

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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WASHINGTON, DC 20515-6143

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<https://oversight.house.gov>

August 15, 2022

The Honorable Lloyd J. Austin III  
Secretary of Defense  
Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

The Honorable Christine Wormuth  
Secretary of the Army  
United States Army  
101 Army Pentagon  
Washington, D.C. 20310

The Honorable Carlos Del Toro  
Secretary of the Navy  
United States Navy  
1000 Navy Pentagon  
Washington, D.C. 20350

The Honorable Frank Kendall  
Secretary of the Air Force  
United States Air Force  
1670 Air Force Pentagon  
Washington, D.C. 20330

Dear Secretaries Austin, Wormuth, Del Toro, and Kendall:

We write to request information about how the Department of Defense (DOD) and the military services implement and conduct oversight of their respective Junior Reserve Officers' Training Corps (JROTC) programs to ensure that program leaders, instructors, and administrators are not able to abuse, harass, or otherwise victimize or exploit the cadets under their supervision. JROTC instructors serve as representatives of DOD and the military services on campus and in their local communities, and they are entrusted by their students to exemplify the military values they teach. Every incident of sexual abuse or harassment committed by a JROTC instructor is a betrayal of that trust.

As the United States Armed Forces struggle to attract qualified recruits to enlist and serve our nation in uniform, the military services must redouble their efforts to promote the safety, well-being, and academic and personal growth of our country's next generation of leaders, who will ultimately decide for themselves whether to pursue a career of military service.<sup>1</sup>

**Reports Indicate JROTC Cadets Vulnerable to Abuse by Instructors**

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<sup>1</sup> *Every Branch Of the Military Is Struggling to Make Its 2022 Recruiting Goals, Officials Say*, NBC News (June 27, 2022) (online at [www.nbcnews.com/news/military/every-branch-us-military-struggling-meet-2022-recruiting-goals-officials-say-rcna35078](http://www.nbcnews.com/news/military/every-branch-us-military-struggling-meet-2022-recruiting-goals-officials-say-rcna35078)); *US Army to Likely Miss Recruiting Goal of New Troops By Nearly 40,000 over the Next 2 Years*, CNN (July 20, 2022) (online at [www.cnn.com/2022/07/19/politics/us-army-recruiting-numbers-fall/index.html](http://www.cnn.com/2022/07/19/politics/us-army-recruiting-numbers-fall/index.html)); *With Few Able and Fewer Willing, U.S. Military Can't Find Recruits*, New York Times (July 14, 2022) (online at [www.nytimes.com/2022/07/14/us/us-military-recruiting-enlistment.html](http://www.nytimes.com/2022/07/14/us/us-military-recruiting-enlistment.html)).

Since its establishment in 1916, JROTC has offered young men and women an opportunity to pursue their high school diplomas while immersing themselves in military culture and strengthening their leadership skills. In Fiscal Year 2021, nearly 3,500 JROTC units were operational across all 50 states and in DOD schools overseas.<sup>2</sup> While there is no requirement for JROTC students to enlist in the military upon completion of the program, many cadets do ultimately choose to pursue a military career following graduation. As a result, students enrolled in JROTC programs reasonably trust that their instructors will protect them and ensure their well-being as any military officer is duty bound to do for the soldiers under his or her command.

Tragically, far too many JROTC instructors appear to be abusing that trust. According to an investigation by the *New York Times*, during the last five years, prosecutors have brought criminal charges against at least 33 JROTC instructors related to sexual misconduct or abuse involving students, contributing to a rate that the *Times* found was “far higher than the rate of civilian high school teachers.” The *Times* further reported that several other JROTC instructors “have been accused of misconduct but never charged.”<sup>3</sup>

According to the *Times* and other news reports, instances of alleged abuse of JROTC cadets by their instructors have occurred in JROTC programs across the military services. For example:

- In 2016, a Navy JROTC instructor pleaded guilty to one felony count of statutory rape after involvement with an underaged student in California. The judge did not require the instructor to register as a sex offender, citing his Naval service.<sup>4</sup>
- In 2018, an Air Force JROTC instructor was accused of sexually assaulting two high school students in North Carolina.<sup>5</sup> He later pleaded guilty to indecent liberties.<sup>6</sup>

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<sup>2</sup> Congressional Research Service, “*Defense Primer: Junior Reserve Officers' Training Corps*,” (June 15, 2022) (online at <https://sgp.fas.org/crs/natsec/IF11313.pdf>).

