

CSSMM CENTER FOR THE STUDY OF SEXUAL MINORITIES IN THE MILITARY

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

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CSSMM LEARNS OF GAY SOLDIER WOUNDED IN COMBAT IN MIDDLE EAST

In April, CSSMM connected openly gay U.S. Army sergeant Robert Stout with a reporter from the *Associated Press*, whose subsequent story about Stout was carried by more than 250 newspapers and radio and television stations. Stout is the first-ever active-duty gay soldier wounded in combat who is willing to discuss his story in public. Last May, he was injured while operating a machine gun on a Humvee. Suffering injuries to his arm, face, and legs from grenade shrapnel, he was awarded the Purple Heart.

Stout says that he is willing to remain in the military and continue to serve openly as a gay man, but "Don't Ask, Don't Tell" is preventing him from fulfilling his duty to his country. "I know a ton of gay men that would be more than willing to stay in the Army if they could just be open," he said. "But if we have to stay here and hide our lives all the time, it's just not worth it." CSSMM scholars learned of Stout's story while engaged in research on gays and lesbians serving in the Middle East.

The *Associated Press* story generated considerable media coverage, including a *Washington Post* editorial which said that the gay ban is "as self-defeating as it is demeaning to people who want to serve their country at a time of great need. It is long past time for it to go." At a time when the U.S. military is struggling to meet its recruitment goals, the Post asks, "Who dares tell Sgt. Stout that he is unfit for service?"

The *NewsHour with Jim Lehrer* aired an in-depth story on Stout on April 13, and Stout's case also attracted Bill Maher's attention. The April 15 episode of HBO's *Real Time with Bill Maher* began with a conversation between Maher and General Wesley Clark about Stout.



U.S. Army Sergeant Robert Stout, recipient of the Purple Heart, was injured last May in Iraq.

The story was also cited on the floor of the House of Representatives when Representative Ileana Ros-Lehtinen (R-Florida) came out in favor of repealing "Don't Ask, Don't Tell." As she explained her rationale for her support of lifting the ban, she referred to Stout's service and argued that "Don't Ask, Don't Tell" forces the military to "investigate people. Bring them up on charges. Basically wreck their lives. [These are] people who've signed up to serve our country. We ought to be thanking them."

BLUE RIBBON COMMISSION TO ESTIMATE COSTS OF "DON'T ASK, DON'T TELL"

In response to the release of a Government Accounting Office study titled "Financial Costs and Loss of Critical Skills Due to DoD's Homosexual Conduct Policy Cannot Be Completely Estimated," a University of California Blue Ribbon Commission has been assembled to attempt to estimate the financial costs of "Don't Ask, Don't Tell."

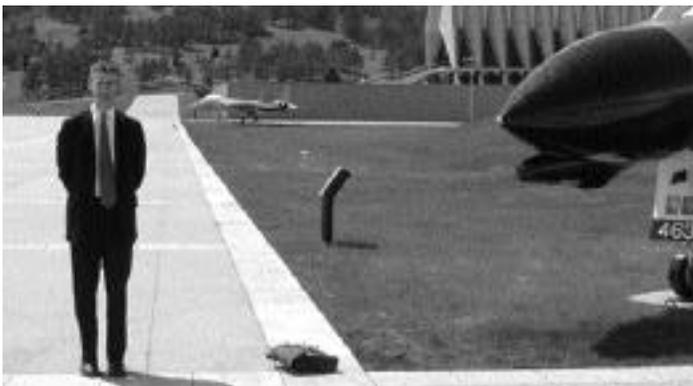
The original GAO report was requested by Congressman Marty Meehan (D-Mass), a member of the House Armed Services Committee who recently introduced legislation to repeal "Don't Ask, Don't Tell," as well as other members of Congress working with Meehan.

The mission of the new Blue Ribbon Commission is to ascertain whether the GAO's cost estimate was correctly stated and to estimate several costs, including legal, investigative, and lost-training costs that appear not to have been included in the GAO report.

It will then issue its own report, which is expected by the end of 2005, that includes these costs in the estimation of the total financial cost of "Don't Ask, Don't Tell."

The Commission is made up of distinguished experts including former Secretary of Defense William J. Perry, professors from the U.S. Military Academy at West Point and the Naval Postgraduate School, a former Assistant Secretary of Defense, and a retired two-star Admiral.

To ensure that it does not over-estimate the cost of "Don't Ask, Don't Tell," the Commission will use a conservative approach, will base its analysis on publicly available data, and will employ fully-transparent and widely-accepted accounting methods. Its research design and analysis will be vetted by several experts in military accounting and budgeting.



CSSMM director Aaron Belkin was invited to speak at the Air Force Academy in May.

LECTURES ON GAYS IN THE MILITARY AT WEST POINT, AIR FORCE ACADEMY

Aaron Belkin returned to the U.S. Military Academy at West Point on March 23 to give a public lecture on "Don't Ask, Don't Tell" and to meet with faculty and students. Last year, Belkin delivered what may have been West Point's first-ever lectures on gays in the military. More recently, on May 11, Belkin presented CSSMM research on gays in the military at the U.S. Air Force Academy in Colorado Springs. He taught two classes, met with administrators and faculty, and delivered a public lecture.

CSSMM staff also participated in a number of events at law schools throughout the country. In March, Geoffrey Bateman, assistant director of the CSSMM, spoke to law students at the University of Nevada, Las Vegas, about "Don't Ask, Don't Tell" and discussed the policy with a former JAG officer and law professor. Belkin also addressed students and faculty at Yale Law School and the University of Michigan Law School.

DEVELOPMENT NEWS

CSSMM is extremely thankful for the generous support that a number of organizations and individuals have provided, including the **Wells Fargo Foundation** for donating \$46,000; the **H. van Ameringen Foundation** for its gift of \$15,000; the **Silva Watson Moonwalk Fund** for donating \$10,000; the **Overbrook Foundation** which provided \$9,000; **Reid Williams** who donated \$2,500; **Jeff Wolk**, who gave \$2,000; and **Dave Jenkin** who gave \$1,000.

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CSSMM IN NEW REPUBLIC, NAVAL INSTITUTE PROCEEDINGS

On May 2, 2005, Dr. Nathaniel Frank, a CSSMM Senior Research Fellow, published an article in the *New Republic Online*. Frank questioned the military's recently-announced recommendation to change the current ban on sodomy, which punishes both same-sex and cross-sex sodomy with up to five years in jail.

According to the current policy, Frank explains, any service member who engages in sodomy—even if consensual, off-duty, off-base, and behind closed doors—is guilty of a felony. For example, he says, if a general and his wife have oral sex in the privacy of their bedroom twice in one night, he can receive ten years in jail. According to the proposed new ban, certain sexual acts, like same-sex sodomy, could continue to be criminalized if they are deemed to be prejudicial to good order and discipline. As Frank writes, "This move is deeply troubling. The ban on sodomy will now rely on precisely the same logic as 'don't ask, don't tell': that certain sexual behaviors can undermine order and discipline by causing discomfort among enlisted personnel. The problem is, this logic runs counter to all available evidence."

CSSMM research was also featured in the May edition of *Naval Institute Proceedings*, a distinguished and widely-read magazine about the U.S. Navy. *Proceedings* published an article by Aaron Belkin that argued that eliminating "Don't Ask, Don't Tell" will not increase the rate of anti-gay violence in the military.

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