

Statement of Jenny L. Kopfstein

My name is Jenny Kopfstein. I joined the Navy in 1995 when I entered the Naval Academy. At the Academy, I majored in Physics, and I was commissioned in 1999. I served openly as a lesbian officer for almost 2½ years before I was discharged under "Don't Ask, Don't Tell" in 2002.

I wanted to go to the Naval Academy because when I was a kid, I read the book *Space*, by James Michener, and many of the astronauts had come from the Academy. I wanted to have some of the adventures they had. In high school, I was "recruited" by one of the groundskeepers, who was a retired Chief Petty Officer. He knew I had an interest in the Navy, so he talked to me about it and steered me towards an official Academy recruiter so I could pursue my dream of attending a service academy.

The Naval Academy teaches you about honor and integrity. It places a special emphasis on these values. On the very first day, they give you uniforms, shoe polish and Brasso, and begin teaching you about the Academy's Honor Concept. The Honor Concept starts out, "Midshipmen are persons of integrity: they do not lie, cheat, or steal."

When I was a senior midshipman, I was an investigator for the Honor Staff. I investigated midshipmen who were accused of violating the Honor Concept. This experience brought home to me the importance of Integrity and just what it means not to lie.

I graduated from the Naval Academy and became a Surface Warfare Officer. I received orders to the cruiser USS SHILOH. I was excited and happy to go serve on a combatant ship.

It was difficult being on the ship and having to lie, or tell half-truths, to my shipmates. Under DADT, answering the simplest questions can get you kicked out. If a shipmate asks what you did last weekend, you can't react like a normal human being and say, "Hey, I went to a great new restaurant with my partner. You should try it out." An answer like that would have gotten me kicked out of the Navy. But if you don't interact like that with your shipmates, they think you're weird, and it undermines working together as a team.

So after being on the ship for a while, I wrote a letter to my commanding officer and told him I was a lesbian because I felt like I was being forced to lie. I did not want to get out of the Navy. I wanted to stay and serve honorably, and to maintain my integrity by not lying about who I was.

After I wrote the letter, I continued to do my job on the ship to the best of my ability. We went on a six-month deployment to the middle east. I qualified as Officer of the Deck, and was chosen to be the Officer of the Deck during General Quarters, which is a great honor.

During all this time, I am proud to say I did not lie. I had come out in my letter officially, and I came out slowly over time to my shipmates. I expected negative responses. I got none. Everyone I talked to was positive, and the universal attitude was that DADT was dumb. I served openly for two years and four months.

One thing that happened during that time was the Captain's choosing me to represent the ship in a shiphandling competition. I was the only officer chosen from the ship to compete. My orientation was known to my shipmates by this time. Nobody griped about the captain choosing someone being processed for discharge under DADT

to represent the ship. Instead, a couple of my fellow junior officers congratulated me and wished me luck in the competition. I competed by showing the Admiral my ship-driving skills, and won the competition.

During the time I was serving openly, I earned my Sea Service Deployment ribbon and my Surface Warfare Officer pin. During my pin ceremony, the Captain took his own pin off of his chest and pinned it on mine. That was one of my proudest moments.

I tried my best to do my job, and my command was pleased with my work. My June 2001 Performance Report included these assessments:

A "top notch performer," "a gifted shiphandler. SHILOH's strongest Officer of the Deck. Possesses an instinctive feel for ship control seldom seen in such a junior officer. ... When she has the deck, there is never any doubt who is in control." An "exceptional legal officer." "ENS Kopfstein is an outstanding officer."

My open service had a positive impact on the ship's morale. I was able to treat my shipmates like human beings, and we could interact on a personal level. One time I was walking down the passageway on the ship, and a Senior Chief Petty Officer stopped me and asked, "Ma'am, may I speak to you for a minute?" My first thought was, "Uh-oh, what is this going to be about?" We stepped into an empty room, and he pulled out his wallet. He showed me a picture of a teenage boy: "This is my son, and he's gay, and I'm really proud of him." I was so shocked, I didn't know what to say. Finally, I said, "Wow! Thanks, Senior Chief." We could not have had that interaction if I was not out. Normal people interact, and talk about their families.

My commanding officer wrote in my Fitness Report in 2002 that my "sexual orientation has not disrupted good order and discipline onboard USS SHILOH." Don't Ask, Don't Tell has long been defended as necessary to preserve good order and

discipline. It seems to me that the Captain of a ship in the United States Navy is the most qualified judge of good order and discipline among his crew.

On September 11th, my ship was in port at the Naval Weapons Station in Seal Beach, CA. On that morning, no one knew if further attacks were imminent. We received orders to go to sea and defend the coast of California. I was the Ordinance Officer, and shortly after it became clear we were being attacked, my first class petty officer came running up to me breathlessly. He said, "Ma'am, request permission to load the guns!" With the captain's permission, I gave the order: "Load the guns." I guarantee you, my first class petty officer was not at all concerned about my sexual orientation on that day. We had all trained to do a job, to protect this country, and we were going to do it.

My Grandfather fought in the Battle of the Bulge in WWII. On September 11th, I thought of him. My Grandfather surely sacrificed more than I did, as he fought the ground war in Belgium in 1944, but I am his blood, and I was ready and willing to fight for my country in a time of crisis.

On my assignment after I left the ship, my new commanding officer awarded me the Navy and Marine Corps Achievement Medal, which is an individual award. He knew about my orientation from the first moment I arrived at his command, but it made no difference to him.

During my service on the ship, I had two captains because there was a change of command while I was there. Even though they were four grades above me, both of them wanted to come and testify at my DADT discharge hearing to say they were opposed to kicking me out. This is what they told the Board:

Her performance during deployment was “absolutely solid. She did a great job.”

“I think this person has an awful lot to offer the Navy. *** She’s an incredible officer and she has a lot to offer. I think it would be a shame for the service to lose her.”

I should not be forced to hide who I am. When I was closeted, the pain ate away at the core of my being. The crew of my ship was my extended family, and being in the military is not a 9 to 5 job. A lot of the time when stationed on board a ship, going home is not even an option. I lived, worked, ate, slept, and went on liberty with that crew. Keeping parts of my life secret, and separate, was an incredible burden. It is an unnecessary burden, and no American sailor or soldier should be forced to bear it.

I made a commitment to the Navy when I joined to serve five years after graduation from the Naval Academy. I’ve only gotten to serve three and a half so far. I want the opportunity to live up to my commitment, and serve out the rest of my time with honor. The way I see it, I owe the Navy a year and a half more.

America is a great country. As Steven Decatur famously said, “My country! May she ever be right, but right or wrong, my country.” I joined the military to serve my country. There are those among us who cannot, for one reason or another, and I am proud to say I am the kind of person who would stand up and volunteer my service. I felt pride and responsibility every time I put on my uniform. I was humbled by every enlisted person who called me “Ma’am” and looked to me for leadership.

There are 66,000 lesbian and gay soldiers, sailors, airmen and marines who are currently serving this country in our armed forces. They couldn’t be here today, because they are forced to be silent.

I am here before you as living proof that this law is wrong, and being forced to serve in silence is wrong. It is time for a change. I love the Navy, and I would still be serving but for this law.

Thank you.