<sup>3</sup> “*I Felt Trapped*”: *Sexual Abuse of Teens in the Military's J.R.O.T.C. Program*, *New York Times* (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)).

<sup>4</sup> *Sweetwater Agreed to Pay \$2 Million to Former Student Abused by JROTC Teacher*, *Voice of San Diego* (Apr. 4, 2019) (online at <https://voiceofsandiego.org/2019/04/04/sweetwater-agreed-to-pay-2-million-to-former-student-abused-by-jrotc-teacher/>).

<sup>5</sup> *Air Force JROTC Instructor Charged with Sexual Assaults of 2 Girls*, *Air Force Times* (Sept. 20, 2018) (online at [www.airforcetimes.com/news/your-air-force/2018/09/20/air-force-jrotc-instructor-charged-with-sexual-assaults-of-2-girls/](http://www.airforcetimes.com/news/your-air-force/2018/09/20/air-force-jrotc-instructor-charged-with-sexual-assaults-of-2-girls/)).

<sup>6</sup> “*I Felt Trapped*”: *Sexual Abuse of Teens in the Military's J.R.O.T.C. Program*, *New York Times* (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)).

- In 2019, a JROTC instructor in Missouri pleaded guilty to two counts of second-degree assault and child endangerment for “repeatedly grazing a student’s body with a knife.”<sup>7</sup>
- In 2021, law enforcement officials arrested an Army JROTC instructor in Hawaii, alleging that he sexually exploited a JROTC cadet and created explicit videos of the student.<sup>8</sup>
- In 2022, a Marine Corps JROTC instructor in Washington was charged with sexually assaulting a 15-year-old student.<sup>9</sup>

Every incident of abuse or harassment committed by a JROTC instructor against a cadet is completely unacceptable and represents an abject betrayal of the trust and faith these young men and women placed in the U.S. Military, its culture, and its values.

### **DOD and Military Services Are Responsible for Integrity of JROTC Programs**

DOD and the military services are responsible for upholding the integrity of JROTC, designing its curriculum, certifying instructors, and ensuring the health and emotional well-being of enrolled cadets.<sup>10</sup> While DOD and the military services operate JROTC programs in coordination with the relevant state and local education authorities, schools that intend to establish a JROTC program must apply to DOD and agree to adhere to applicable DOD regulations and federal laws that dictate the standards by which they must maintain a JROTC unit.<sup>11</sup>

The military services are responsible for sponsoring and funding their respective JROTC programs.<sup>12</sup> Each service secretary is also responsible for certifying instructors; establishing military education curriculum and minimum performance standards; and providing each program with materials, equipment, uniforms, and access to transportation

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<sup>7</sup> *Former JROTC Instructor Pleads Guilty to Assaulting Student*, 13 KRCG (Apr. 11, 2019) (online at <https://krcgtv.com/news/local/former-jrotc-instructor-pleads-guilty-to-assaulting-student>).

<sup>8</sup> Department of Justice, *Former Kauai JROTC Instructor Arrested For Sexual Exploitation Of Former Student* (Mar. 25, 2021) (online at [www.justice.gov/usao-hi/pr/former-kauai-jrotc-instructor-arrested-sexual-exploitation-former-student](http://www.justice.gov/usao-hi/pr/former-kauai-jrotc-instructor-arrested-sexual-exploitation-former-student)).

<sup>9</sup> *Kent School Instructor Charged with Student Sexual Assault*, U.S. News (June 15, 2022) (online at [www.usnews.com/news/best-states/washington/articles/2022-06-15/kent-schools-instructor-charged-with-student-sexual-assault](http://www.usnews.com/news/best-states/washington/articles/2022-06-15/kent-schools-instructor-charged-with-student-sexual-assault)).

<sup>10</sup> Department of Defense, *Junior Reserve Officers’ Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)).

<sup>11</sup> *Id.*; 10 U.S.C. Ch. 102.

<sup>12</sup> *Id.*

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and military facilities, when necessary.<sup>13</sup> Each military service also has its own regulations that establish the responsibilities of military officials for oversight and administration of JROTC programs.<sup>14</sup>

While JROTC instructors are employed by their host school, they also represent their respective military service while on campus and in the community. JROTC instructors are often retired or reserve officers and enlisted non-commissioned officers, and when teaching cadets, they wear military uniforms, are required to abide by the standards set by their respective military service, and are potentially beholden to the Uniform Code of Military Justice.<sup>15</sup> DOD and the military services also help pay for and reimburse host schools for part of the salary paid to JROTC instructors.<sup>16</sup>

### **JROTC Instructors Hold Significant Influence Over Cadets**

DOD operates JROTC programs across the country for the stated purpose of instilling students with “the values of citizenship, service to the United States ... and personal responsibility and a sense of accomplishment.”<sup>17</sup> The Department accomplishes this mission in large part through the instructors it certifies to teach, supervise, and mentor cadets. Given this responsibility, JROTC instructors are often trusted adults and mentors in the lives of the young men and women under their care.<sup>18</sup>

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<sup>13</sup> 10 U.S.C. § 2031.

