levels of Abuse

<table>
<thead>
<tr>
<th>Level Three</th>
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<tbody>
<tr>
<td><strong>Physical Abuse:</strong> An established pattern of physically coercive and intimidating actions such as pushing, shoving, restraining, or grabbing. An assault resulting in injury to the victim. Physical coercion to engage in unwanted sexual activity. Physically abusing a spouse when pregnant.</td>
</tr>
<tr>
<td><strong>Non-Physical Abuse:</strong> An established pattern of placing the victim in fear for his/her own physical safety. An established pattern of isolation, emotional abuse and/or economic control of the victim, i.e., limiting access to telephones, transportation, child care, mail or other services and imposing limited input about family economics. Frequent use of insults and put-downs, criticism. Reprisals for reporting or seeking help. Threat to harm the victim, victim’s family, or pets. Damaging or destroying property with the intent to intimidate. A previously substantiated Level 1 or 2 offender.</td>
</tr>
<tr>
<td><strong>Risk:</strong> Moderate ongoing risk to victim without intervention.</td>
</tr>
</tbody>
</table>

### Intent of Intervention

At this level, a combination of sanctions that constitute punishment and rehabilitation is the best deterrent. Two critical tasks are to assess danger to the victim and determine if the soldier has further career potential.

### Clinical Intervention

- a. Offender participates in an intensive treatment program of at least 3 months in length.
- b. Treatment provided for victims and/or family members as clinically indicated.
- c. Actively monitor the case for a minimum of 3-6 months following the completion of treatment.
- d. Command notified if the soldier and/or spouse is non-compliant with the recommended treatment.
- e. Establish and document a safety plan to include shelter options.
- f. Recommend referral to the Victim Advocate.
- g. Subsequent Incidents of a same or greater risk and/or severity may require reassessment and/or modification of the treatment plan.

### Command Intervention

**Command Options Include:**

- a. IAW AR 608-18, 1-7 (b), page 3-4, unit commanders will support and comply with CRC recommendations to the maximum extent possible. Provide nonconformity with the CRC treatment recommendations in writing through the chain of command to the MTF commander.
- b. The commander may restrict the soldier to the barracks.
- c. The commander should evaluate the soldier’s career potential and retention on active duty.
- d. The commander should consider non-judicial punishment and/or appropriate administrative action.

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**Note 1:** Corresponds to Appendix B, Section 9, B-2 & B-3, Moderate and Severe Spouse Abuse, AR 608-18, 1 SEP 95, Page 40.

**Note 2:** At each level, of follow-up studies may be conducted in a percentage of cases to determine success of intervention.
## SPouse Abuse Matrix

<table>
<thead>
<tr>
<th>Levels of Abuse</th>
<th>Intent of Intervention</th>
<th>Clinical Intervention</th>
<th>Command Intervention</th>
</tr>
</thead>
</table>
| **Level Four**  | At this level long term intervention is necessary to stop or reduce the abuse. Some soldiers at this level may not be candidates for rehabilitation. Command should assess for retention on active duty. | a. Participation in an intensive treatment program for offenders of at least 6-12 months in length.  
b. Treatment provided for victims and/or family members as clinically indicated.  
c. Actively monitor the case for a minimum of 6 months to 1 year following the completion of treatment.  
d. Command notified if the soldier/spouse is non-compliant with the recommended treatment.  
e. Refer to the Victim Advocate and/or Victim Witness Program.  
f. Establish and document a safety plan to include shelter options and coordinate appropriate safety measures with the command.  
g. Subsequent incidents of a same or greater risk and/or severity may require reassessment and/or modification of the treatment plan.  
| Corresponds to Appendix B, Section 9, B-3, Severe Spouse Abuse, AR 608-18, 1 SEP 95, Page 40. | Command Options Include:  
a. IAW AR 608-18, 1-7 (b), page 3-4, unit commanders will support and comply with CRC recommendations to the maximum extent possible. Provide nonconcurrence with the CRC treatment recommendations in writing through the chain of command to the MTF commander.  
b. Formal letter of reprimand.  
c. Battalion/Brigade level UCMJ action.  
d. Administrative separation.  
e. Notation in the soldier's OER/COER.  
f. The command should coordinate with the case manager appropriate action (protective measures) to insure the safety of the victim and family. |

**Note 1:** At each level, follow-up studies may be conducted in a percentage of cases to determine the success of intervention.
### Spouse Abuse Matrix

