What youth deserve to know before enlisting

by Eddie Falcón, USAF veteran & Before Enlisting activist, for Courage to Resist

Since March, Courage to Resist has become one of Before Enlisting’s biggest sponsors in support of our in-class presentations that give students the full picture of military recruitment, the traumas that can occur from deployments to war, and our journeys of healing as veterans. We also cover alternatives to military service.

This year alone, our Truth In Recruitment program has reached across the City of Oakland, including these high schools: Oakland High, Skyline High, Fremont High, Met West, Madison Park Academy, and Oakland Tech.

Before Enlisting is a small Bay Area organization consisting of veterans from About Face: Veterans Against War and members of Grandmothers Against the War. We share our experiences and perspectives as soldiers that students will not hear from military recruiters.

Our civilian allies also talk to students about resources for funding higher education, finding careers such as a job in the trades, and peaceful opportunities to serve their country instead of enlisting in the military.

On a typical day in the classroom, we start with an introduction and explain why we are there, have a small discussion about the US budget’s billions of dollars in military spending and ask students what their experiences are with recruiters on their campus.

We watch the video “Before You Enlist!” featuring interviews with Iraq and Afghanistan veterans and their struggles of racism, sexism, homophobia, and the lifelong traumas of war.

We have a short quiz highlighting the most important information about PTSD and some common misconceptions about military service, such as the actual length of military enlistments.

From there, we share our stories about why we enlisted, promises recruiters can’t keep, what war is really like—traumas we’ve endured, moral injuries we’ve sustained, and the difficulties of transitioning back into civilian life.

We then answer questions and distribute handouts about military alternatives, critical questions for recruiters, and the unique dangers of women’s experiences in the military.

I try to relate to the students with the reasons I joined the military. I’m from California, am first generation American

Military Resistance and Military Law

This November, Military Law Task Force (MLTF) of the National Lawyers Guild (NLG) members James Branum and Kathleen Gilberd, and Courage to Resist organizers Jeff Paterson and Steph Atkinson, held a CLE (continuing legal education) panel on military resistance and the law.

Kathleen Gilberd (KG) is a legal worker and the executive director of the NLG’s MLTF. She reminds us, “The ability to provide support to service members is a critical element for them to be able to do the things that they need to do in order to speak out or to resist.”

James Branum is on the steering committee at the MLTF and is also part of the Courage to Resist collective. His experience in military law as an attorney has been mostly working with active duty folks seeking an early discharge for a variety of reasons, ranging from PTSD, physical health, but also issues of resistance to war, including conscientious objection.

Below is an excerpt from the conversation regarding the soldier’s basic rights to protest and the Uniform Code of Military Justice (UCMJ).
by Steph Atkinson, Courage to Resist

This summer, I met Lavender Gunderson and spoke with her about her military experience. Courage to Resist is working with Lavender to secure a discharge upgrade from the Navy which would entitle her to service-related care. This young woman has been through a great deal.

As a minor, Lavender was sexually assaulted by her military recruiter. This is an excerpt of our conversation. For the full interview, and to contribute to our efforts on her behalf, visit couragetoresist.org.

When we begin, Lavender tells me about her initial enlistment and that she was sexually assaulted by her recruiter.

**Steph Atkinson (SA):** Do you feel comfortable talking ... Because this is a transgression. What happened next? You still wanted to go into the Navy?

**Lavender Gunderson (LG):** I was silent about it. I was in Delayed Entry Program (DEP), and for about eight months I kept quiet about it, and the abuse continued. I finally reported on him when I found out he was sexually harassing other recruits. And that's when the denial stopped, and the light bulb clicked. I was able to really look into myself and what happened, and finally allow myself to believe and not have doubt that he raped me, and that he's a predator.

My chain of command told me specifically not to tell anyone at basic training about (the recruiter abuse) because they would send me home.

**SA:** So you talked to somebody in your command and they said...

**Lavender:** I told my command what happened. And then I was in contact with SAPR (Sexual Assault Prevention and Response) and a military lawyer. My military lawyer, at the time in the middle of training, told me I didn’t qualify for sexual assault counseling for life because I was not paid at the time of the Delayed Entry Program.

**SA:** So wait, you're in the DEP, you're experiencing this from the recruiter. And yet you want to be in the Navy, but if you talk about this, then that is used against you. And so they said, “if you talk about it, we'll send you home,” meaning you can’t complete basic and you wouldn’t qualify for benefits? And furthermore, they're not going to do anything about it.

