



Sexual Harassment Prevention

Case Study: Sexual Harassment

Case of USS Florida



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Sexual Harassment Prevention

Overview

This facilitation guide and accompanying case study have been prepared to assist all leaders who supervise both military and civilian employees. Equal opportunity (EO) and equal employment opportunity (EEO) professionals, practitioners, and leaders can use this guide to review and educate their members on policies, acceptable and unacceptable behaviors, and tactics to eliminate sexual harassment.

Facilitation Guidance

It is highly encouraged to select facilitators such as EO and (EEO) professionals and practitioners to explore the complex dynamics of real-life situations, identify the issues involved, and utilize tools to address those issues. Facilitators must provide a controlled, safe, and non-attributional environment where individuals will be willing to share their perspectives. Throughout this guide, questions are framed to stimulate thoughts on areas to explore and consider in this process and applicable to the specific topic.

Content and Resources

The case synopsis gives insight into the case, key details, and findings. The case study references section provides additional detailed information relevant to the situation. Below this section, there are additional resources on similar cases that support specific aspects of this case and can be used to promote a more in-depth understanding of the dynamics related to sexual harassment.

Facilitation Instructions

1. Before the training:
 - a. Ensure the location and needed resources are prepared.
 - b. Ensure the facilitator is prepared.
 - c. Ensure the audience is prepared.
2. During the training:
 - a. Read the purpose and introduction. Answer any questions from the learners.
 - b. Read the definition of sexual harassment or provide a handout/visual aid of the definition.
 - c. Read the case study.
 - d. Use the group discussion questions to facilitate an open dialogue while encouraging independent responses from everyone.
 - e. Use the individual questions with anticipated responses (AR) as an opportunity to include all members in the discussion.
 - f. Conclude the session by summarizing the case study and the main points discussed during the discussion.
3. After the training:
 - a. Conduct a follow-up assessment to determine the training effectiveness:

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- i. What went right?
 - ii. What went wrong?
 - iii. What could be done better next time?
- b. Share the findings with the leadership and revise future training sessions as needed.
 - c. Monitor the organization for progress.

Case Study: Sexual Harassment (USS Florida)

Purpose: The purpose of this case study is to provide critical information for:

- Identifying sexual harassment behaviors
- Understanding the leaders' and individuals' roles in preventing sexual harassment
- Responding to individuals who sexually harass, are being sexually harassed, or observe sexual harassment
- Highlighting the role that climate and other factors play in sexual harassment
- Acknowledging how other types of harassment are often involved in sexual harassment
- Applying actionable techniques at the individual and leader levels

Introduction

Analyzing case studies reveals the multifaceted nature of real-world situations contributing to workplace sexual harassment. By examining organizational dynamics, power imbalances, communication failures, and individual actions, we gain a deeper understanding of these complex issues. This knowledge equips us to foster a more supportive environment where effective prevention strategies are implemented. Recognizing that sexual harassment often stems from a combination of factors, including a permissive climate and inadequate leadership response, highlights the importance of addressing these underlying issues to prevent future incidents and improve the overall workplace climate.

Disclaimer:

This training is for awareness and educational purposes only. This case study may evoke feelings or emotions. If anyone experiences any adverse reactions, they should seek professional support. All topics discussed in this session are NOT substitutes for medical advice.

Definitions

[Sexual Harassment \(military-only\) DoDI 1020.03, Change 3. Effective: January 17, 2025](#)

A category of harassment that is sexual in nature, including but not limited to, unwelcome sexual advances, requests for sexual favors, and repeated deliberate offensive comments or gestures of a sexual nature. Conduct that constitutes an offense at Paragraph 107a of Part IV of the Manual for Courts-Martial is punishable under Article 134 of the UCMJ.

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Sexual Harassment (civilian-only) DoDI 1020.04 Change 1. Effective January 17, 2025

Unlawful discriminatory harassment that is based on conduct of a sexual nature. It involves unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- It explicitly or implicitly becomes a term or condition of a person's job, pay, or career. For example:
- Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance.
- It is so severe or pervasive that a reasonable person would perceive, and the DoD civilian employee does perceive, the environment as hostile or offensive.
- Conduct that constitutes an offense at Paragraph 107a of Part IV of the Manual for Courts-Martial is punishable under Article 134 of the Uniform Code of Military Justice.

Other Harassment Behaviors

Other harassment behaviors may also appear in cases of sexual harassment, such as hazing, bullying, or stalking. As a result, defining a situation can sometimes be difficult, as the overlap in behaviors can muddle the understanding of what motivated the incident and what is occurring.

Case Synopsis

In 2018, the USS Florida, an Ohio-class guided-missile submarine, became a focal point of controversy due to severe issues of sexual harassment, poor leadership, and a toxic command climate. The submarine was the second to integrate female Sailors, marking a significant shift within the Navy. It consisted of two assigned crews, blue and gold. This submarine's integration was marred by the creation of explicit "rape lists" by male crew members detailing sexual acts they wished to perform on their female colleagues.