<sup>14</sup> Department of the Air Force, *Junior Reserve Officers' Training Corps Program* (Apr. 28, 2022) (Instruction 36-2010) (online at [https://static.e-publishing.af.mil/production/1/af\\_a1/publication/dafi36-2010/dafi36-2010.pdf](https://static.e-publishing.af.mil/production/1/af_a1/publication/dafi36-2010/dafi36-2010.pdf)); Department of the Army, *Junior Reserve Officers' Training Corps Program* (Feb. 24, 2000) (Army Regulation 145-2) (online at [www.usarmyjrotc.com/doc/public/employment/AR145\\_2.pdf](http://www.usarmyjrotc.com/doc/public/employment/AR145_2.pdf)); Department of the Navy, *Marine Corps Junior Reserve Officers' Training Corps (MCJROTC) Program* (Nov. 17, 2008) (MCO 1533.6E) (online at [www.marines.mil/Portals/1/Publications/MCO%201533.6E.pdf](http://www.marines.mil/Portals/1/Publications/MCO%201533.6E.pdf)); Department of the Navy, *Navy Junior Reserve Officers Training Corps and Navy National Defense Cadet Corps Program* (Jan. 30, 2015) (OPNAV Instruction 5761.1) (online at [www.secnav.navy.mil/doni/Directives/05000%20General%20Management%20Security%20and%20Safety%20Services/05-700%20General%20External%20and%20Internal%20Relations%20Services/5761.1.pdf](http://www.secnav.navy.mil/doni/Directives/05000%20General%20Management%20Security%20and%20Safety%20Services/05-700%20General%20External%20and%20Internal%20Relations%20Services/5761.1.pdf)).

<sup>15</sup> “*I Felt Trapped*”: *Sexual Abuse of Teens in the Military's J.R.O.T.C. Program*, New York Times (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)); Department of Defense, *Junior Reserve Officers' Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)); Department of the Army, *Junior Reserve Officers' Training Corps Program* (Feb. 24, 2000) (Army Regulation 145-2) (online at [www.usarmyjrotc.com/doc/public/employment/AR145\\_2.pdf](http://www.usarmyjrotc.com/doc/public/employment/AR145_2.pdf)); 10 U.S.C. Ch. 102.

<sup>16</sup> Department of Defense, *Junior Reserve Officers' Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)).

<sup>17</sup> 10 U.S. Code § 2031.

<sup>18</sup> “*I Felt Trapped*”: *Sexual Abuse of Teens in the Military's J.R.O.T.C. Program*, New York Times (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)).

DOD instructions dictate that the JROTC curriculum must not be “constrained to a classroom only environment.”<sup>19</sup> As a result, JROTC programs include several activities and learning opportunities, such as color guard, marksmanship training, and visits to military installations, that take place outside of school hours and away from school property. JROTC instructors therefore spend a considerable amount of time with cadets off campus and outside of school hours, which provides additional opportunities for JROTC instructors to mentor their cadets.<sup>20</sup>

However, this environment may also empower exploitive JROTC instructors who might seek to take advantage of vulnerable students. Cadets experiencing abuse, harassment, or other mistreatment by their instructors may hesitate to report the misconduct if they feel beholden to the military chain of command, lack confidence that the military or their schools will take their allegations seriously, or fear they will be retaliated against for reporting their superiors.

For example, one former JROTC cadet told the *New York Times* that she did not report a sexual assault committed against her by an instructor because she “feared resisting him would jeopardize her shot at advancement through the JROTC ranks or a military career.”<sup>21</sup> Another former cadet reported sexual harassment to her school administrators, but “her report went nowhere” and the instructor was permitted to continue serving in the JROTC program while she was “pushed out.”<sup>22</sup>

### **Gaps in Oversight Put Cadets in Harm’s Way**

While all JROTC instructors are required to complete a DOD background investigation and be certified by state or local education authorities, we remain concerned that DOD and the military services lack an effective means to monitor the actions of JROTC instructors and ensure the safety and well-being of cadets.<sup>23</sup> Without sufficient oversight mechanisms in place, inappropriate behavior may continue undetected.