**LG:** There are no laws, no legislation, no policies in place to protect the recruits. It doesn’t matter if you’re a minor or an adult, if you’re raped in the DEP, you don’t qualify for any military benefits, for a lawyer, for mental health, nothing, for medical, nothing.

**SA:** So police are trying to prosecute the recruiter for statutory rape and the Navy is trying to cover it up and you're trying to get through basic training to be in the Navy and become a sailor. What happened?

**LG:** I had a mental breakdown because I couldn’t run anymore and I knew I wasn’t going to graduate, and I couldn’t be in basic training any longer. I kept on getting set back in training... getting recycled... because I held back either due to court proceedings or because I was sick or because I was injured. And I was already in basic training for about four months instead of nine weeks. I couldn’t be there anymore. I had a mental breakdown. [Lavender describes an act of self-harm]

**SA:** You’ve been recycled, you’ve been injured, you self-harmed, you’re in a VA hospital. And then what happens?

**LG:** I was being heavily drugged ... I didn’t know what was happening with the recruiter. And then one day I had an appointment with my doctor and I told my doctor, "I don’t really like the meds. They make me feel loopy. I’m staring into space." They had me on Trazodone, Zoloft, and hydroxyzine.

My desire is to help other survivors who have experienced recruiter abuse and let them know to keep on living. There are no support groups out there to help survivors of recruiter abuse, and I want to help change that. We need to create policies and laws for recruiter abuse survivors. I want to help sexual assault survivors.

She told me, "If you don't follow my treatment plan, I will get a court order to allow electric shock."

Visit couragetoresist.org for more info and to donate to Lavender’s support. ☺️
**Military Resistance and Military Law (continued from front)**

**Kathleen Gilberd:** Service members are routinely told they don’t have any rights, ”The Constitution doesn’t apply because you signed this contract.” But the reality is that through political struggles and cases and the development of a body of case law, the Department of Defense (DoD) has acknowledged a number of political and constitutional rights for service members, most outlined in DoD Instruction 1325.06. It’s called, “Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces”.

It sets out rights in the negative, ”You cannot do these things:” And if you read underneath what you cannot do, you’ll find the broad areas of things that you can do, but it leaves the reader with a very negative impression, ”Sure enough, I have no rights.”

The current instruction is also supposed to be used against right wing extremism, white nationalism and so on. And to some extent, it does offer areas of active engagement in right wing activities that people cannot do, but it has traditionally been used against leftists and is, in this current period, still being used against GIs who are taking an anti-war or a pro-service member’s rights position.

Briefly put, GIs do have a right to engage in protest activities or demonstrations so long as they’re off duty, out of uniform, not appearing to represent the military in any way, and not in a foreign country. And here’s the kicker, not in a situation where violence is likely to occur or where a breach of the peace is likely to occur.

How do we ever know in advance of a demonstration whether the police are going to incite violence? We don’t. So it makes a risk, but it also sets out clear protections where there is no violence.

GIs have the right to speak out publicly about political issues. Again, if it’s public, they need to be off duty, out of uniform, and you’ll notice that generals don’t seem to get this part, they are not supposed to appear to represent the military when they’re making statements. And they can’t violate the UCMJ or regulations.

With all of those exceptions, and all those negatives, service members are allowed to speak at demonstrations, to the press, and in other public settings. ... It also allows GIs to sign or circulate petitions, again, off duty, out of uniform, not appearing to represent the military. The content of course is important.

1325.06 also says the GIs can possess literature but not distribute literature on base. The military has consistently held that having two copies of a single document means you’re distributing it. There’s a wonderful story about distribution of materials, which was in Iwakuni (Japan, near Hiroshima) during the Vietnam War. GIs working with their local coffeehouse decided to hand out, on the 4th of July, copies of the Declaration of Independence. They were busted for doing so because they were distributing unauthorized literature. We need to remember that a lot of this is up to the command, the command decides what is and isn’t authorized.

These days a lot of political activity happens not out in public but on social media, and there is a separate DoD instruction which covers the rights of service members and the prohibition against service members using social media in certain ways. This is DoD Instruction 5400.17, promulgated in 2022 and then updated January 2023. It has a subsection which talks about the use of personal, nonofficial social media. The instruction actually recommends that they publish a disclaimer saying these are their own opinions and not those of the military.

The instruction on dissent has some really scary language about what commanding officers can do when the dissent they see is legal. They don’t have to wait for a service member to step over the line. Instead, commands have discretion to look at legal activity and decide that it might lead to illegal activity. And in those cases, they can counsel service members, investigate the service members—or this one is really scary—subject the service members to an involuntary mental health evaluation.

