



Center on Conscience & War

National Interreligious Service Board for Conscientious Objectors

Center on Conscience & War's Analysis of the GAO Report on Conscientious Objectors:

The GAO (Governmental Accountability Office) released its official study on conscientious objection within the military. This official report titled, *MILITARY PERSONNEL—Number of Formally Reported Applications for Conscientious Objectors Is Small Relative to the Total Size of the Armed Forces* was officially released on 1 OCT 2007.

While this report does provide some statistics about COs that may be useful, it missed the fundamental question raised by Congress. By focusing on the military's statistics on approvals and disapprovals, it ignores what was expected to be its most useful data: What happens to those who apply and then never make it up the chain of command to a final decision by the military? Congress called for a study of those "who claimed status as a military conscientious objector." By focusing on the military's statistics on approvals and disapprovals, this report ignored what was expected to be its most useful data--what happens to those who apply and then never make it up the chain of command to a final decision by the military. The report does acknowledge that this information is difficult to obtain because applications are submitted at the local command level, and the Pentagon doesn't get that information until the applications get up to the Departmental (Secretarial) level. But rather than call attention to that fact, and recommend a different statistical record keeping for the future so this information could be available, it glosses over it, makes no recommendations, and states that the info it does gather is useful for determining trends.

Using officially reported data the GAO determined that during calendar years 2002 through 2006 the active and reserve components of the Armed Forces processed 425 applications, with the Army having the highest number of applicants, for conscientious objector status. Applications for CO status rose from 2002-2004 and dropped significantly from 2005-2006. The total number of applicants is extremely small relative to the total size of the armed forces which numbers around 2.3 million. Of these 425 applications which were fully processed through the current conscientious objection system, 53% were approved, 44% were denied, and 13% were pending, withdrawn, closed, or no information was provided. Ninety-two percent of applicants were enlisted while 8% were of the rank of officer. The Navy had the highest approval rate at 84%. Of those denied a discharge as a conscientious objector about 61% were discharged for other reasons. The top occupation area for both enlisted and officer who applied for CO status were those involved in ground combat arms operations.

The weighted application process took on average 7 months despite given data in the GAO report which suggested otherwise. The report suggested that each component's conscientious objector process is basically the same. Of those applicants who are processed as conscientious objectors and granted CO status, 92 % of discharges are honorable, 6% are general discharges, and information on the remaining 1% was unavailable. The report found that the type of discharge received determines access to benefits and that being discharged as a conscientious objector has no adverse effect on accessing these benefits. All components stated that attempts are made to assign conscientious objectors to noncombatant duties while their applications are pending. The Air Force and Marine Corp reported that if a CO applicant's unit is deployed while the application is pending then the applicant will not be deployed.

The number of officially recorded applicants for conscientious objector status is relatively small to the total number of individuals in the Armed Forces. The most conclusive finding of the entire report is that conscientious objection has no

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measurable impact of the readiness of the all-volunteer force. Both question (1) and (2) need to be officially investigated outside reliance on official statistics to honestly assess the total number of CO applicants and the strengths and weakness of each component in the processing of conscientious objector claims.

Some of the most visible and well known conscientious objectors to this war are not counted- even by the GAO. For example, Camillo Mejia, who refused to return to Iraq because of his CO beliefs, was court-martialed and convicted of desertion. Since the Army stopped processing his CO application because of the court martial, his application was never decided by the Secretary of the Army so he's not counted by the Army's statistics. It had been hoped that the GAO would dig deeper and get more accurate statistics. Or at least expose the fundamental inaccuracy on the military's current policy.

The GAO Report does admit that their statistics are probably low. However, the Center believes they are absurdly low. If in fact there were only 425 CO applications between 2002 and 2006, the Center counseled almost all of them. And that doesn't count the vast majority who discover the CO regulations and apply on their own without any help or who seek help elsewhere.

The report states that the Air Force and Marines do not deploy those who have CO claims pending, while the other branches handle that on a case by case basis. The Center knows of Marines who did face deployment. In fact, in one case on which we worked, the Marine went UA rather than return to Iraq. At his trial military officers testified that they had acted improperly, but he was convicted and received a BCD, and he is not counted in this report either!

There are other inaccuracies: In discussing the VA benefits of COs, it inaccurately states that those who get a General Discharge (under honorable conditions) remain eligible for all benefits except the Montgomery GI Bill (college money.) In fact they also are ineligible for job counseling through the DOL and educational benefits for their dependants.

There are also some other questionable conclusions. The report stated that the overall average length of time for CO processing is 7 months, which seems short to those who counsel COs. But in looking at GAO's branch by branch statistics on this, almost all of them are more than 6 months--some average a year. So we wonder how the overall average is 7 months. The fact that they state that this 7 months is "including time for rebuttals" and the time allowed for rebuttals is "5 to 15 days" it is quite clear that the rebuttal time is a negligible factor in that time. The fact that they report it in this way seems to indicate a bias giving deference the military's own spin on CO statistics, rather than doing the digging for independent data that Congress had intended.

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