Specifically, the structure of JROTC—with DOD, the military services, and local authorities all sharing responsibility for the administration of JROTC programs—may complicate how cadets and school officials report allegations of misconduct to appropriate authorities. In addition, activities that take place outside of the classroom may make it difficult

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<sup>19</sup> Department of Defense, *Junior Reserve Officers’ Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)).

<sup>20</sup> *Id.*

<sup>21</sup> “*I Felt Trapped’: Sexual Abuse of Teens in the Military’s J.R.O.T.C. Program*, *New York Times* (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)).

<sup>22</sup> *Id.*

<sup>23</sup> Department of Defense, *Junior Reserve Officers’ Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)).

for schools to exercise the same degree of oversight of JROTC instructors as they would for a teacher in the classroom. If so, it is incumbent upon DOD and the military services to carry out this oversight.<sup>24</sup>

For these reasons, we request that DOD and the military services provide answers to the following questions no later than August 29, 2022:

1. In the last five years, how many notifications or reports have DOD and the military services received from schools hosting JROTC programs, JROTC cadets, parents, state and local law enforcement, or other concerned stakeholders regarding allegations of sexual abuse, harassment, or other misconduct committed by JROTC instructors? For each incident, please provide the year the report was received, the military service the instructor worked for, and the state in which the host school is located.
2. In the last five years, how many investigations have DOD and the military services conducted into allegations of sexual abuse, harassment, or other misconduct committed by JROTC instructors? How many of these allegations have DOD and the military services substantiated? For each incident, please provide the year in which an investigation was conducted, whether the allegation was substantiated, the military service the instructor worked for, and the state in which the host school is located.
3. In the last five years, how many JROTC instructors have DOD and the military services decertified, terminated, or otherwise removed from their JROTC position due to allegations that they sexually abused, harassed, or committed other misconduct against students? For each incident, please provide the year the instructor was decertified, the military service operating the JROTC unit, and the state in which the instructor worked.
4. In the last five years, how many JROTC programs have DOD and the military services disbanded as a result of harassment, abuse, or other misconduct by program instructors? For each incident, please provide the year the program was disbanded, the military service operating the JROTC unit, and the state in which the program was located.
5. What are the standard procedures by which a host school, cadet, parent, or other concerned stakeholder can report allegations of sexual abuse, harassment, or other misconduct by a JROTC instructor to DOD or the military services?

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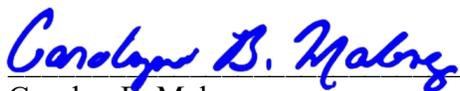
<sup>24</sup> *"I Felt Trapped": Sexual Abuse of Teens in the Military's J.R.O.T.C. Program*, New York Times (July 9, 2022) (online at [www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html](http://www.nytimes.com/2022/07/09/us/sexual-abuse-jrotc.html)).

6. What procedures exist for the military services to report allegations of sexual abuse, harassment, or other misconduct by a JROTC instructor or the findings of an investigation into instructor misconduct to the Under Secretary of Defense for Personnel and Readiness and the Assistant Secretary of Defense for Manpower and Reserve Affairs?<sup>25</sup>
7. What actions do DOD and the military services take if they receive a report alleging sexual abuse, harassment, or other misconduct by a JROTC instructor?
8. Does each military service require host schools to automatically notify them regarding changes to the employment status of a JROTC instructor? If so, what information are host schools required to submit?
9. How often do DOD and the military services conduct inspections of host school JROTC programs? How often do DOD and the military services evaluate JROTC instructors? Which officials are responsible for conducting these inspections and evaluations and what information do they collect?

We also request that DOD and the military services provide Committee staff with a briefing no later than August 29, 2022, regarding how the Department and military services conduct oversight of JROTC programs and instructors in order to ensure that our nation's next generation of leaders are protected from sexual abuse, harassment, or other misconduct.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform



Stephen F. Lynch  
Chairman  
Subcommittee on National Security

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<sup>25</sup> DOD Instruction 1205.13 specifies that the Under Secretary of Defense for Personnel and Readiness and the Assistant Secretary of Defense for Manpower and Reserve Affairs have "primary responsibility" to "develop policy and provide guidance for the conduct and administration of the JROTC Program." See, Department of Defense, *Junior Reserve Officers' Training Corps Program* (May 21, 2021) (DOD Instruction 1205.13) (online at [www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf](http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/120513p.pdf)).

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cc: The Honorable James Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Glenn Grothman, Ranking Member  
Subcommittee on National Security