These are not good things to have in one’s service record and they can even affect the character of discharge. So commands seeing perfectly legal activity can either reinterpret it as illegal, or can take what amounts to punitive administrative actions for legal activity.

This is what really taught me the meaning of the phrase, “a chilling effect”, because you’re following the instructions, being compliant to its requirements, and you can still get in trouble and can still adversely affect your career and life in the military. That does keep people from stepping out.

Visit courageto resist.org to watch this presentation and read the full transcript. 📺

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**Legacy giving**

As you are making out your will, please consider a bequest to Courage to Resist. For more information about bequest language in your estate plans, please give us a call at 510-488-3559.
of an immigrant family, grew up poor
and working class, spent time in foster
care. I saw the hardships of my own
family members being jailed, deported
back to Mexico, or trapped in substance
use. I really saw the military as an escape
from these cycles of violence and a way
to get a leg up on society.

I was once like them, wondering
what to do after high school. I didn’t
see college as an option. I didn’t have
mentors or role models around me who
graduated from college, nor did I have
the grades or money to go. The GI Bill
and other veterans benefits were things
that very much enticed me into enlisting.

I say to the students that I may not
have been drafted but was actually lured
in by “the economic draft.”

You have no control over your life
once you sign it away. I wanted to be as
far away from war as possible, yet I did
four deployments, two to Iraq and two
to Afghanistan, as an Air Force aircrew
member.

Recruiters aren’t going to tell these
kids that even though you may not be on
the frontlines fighting, you could still end
up in rocket or mortar attacks like I was.
I didn’t even think that I would see war
when I joined in July 2001, before 9/11.

The vast majority of students know
what PTSD is, so I ask them to define
Moral Injury—when your beliefs or values
are brought into conflict. Things like
don’t hurt people, don’t kill, don’t steal,
or don’t be bigoted, you do things that
go against those beliefs in the
military.

I recount missions that I
did, transporting detainees in Iraq
to the prison in Basra. Some of
the students are familiar with
practices of torture in these
prisons like in Guantanamo Bay
and Abu-Graib.

I feel like I was a part of that system of
detainment, interrogation and torture
even just transporting prisoners. That is
something that I will have to live with
for the rest of my life. When soldiers
feel things like guilt and shame for their
actions in war, that’s Moral Injury.

I want students to know that
those dark feelings of self-loathing
and existential dread are why it can be
so hard for veterans to transition into
civilian life. It’s why we see the rates
of homelessness, unemployment, and
suicide so high amongst veterans.

I talk about my own struggles after
service and my own personal journey in
healing. I let them know that I felt lost.
I was self medicating to deal with the
nightmares and anxiety. It went on for
years until I finally reached out to the VA
for help. I have since been sober for over
da decade and still attend therapy.

Students often ask if I lost any friends
during my service. Yes, we had a couple
of people die from my base but I have
lost many more friends who are veterans
to suicide.

“Do I regret my service?” I’m asked.
Mostly I do not because I am who I am
today because of it. I wouldn’t be there
talking to them and answering their
questions if not for my service. I do say
that I regret not standing up for myself or
people I saw being hurt while I was in.

I saw and experienced a lot of racism
in the military. It is not always a band of
brothers like in the movies. I was the only
person of color in my squadron and was
called racial slurs regularly by the other
members of my unit.

The response from teachers and
students is resoundingly positive. Many
students will come up to me after our
talks and thank me for my service, then
and now. Some will tell me aside that
they were thinking of joining but are
now reconsidering.

We also table at Oakland high school
career days where we engage with
students by acting as a counter narrative
and offering a more critical perspective
on military service in the presence of
military recruiters on campus.

On International Conscientious
Objection Day (May 15th), 30
organizations renewed our call for
greater protections for those who refuse
military service in Russia, Belarus, and
Ukraine. About 50,000 signatures of the
#ObjectWarCampaign
were hand delivered to
the European Commission
in Berlin, Germany.

Maria A, from
the Movement for
Conscientious Objection,
Russia, shared, “Let us be
voices of peace in the face
of war and oppression. Let’s speak the
truth against censorship. In the midst of
war, let us advocate non-violence. In this
way, we support today’s conscientious
objectors and pave the way for a future.”

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I am very proud to be doing this
work and we are always open to building
new relationships with more schools
around the Bay Area.

Thank you to Courage to Resist for
sponsoring our efforts and providing
resources for more handouts and
especially for veteran speaker stipends
which help me to do these presentations
during work days.