<table>
<thead>
<tr>
<th>Levels of Abuse</th>
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</tr>
</thead>
</table>
| **Level Five** | At this level take action to ensure the safety of the victim and all family members and punish, prosecute, and remove the offender from active duty. Successful rehabilitation of the offender is unlikely. | a. No Family Advocacy Program treatment for the offender.  
b. Supportive treatment and services for victims and family members to include referral to the Victim Advocate and Witness Programs.  
c. Command notification of severity of a subsequent incident.  
d. Establish and document a safety plan to include shelter options and coordinate appropriate safety measures with the command.  
e. Actively monitor the case through prosecution and/or separation from service. | Command Options Include:  
a. IAWAR 608-18, 1-7 (b), page 3-4, unit commanders will support and comply with CRC recommendations to the maximum extent possible, provide concurrence with the CRC treatment recommendations in writing through the chain of command to the MTF commander.  
b. Prosecution under the military and/or civilian court system.  
c. Separation from the service.  
d. The command should coordinate with the case manager appropriate action (protective measures) to ensure the safety of the victim and family. |

**Note 1:** Corresponds to Appendix B, Section 9, B-3, Severe to Fatal Spouse Abuse, AR 608-18, 1 SEP 95, Page 40.  
**Note 2:** At each level, follow-up studies may be conducted in a percentage of cases to determine the success of intervention.
APPENDIX D

References from the Uniform Code of Military Justice
(b) Any person subject to this chapter who negligently hazards or suffers to be hazarded any vessel of the armed forces shall be punished as a court-martial may direct.

911. ART. 111. DRUNKEN OR RECKLESS DRIVING

Any person subject to this chapter who operates any vehicle while drunk, or in a reckless or wanton manner, or while impaired by a substance described in section 912(a) of this title (article 112(a)), shall be punished as a court-martial may direct.

912. ART. 112. DRUNK ON DUTY

Any person subject to this chapter other than a sentinel or look-out, who is found drunk on duty, shall be punished as a court-martial may direct.

912a. ART. 112a. WRONGFUL USE, POSSESSION, ETC., OF CONTROLLED SUBSTANCES

(a) Any person subject to this chapter who wrongfully uses, possesses, manufactures, distributes, imports into the customs territory of the United States, exports from the United States, or introduces into or under the control of the armed forces a substance described in subsection (b) shall be punished as a court-martial may direct.

(b) The substances referred to in subsection (a) are the following:

(1) opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, penicillin, barbituric acid, and marijuana, and any compound or derivative of any such substance.

(2) Any substance not specified in clause (1) that is listed on a schedule of controlled substances prescribed by the President for the purposes of this article.

(3) Any other substance not specified in clause (1) or contained on a list prescribed by the President under clause (2) that is listed in Schedule I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

913. ART. 113. MISBEHAVIOR OF A SENTINEL OR LOOKOUT

Any sentinel or look-out who is found drunk or sleeping upon his post, or leaves it before he is regularly relieved, shall be punished, if the offense is committed during time of war, by death or such other punishment as a court-martial may direct, by if the offense is committed at any other time, by such punishment other than death as court-martial may direct.

914. ART. 114. DUELING

Any person subject to this chapter who fights or promotes, or is concerned in or connives at fighting a duel, or who, having knowledge of a challenge sent or about to be sent, fails to report the fact promptly to the proper authority, shall be punished as a court-martial may direct.

915. ART 115. MALINGERING

Any person subject to this chapter who for the purpose of avoiding work, duty, or service—

(1) feigns illness, physical disablement, mental lapse or derangement; or (2) intentionally inflicts self-injury, shall be punished as a court-martial may direct.

916. ART. 116. RIOT OR BREACH OF PEACE

Any person subject to this chapter who causes or participates in any riot or breach of the peace shall be punished as a court-martial may direct.
917. ART. 117. PROVOKING SPEECHES OR GESTURES

Any person subject to this chapter who uses provoking or reproachful words or gestures towards any other person subject to this chapter shall be punished as a court-martial may direct.

913. ART. 113. MURDER

Any person subject to this chapter whom without justification or excuse, unlawfully kills a human being, when he—

(1) has a premeditated design to kill,

(2) intends to kill or inflict great bodily harm,

(3) is engaged in an act which is inherently dangerous to others and evidences a wanton disregard of human life; or

(4) is engaged in the perpetration or attempted perpetration of burglary, sodomy, rape, robbery, or aggravated arson,

is guilty of murder, and shall suffer such punishment as a court-martial may direct, except that if found guilty under clause (1) or (4), he shall suffer death or imprisonment for life as a court-martial may direct.

919. ART. 119. MANSLAUGHTER

(a) Any person subject to this chapter who, with an intent to kill or inflict great bodily harm, unlawfully kills a human being in the heat of sudden passion caused by adequate provocation is guilty of voluntary manslaughter and shall be punished as a court-martial may direct.

