

PREPARED STATEMENT

OF

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NAVY FOR MANPOWER AND RESERVE AFFAIRS**

**REGARDING
JUNIOR RESERVE OFFICERS' TRAINING CORPS INSTRUCTOR
SEXUAL MISCONDUCT**

BEFORE THE

**HOUSE OVERSIGHT AND REFORM COMMITTEE
SUBCOMMITTEE ON NATIONAL SECURITY**

Good afternoon, Chairwoman Maloney, Ranking Member Comer, Chairman Lynch, Ranking Member Grothman, and distinguished members of the subcommittee. I appreciate the opportunity to appear before you today to discuss the actions that the Department of the Navy has taken in response to the reported sexual misconduct involving Navy and Marine Corps Junior Reserve Officers' Training Corps (JROTC) instructors.

I want to convey on behalf of Secretary Del Toro and the senior Department of the Navy civilian and military leadership that we take every instance of alleged sexual misconduct very seriously, and we are taking immediate actions to improve the JROTC program. The Department is reviewing our policies and processes to strengthen our partnership with the host unit schools, and uphold our obligation through the instructor certification process to prevent future instructor misconduct. To achieve these goals, we are working hard to ensure that the instructor certification process is more discerning moving forward. The Navy and Marine Corps are conducting thorough reviews of prospective instructors' military service records and implementing processes in accordance with the Department of Defense Instruction 1205.13 as part of the instructor certification process. A military career is generally a positive indication of someone's character based on years of observation and evaluation. However, we have identified areas where the Department can improve our administration of the JROTC program, including our role of assessing prospective instructors' competencies and character, to create a positive and safe learning environment for cadets. The JROTC instructors are employees of the school districts; therefore, the host schools and local law enforcement investigate allegations of instructor misconduct in accordance with program policy, and local and federal laws. The Department of the Navy will work with our partner schools to provide better oversight of Navy and Marine Corps JROTC units.

Across the Nation, the Navy and Marine Corps partners with more than 800 JROTC host unit schools with roughly 100,000 participating students, and provides vetting for approximately 1,742 certified JROTC instructors. JROTC teaches life skills that colleges and employers highly value in prospective applicants, but that are not typically taught in a high school curriculum. Through the JROTC curriculum, instructors help cultivate skills that position students better for success inside and outside the classroom. Our youth need positive leaders, mentors, teachers and role models to help prepare them to make good decisions in life and become productive citizens and leaders for our Nation. JROTC instructors are often trusted adults and mentors in the lives of students in their units. The Department is taking action to update policy and training to ensure that JROTC instructors do not betray that trust.

Understanding the seriousness of these incidents, Navy and Marine Corps JROTC programs have had 23 incidents of instructor sexual misconduct with cadets in the last five years from August 2017 to September 2022, over those 800 schools. The Department initially reported 27 incidents of sexual misconduct to the Subcommittee, which included four Marine Corps instructor incidents that involved adult to adult sexual misconduct with a school staff or faculty member, and did not involve cadets. In accordance with the Department's Memorandum of Agreement with partner schools, the schools are required to report incidents of alleged instructor misconduct to the Department. In every case of alleged misconduct, we took immediate corrective actions upon learning of the misconduct by suspending the instructor's certification, and in partnership with the schools, removed the instructor from the classroom to prevent further contact with cadets or school faculty pending the investigation results. In all 23 cases previously reported to the Committee, the Department decertified the instructors because the host school did not clear the accused of misconduct, the certification

board elected to take action based on belief that the instructor posed a threat to cadets or would not otherwise comply with program requirements, or the instructor resigned. Once the instructor is decertified, they are prohibited from serving as a JROTC instructor at another school. We welcome additional Department of Defense oversight, and we are committed to implementing updated policies and processes to partner more closely with the host schools to improve our administration of these programs.

Although JROTC instructors are employees of the individual school systems, the Department understands and takes very seriously that the instructors' conduct directly affects students and the Services' relationship with the American people. We are striving to ensure that all instructor conduct is safe, appropriate and positive - building trust with JROTC cadets, host schools, and the American people. When the Navy or Marine Corps become aware of alleged instructor misconduct, they take immediate action by decertifying the instructors, and the schools then have the responsibility to remove the individuals from the classroom because they are no longer certified JROTC instructors. They are instructed not to return to the classroom and are not allowed to transfer to a different school until they are exonerated of all allegations and recertified by their respective Service.

These are sensitive issues – particularly because the victims are minors. It is sometimes difficult for the Department to know the exact nature of the misconduct and results of every investigation as local authorities and school districts occasionally do not, or cannot, release information. In an effort to increase cooperation with schools and local authorities and better protect students, we are reviewing our policies and agreements with the host unit schools to identify ways to improve reporting and response processes. We are working

proactively with our school partners, the school districts, and local authorities to improve our ability to prevent instructor misconduct.

We are also working to improve how the school districts and Services jointly select JROTC instructors, how we train and certify them, and how we inspect the units. Our recent assessments revealed several ways that the Department can improve policies and JROTC instructor training across both the Navy and Marine Corps. For example, the Department is examining ways to improve and standardize the instructor selection and training, especially training focused on instructor conduct. We will work with the Department of Defense, the other Services, and our sexual assault prevention experts to ensure that our policies, standards, and processes are consistent, wherever possible. Both the Navy and Marine Corps use boards to review and select instructor candidates. This is a strength of our programs, and we will ensure that our selection and training processes take full advantage of government experts, and best practices to further improve our processes to provide quality JROTC instructors.

I recently provided updated Department of the Navy guidance regarding JROTC program administration to ensure that there are improved processes for selection and certification of instructors, enhanced guidance regarding instructor interactions with cadets, and clear guidance regarding the response and reporting of instructor misconduct allegations. We will also collaborate closely with the Department of Defense and the other Services to ensure that we improve our JROTC instructor standards, policies, and practices across the Department of the Navy, and leverage best practices. We will be steadfast in protecting the JROTC cadets, our Nation's next generation of leaders.

We will also ensure that we work with our partners to strengthen our program oversight. In addition to a full analysis of the JROTC program governing

policies, training, and regulations, I have directed that a Department of the Navy instruction be published to provide overarching guidance for selection and certification of instructors; guidelines for instructor interactions with cadets both on and off schools grounds; and response and reporting of allegations of misconduct. I am also directing improvements to the guidelines for memoranda of understanding and/or agreement with our partner schools as they relate to allegations of sexual misconduct and abuse. I have also directed that my office be immediately informed of all reports of sexual misconduct, abuse, and other misconduct by JROTC instructors to improve our awareness of these incidents in real time.

The Department of the Navy takes allegations of JROTC instructor misconduct very seriously, and we are striving to improve our policies, programs, and processes to mitigate all misconduct. We are closely coordinating with Department of Defense experts and the other Services. We will collaborate closely to ensure that we have consistent standards, policies, and practices across the Department of the Navy, and update our training to ensure that it leverages current best practices. We are steadfast in doing everything within our authority to protect JROTC cadets from sexual abuse, harassment and other misconduct.

Thank you for the opportunity to appear today. I look forward to answering your questions.