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Female Veterans On the Rise

High Incidence of Assaults On Women in Military Stirs Demand for Disability Claims

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LOS ANGELES - At its first meeting, 42 women from the U.S. Vets transitional housing shelter showed up seeking assistance in filing disability claims at Inner City Law Center's legal clinic for female military veterans.

Inner City staffers Melissa Tyner and Jenna Hamerling were able to see only eight of the women that day because of the amount of detail and fact-checking each case requires.

"It is a ton of work for two attorneys," Tyner said. "It takes at least an hour for each intake."

Most of the women suffer from post-traumatic stress disorder, often the result of rape or sexual harassment while in service.

The problem has gained increasing public attention in recent years, in large part because of the growing numbers of women joining the military.

Of the 1.7 million troops deployed in the Iraq and Afghanistan wars, 190,000, or 11 percent are women, according to studies by the Department of Defense and the Department of Veterans Affairs.

By comparison, only 7,500 women participated in the Vietnam War, and most of them were nurses.

Recent studies show a third of female veterans say they were raped while in service. Moreover, the Pentagon estimates 80 percent to 90 percent of



Jenna Hamerling, left, Melissa Tyner and David Ackerly launched Inner City Law Center's legal clinic focusing on the legal needs of female veterans.

sexual assaults go unreported.

Part of the reason for the women's silence, the studies show, is the majority of attorneys and agents representing veterans traditionally have been men, making it difficult for many female veterans to seek assistance.

According to surveys, female veterans are four times less likely to seek help than their male counterparts.

The center hopes to remedy the situation by launching the first ever (as far as anyone can determine) legal clinic exclusively for female veterans and staffed by female attorneys.

The attorneys are specially trained to help veterans file disability claims with the Department of Veterans Affairs for assistance dealing with post traumatic stress disorder, often brought on by military sexual assault. The goal is to get the women a high enough disability rating, which would provide them with fully paid medical care, subsidized housing and monthly pensions of up to

\$2,600 tax free.

Tyner and Hamerling held the clinic's first intake earlier this month on the Long Beach campus of U.S. Vets, the largest private nonprofit provider of transitional housing and support services for veterans. The clinic will be open on the second Friday of every month. The next meeting is set for April 9.

The cases are particularly difficult to build because rarely is there evidence of direct sexual assault. The reports often are lost or never filed. The lawyers must look for things like sudden changes in behavior on an otherwise spotless record.

In some cases, a woman will have become pregnant or been treated at the time of the incident for a sexually transmitted disease.

A typical claim, and one Tyner began putting together before the clinic got under way, involves a woman who was sexually assaulted on three separate occasions in the 1970s. After her first assault, she beat up one of her assailants.

She was disciplined, which included a demotion in rank, a dock in pay and incarceration for up to 30 days. Although the woman could produce no physical evidence of the assault, she could offer a perfect service record up until, out of the blue, she beat someone up.

"The common story I hear most is that these attacks come from people they trust," Hamerling said. "These women, who entered the service as young women, some even under 18, say that these were people they saw as father figures, that they trusted. They knew their wives. They knew their children on base. These were people they would have no problem letting in their home, no problem being in closed offices with



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because there was this feeling of trust. "And those are usually their attackers."

All but one of the eight cases the lawyers saw during the first clinic day involved military sexual assault, or MST, Tyner said. All followed a similar pattern. The women were raped at least once or several times. They either reported it and were discounted or kept silent. After their discharge, they tried to cope with the trauma on their own. Many turned to drugs and alcohol and continued a downward spiral into homelessness.

The average age of the women coming to the Long Beach clinic is 50, Tyner said. The assaults occurred when they were in their 20s, and they kept it quiet for years.

Tyner said one theory as to why the lawyers haven't seen many younger veterans yet is that, like their older counterparts, they are trying to cope with the trauma alone. Or, they fall into the safety net of family and friends. She said it often takes a while for the trauma of war and abuse to surface. The sooner veterans seek help, the better, and the sooner the chances are of receiving benefits.

As more women are discharged from military service and try unsuccessfully to cope with post traumatic stress disorder, including MST, on their own, Tyner said she expects more will seek help.

That's where the legal clinic comes in.

For the past year, David Ackerly, the center's directing attorney, has been running a legal clinic at the Veterans Affairs campus in West Los Angeles, which sees both men and women. But, he said, he quickly realized that, as a man, he was not the ideal person to handle such sensitive issues as female rape. He began looking for a way to start a legal clinic exclusively for women veterans.

He found it with Tyner and Hamerling. Tyner, 25, a 2009 graduate of Whittier Law School, started working for the center in May. She took the Bar Exam in February and is awaiting the results.

Hamerling, 26, a UCLA School of Law graduate, started working for the center in November and was admitted to the Bar in December. She is a deferred associate from Morrison & Foerster, where she is scheduled to start in January 2011.

Tyner had developed an affinity for veterans in high school, where she won a statewide public speaking competition sponsored by the Veterans of Foreign Wars. Her sympathy for veterans' causes was fueled by a summer clerkship at Disability Rights California, where she witnessed the VA's refusal to treat a veteran diagnosed with brain cancer because the agency said it wasn't service-connected.

She wrote a couple of articles on veterans' rights for the Daily Journal, which caught the eye of another veteran advocate, Adam Siegler, of counsel to Greenberg Traurig. Siegler is a major in the U.S. Army Reserve and was deployed to Iraq in 2008-2009. He sits on the board of U.S. Vets.

"I had always wanted to do something to help women veterans and was so impressed with what Inner City was doing," Siegler said.

He introduced Tyner to U.S. Vets' board members. The organization's Long Beach facility had a built-in clientele at its women's shelter there. They thought the facility's communal room would be provide a safe environment to hold the legal clinic.

The center tries to keep as many cases as they can in-house. They hope to place others with pro bono attorneys. So far, the center has held three training sessions

at law firms to help get pro bono attorneys accredited to handle cases in veteran's court. The training includes a special emphasis on dealing with sexual trauma cases.

"One of the reasons for getting this clinic up and running now is not only to address the large numbers of women who have been sexually assaulted and are now coming forward, but to have in place something so that as more and more women come home from the current conflict, there is something here," Tyner said. "There is a place, a system for them to walk into that wasn't previously available for women coming out of the military.

"I'd love to see us getting more female pro bono attorneys, eventually expanding our own staff and training others to do the same work."

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