(b) Any person subject to this chapter who, without an intent to kill or inflict great bodily harm, unlawfully kills a human being—

(1) by culpable negligence; or

(2) while perpetrating or attempting to perpetrate an offense, other than those named in clause (4) of section 918 of this title (article 118), directly affecting the person, is guilty of involuntary manslaughter and shall be punished as a court-martial may direct.

920. ART. 120. RAPE AND CARNAL KNOWLEDGE

(a) Any person subject to this chapter who commits an act of sexual intercourse with a female not his wife, by force and without consent, is guilty of rape and shall be punished by death or such other punishment as a court-martial may direct.

(b) Any person subject to this chapter who, under circumstances not amounting to rape, commits an act of sexual intercourse with a female not his wife who has not attained the age of sixteen years, is guilty of carnal knowledge and shall be punished as a court-martial may direct.

(c) Penetration, however slight, is sufficient to complete either of these offenses.

921. ART. 121. LARCENY AND WRONGFUL APPROPRIATION

(a) Any person subject to this chapter who wrongfully takes, obtains, or withholds, by any means, from the possession of the owner or of any other person any money, personal property, or article of value of any kind—

(1) with intent permanently to deprive or defraud another person of the use and benefit of property or to appropriate it to his own use or the use of any person other than the owner, steals that property and is guilty of larceny; or

(2) with intent to temporarily to deprive or defraud another person of the use and benefit of property or to appropriate to his own use the use of any person other than the owner, is guilty of wrongful appropriation.
(b) Any person found guilty of larceny or wrongful appropriation shall be punished as a court-martial may direct.

922. ART. 122. ROBBERY

Any person subject to this chapter who with intent to steal takes anything of value from the person or in the presence of another, against his will, by means of force or violence or fear of immediate or future injury to his person or property or to the person or property of a relative or member of his family or of anyone in his company at the time of the robbery, is guilty of robbery and shall be punished as a court-martial may direct.

923. ART. 123. FRAUD

Any person subject to this chapter who, with intent to defraud—

(1) falsely makes or alters any signature to, or any part of, any writing which would, if genuine, apparently impose a legal liability on another or change his legal right or liability to his prejudice; or

(2) utters, offers, issues, or transfers such a writing, known by him to be so made or altered, is guilty of forgery and shall be punished as a court-martial may direct.

923a. ART. 123a. MAKING, DRAWING, OR UTTERING CHECK, DRAFT, OR ORDER WITHOUT SUFFICIENT FUNDS

Any person subject to this chapter who—

(1) For the procurement of any article or thing of value, with intent to defraud; or

(2) For the payment of any past due obligation, or for any other purpose, with intent to deceive, makes, draws, utters, or delivers any check, draft, or order for the payment of money upon any bank or other depository, knowing at the time that the maker or drawer has not or will not have sufficient funds in, or credit with, the bank or other depository for the payment of that check, draft, or order in full payment, shall be punished as a court-martial may direct. The making, drawing, uttering, or delivering by a maker or drawer of a check, draft, or order, payment of which is refused by the drawee because of insufficient funds of the maker or drawer in the drawee's possession or control, is prima facie evidence of his intent to defraud or deceive and of his knowledge of insufficient funds in, or credit with, that bank or other depository, unless the maker or drawer pays the holder the amount due within five days after receiving notice, orally or in writing, that the check, draft, or order was not paid on presentment. In this section the word "credit" means an arrangement or understanding, express or implied, with the bank or other depository for the payment of that check, draft, or order.

924. ART. 124. MAIMING

Any person subject to this chapter who, with intent to injure, disfigure, or disable, inflicts upon the person of another an injury which—

(1) seriously disfigures his person by a mutilation thereof;

(2) destroys or disables any member or organ of his body; or

(3) seriously diminishes his physical vigor by the injury of any member or organ, is guilty of maiming and shall be punished as a court-martial may direct.

925. ART. 125. SODOMY

(a) Any person subject to this chapter who engages in unnatural carnal copulation with another person of the same or opposite sex or with an animal, shall be punished as a court-martial may direct.
Army Regulation 608-18. The Army Family Advocacy Program.


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Uniform Code of Military Justice


www.defenselink.mil
VITA

James Palmer, Jr.

James Palmer, Jr. was born in Fresno, California on June 9, 1965. He graduated from Petersburg High School, Petersburg, Virginia in June 1983. James Palmer, Jr. received the Bachelor of Science degree at Virginia Union University in 1988 in Business Administration. He received his Master of Divinity degree at Virginia Union University, School of Theology in 1991. He received his Doctor of Ministry degree at Regent University in 2003.

In August 2003, he entered the College of William and Mary as a graduate student in the Department of American Studies. James Palmer defended his thesis in May of 2004. He is currently working for the United States Army as a Chaplain.