The list ranked female crew members and detailed graphic sexual acts that could be done with each female Sailor identified on the list, in addition to a star rating that evaluated appearance and other characteristics. Though dubbed a "rape list," the list did not specify any intentional actions or non-consensual acts but did identify the female Sailors by name and rank.

Though it is indicated that the gold crew captain did initiate an investigation while underway to identify those responsible for the lists, many crew members did not feel this was sufficient, including female crew members who feared for their safety. Following a formal investigation initiated by higher Navy officials, the captain was relieved of duty in August 2018 for reasons related to the situation. Further administrative action was also taken against other crew members, including two others, who were relieved of duty.

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Timeline of Events (according to the references listed below)

- August 2017: An anonymous Inspector General complaint was filed about long working hours, lack of sleep, and crew stress. The crew was working six-day weeks, and one person told investigators, "Sailors would rather pay to stay in hotels to avoid tasking on their evening time."
- Sept. 25, 2017: Capt. Gregory Kercher takes command of the USS Florida.
- February 2018: The gold crew embarked on the USS Florida's first male and female integrated deployment: 32 female Sailors of a 173-member crew.
- Seven months later (According to the investigation), the same command climate problems existed as when Kercher took command.
- June 3, 2018: A Sailor aboard the USS Florida printed the first "rape list."
- June 4, 2018: The Sailor gave a female petty officer the list.
- About 10 days later: That same Sailor printed the second list and again gave it to the same female petty officer.
- June 16, 2018: The petty officer took photos of the lists before she and a second petty officer took them to a male chief.
- June 16, 2018: That chief took the lists to the sexual assault prevention and response point person, who referred them to the command's equal opportunity manager. The senior enlisted adviser alerted Kercher ("took it straight to the CO") about the two lists. At that point, the chief of the boat told investigators he was cut out of further talks about the lists.
- (Unknown Date): Kercher directed a search of the sub's network to locate the list and identify those accessing it. The search of the submarine's network failed to locate the lists on the drives. Reports state Kercher even Googled ways to search a network so he could find the lists himself.
- (Unknown Date): Naval Criminal Investigative Service got involved, but after a "thorough forensic search of the submarine's computer networks and drives," they too were unable to locate the lists.
- (Unknown Date): The female petty officer who was first given a copy of the lists began sending pictures of them to her boyfriend and family back home. She also sent a copy to a senior chief at the USS Florida's homeport.
- (Unknown Date): At one point, some of the women concerned about the lists were told to "suck it up and not add to the drama," according to the investigation. That person turned out to be a divisional-level leader, Self-Kyler (spokeswoman for U.S. Submarine Forces) said.
- Eleven months after taking command: Kercher was fired for not only failing to fix the nagging work-related issues on board but also for failing to fully investigate multiple "rape lists."

Group Discussion

*Note: These are suggested questions. Potential responses are included below each question.

1. What sexual harassment behaviors were displayed throughout the USS Florida?



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- a. The "rape list."
 - b. The list named specific personnel by name and rank with sexually explicit comments.
 - c. Accepted sexist comments and jokes.
2. What were the likely factors that contributed to the climate?
- a. According to the Navytimes.com article¹, Capt. Gregory R. Kercher took the helm on Sept. 25, 2017, of an "already troubled bad command climate"; the news reported the situation on May 17th from an IG report about the rape list.
 - b. Leaders failing to investigate formally.
 - c. Leaders failing to keep subordinates informed of actions.
 - d. The lack of action (bystander intervention) taken by other Sailors.
 - e. Non-existent trust up and down the chain of command.
3. What actions could leaders have taken to mitigate or prevent the sexual harassment behaviors from occurring?
- a. Training:
 - i. Leaders being trained to coach, teach, mentor, and educate subordinates on professional behaviors.
 - ii. All service members trained to know appropriate behaviors and how offenders will be held accountable for inappropriate behaviors.
 - iii. Policy Letters: Created, published, discussed, and enforced.
 - iv. Surveys, focus groups, and individual interviews to identify concerns throughout the organization.
4. What were the points of **success** in the situation?
- a. Individual(s) reported inappropriate behaviors, and when no actions were taken, the service member went outside the chain of command for assistance.
 - b. The chief took the lists to the sexual assault prevention and response point person, who referred them to the command's equal opportunity manager.
 - c. The equal opportunity manager informed the senior enlisted adviser.
 - d. The senior enlisted adviser alerted Kercher ("took it straight to the CO") about the two lists.
5. What were the points of **failure** in responding to and preventing the situation?
- a. Communication.
 - b. Follow-up.
 - c. Lack of a formal fact-finding investigation.
6. What are some long-term effects of a case like this on the organization regarding:

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¹ [Navy Times Article: Male sailors created 'rape lists' of female shipmates on Georgia-based submarine. May 2019.](#)



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- a. Climate
 - i. Loss of trust
 - ii. Low morale
 - iii. Fear of others
- b. Mission/productivity
 - i. Inhibited ability to accomplish tasks
 - ii. Increased safety mishaps/violations
- c. Mental health
 - i. Anxiety
 - ii. Depression
 - iii. Feelings of isolation

Questions

1. How could you, in your current role, support someone if they came to you with a sexual harassment complaint in a similar situation?

Responses to listen for:

In my current role, I would:

- a. Listen to them without judgment and ensure they know it is not their fault.
 - b. Let them know they are doing the right thing for coming forward and telling me about the situation.
 - c. Give them my full attention and show that I am engaged and present.
 - d. Guide them on the proper channels for reporting and let them know about the different ways they can report the incident, like talking to an Equal Opportunity Advisor, using the sexual harassment hotline, or filing an official report.
 - e. Continue to support them throughout the process, including checking in regularly or referring them to resources.
 - f. Share information about resources like mental health counseling, support groups, or chaplain services, ensuring they have multiple avenues of support.
 - g. Reassure them that I would maintain confidentiality to the greatest extent possible, sharing their information only with those who need to know.
2. What intervention techniques could you use if you were aware of a sexual harassment situation similar to the case study?

Responses to listen for:

- a. If I were informed of a similar sexual harassment incident, I would:
- b. If safe to intervene, immediately call out the inappropriate behavior and report the incident to my supervisor
- c. If unsafe to intervene, report what I saw to someone in a position to handle it, like a supervisor, equal opportunity officer, or chaplain



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- d. Support the harassed person by letting them know I am there for them and I saw the behavior; it is not okay, and this must be taken seriously
3. What steps or mitigating techniques could help support a better climate or group cohesion in a situation described in the case study?

Responses to listen for:

- a. A leader is responsible for setting a respectful environment where sexual harassment is not tolerated.
 - b. It is the individual's responsibility to report inappropriate behavior so that it can be stopped, the offender held accountable, and future occurrences prevented.
4. From your perspective, how could the leaders in this case study have handled the situation better (the captain, equal opportunity advisor, other leaders, or supervisors)?

Responses to listen for:

- a. The members involved in reporting the incident:
 - i. Incident reporter: Discuss their concern(s), explain why you will be taking this report seriously, and the overall actions (e.g., administrative, legal) taken.
 - ii. Everyone involved: Provide continual updates throughout the investigation when possible.
 - b. The members not involved:
 - i. The higher-level commander: Let them know an issue has occurred, your actions as a leader (conduct investigation), and the findings.
 - ii. Every member of the gold team: Let them know you know about the situation and your dedication to investigating, and plan to hold anyone involved appropriately accountable for their inappropriate behaviors.
5. Do you feel comfortable expressing concerns in your organization? If not, why? If so, what factors help you to feel comfortable expressing concerns?

Responses to listen for:

- a. I feel comfortable speaking up when I know my chain of command has my back and have seen them take concerns seriously.
- b. It is easier when there's a transparent process for raising issues without fear of retaliation.
- c. Sometimes, I worry about backlash or being seen as not a team player or just someone complaining, especially if the environment isn't that open.
- d. A lot of it comes down to trusting the leadership and if the environment is one where I feel safe to voice concerns.



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Conclusion

This case study review highlighted the crucial influence of organizational climate and leadership on the prevalence and severity of sexual harassment. Moreover, it emphasizes the influence of other factors that may seem unrelated (e.g., stressful working environment), but play a role in team cohesion. Unacceptable behaviors persist when perpetrators perceive them as acceptable or believe they will face no consequences. Leaders must be self-aware, monitor behaviors, and implement action plans for support to prevent negative actions and future occurrences, ensuring a cohesive, appreciative, valued, and safe environment for all Service members and civilians.



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References

*Note: Each reference below contains pieces of this story. Please review them to ensure you have the full perspective.

Faram, M. D. (2019, May 19). Male sailors created 'rape lists' of female shipmates on a Georgia-based submarine. Navy Times. <https://www.navytimes.com/news/your-navy/2019/05/19/male-sailors-created-rape-lists-of-female-shipmates-on-georgia-based-submarine/>

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Harkins, G. (2019, May 17). Sailors created 'rape list' aboard Navy's 2nd sub to integrate women. Military Advantage. <https://www.military.com/daily-news/2019/05/17/sailors-created-rape-list-aboard-navys-2nd-sub-integrate-women.html>

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Handout

1. How could you, in your current role, support someone if they came to you with a sexual harassment complaint in a similar situation?
2. What intervention techniques could you use if you were aware of a sexual harassment situation similar to the case study?
3. What steps or mitigating techniques could help support a better climate or group cohesion in a situation described in the case study?
4. From your perspective, how could the leaders in this case study have handled the situation better (the captain, equal opportunity advisor, other leaders, or supervisors)?
5. Do you feel comfortable expressing concerns in your organization? If not, why? If so, what factors help you to feel comfortable expressing concerns?