

## DEOMI News Highlights

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DEOMI News Highlights is a weekly compilation of published items and commentary with a focus on equal opportunity, equal employment opportunity, diversity, culture, and human relations issues. DEOMI News Highlights is also a management tool intended to serve the informational needs of equity professionals and senior DOD officials in the continuing assessment of defense policies, programs, and actions. Further reproduction or redistribution for private use or gain is subject to original copyright restrictions.

### **Judge Orders Pentagon To Stop Discriminating Against Naturalized Citizen Soldiers [Richard Gonzales, *NPR*, 2 February 2019]**

- A federal judge in Seattle has ordered the Defense Department to stop discriminating against naturalized citizens who volunteered to serve in the U.S. Army under a program to attract certain immigrants with specialized skills.
- U.S. District Judge Thomas Zilly [ruled](#) Thursday that the Pentagon may not require soldiers who are naturalized citizens to undergo “continuous monitoring,” or security checks every two years, when such scrutiny is not applied to U.S.-born soldiers.
- The plaintiffs are 17 naturalized citizens who enlisted through the Military Accessions Vital to the National Interest (MAVNI) program. [Begun in 2009](#), the program recruits immigrants with critical foreign language or medical skills in exchange for a fast track to citizenship. More than 10,000 soldiers have served in the U.S. military through the MAVNI program. The program was [frozen in 2016](#) due to security concerns.  
[Judge Orders Pentagon To Stop Discriminating Against Naturalized Citizen Soldiers](#)

### **Lawmakers aim to reverse Trump’s ban on transgender troops [Leo Shane III, *Military Times*, 7 February 2019]**

- A bipartisan group of House and Senate lawmakers introduced new legislation Thursday designed to block President Donald Trump’s rules regarding [transgender troops](#) by removing any limits to their service.
- The move comes about two weeks after a [Supreme Court ruling](#) upheld new Defense Department rules on transgender troops. In a 5-4 decision, the justices ruled that the administration may move ahead with a ban on transgender recruits.
- In 2016, then-President Barack Obama announced that transgender individuals in the military would be allowed to serve openly and receive medical services for gender reassignment surgery. He also set a July 2017 target for allowing enlistment of new transgender recruits.  
[Lawmakers aim to reverse Trump’s ban on transgender troops](#)

### **Top Enlisted Military Leaders Pressed on Unsafe Housing, Sex Assault [Patricia Kime, *Military.com*, 7 February 2019]**

- Members of a House subcommittee on Thursday chided senior leaders of the Army and Air Force for failing to provide safe housing for military families, and urged all services to work harder to reduce sexual assault in their ranks.
- In a hearing on military quality-of-life issues, Democrats and Republicans on the House Appropriations Military Construction, Veterans Affairs, and Related Agencies Subcommittee faulted the services for failing to provide oversight of the private companies that manage base housing, leading to problems with [mold](#) on Air Force bases and [lead poisoning](#) among children on some Army posts.
- Another issue raised by the panel was sexual assault in the military. The Defense Department in January released a report finding that incidents of sexual assault were up by 50 percent over the course of two years at the nation’s military academies—a “devastating portrait of the conduct that is occurring” at the schools, [Florida Democrat Debbie] Wasserman Schultz said.  
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# Culture

# This Marine went from the ballet to the battlefield — and back again

By Natalie Gross

Military Times, February 6, 2019



*Román Baca was a professional ballet dancer before he became a Marine. (Rachel Neville)*

What do ballet slippers and combat boots have in common? Not much, if you ask most people.

But for Román Baca, the two go hand in hand.

After leaving the Marine Corps, the Iraq veteran returned to his first career as a dancer — an unconventional trajectory either way you look at it. But he's found a way to meld the two worlds the way only someone who's lived both lives can do — by starting a dance

company and choreographing ballets about war.

“When I started this idea, it started as a way to investigate experiences that I had in Fallujah, in Iraq, as a Marine,” Baca, 44, said in a recent interview.

Since then, his company, Exit 12, has become a traveling nonprofit group that performs contemporary dances and runs therapeutic movement workshops for veterans across the country. Baca's unusual story is featured in a new film, “Exit 12: Moved by War,” which was featured on Vimeo last month and has just been nominated to receive an award in the Documentary Shorts category at the 2019 SXSW film festival.

## ***From ‘Sleeping Beauty’ to the United States Marine Corps***

After studying dance at the University of New Mexico, Baca started dancing professionally on the East Coast. But sometime in between ballet performances of Tchaikovsky's “Swan Lake” and “The Sleeping Beauty,” the then-20 something decided he wanted to do more with his life.

So Baca gave away all his dance gear and joined the Marine Corps, a career he felt epitomized his dream of a living a life of service.

“My rationale was that art was part of the kid that still lived inside of me, and I needed to grow up in some way,” Baca said in a recent interview. “I was convinced in Fallujah that I had hung up my ballet shoes forever.”

But life has a funny way of not going as planned.

When Baca came back from the war feeling detached from society and coping with the aggression he'd picked up on the battlefield, he found healing after his wife encouraged him to go after an old dream of starting a dance company. He started Exit 12 on the famous Broadway street in New York City in 2007 and has been using the art form to tell stories of war since those early days.

The first dance inspired by his experiences was “Habibi Hhaloua,” a ballet about his time in Fallujah, “about going through patrols, and about the things that go through your mind when you're walking through the desert with an M-16 in your hand,” he said.

Another dance, featured in the film, reflects on a specific encounter Baca had while searching the car of a young Iraqi couple with a baby.

<https://rebootcamp.militarytimes.com/vet-stars/2019/02/06/this-marine-went-from-the-ballet-to-the-battlefield-and-back-again/>

“As I was approaching the door, I made the mistake of looking into her eyes,” he said. “Seeing the fear in her eyes and feeling the fear in her eyes, in that moment, there was suddenly that tug of war in my brain. Do I follow these rules of engagement that make me feel like a monster, or do I come from an empathetic response that comes from feeling that woman’s fear?”

### ***‘A wake-up call’***

A few years into Baca’s new venture, tragedy struck when two Marine friends of his took their own lives.

“It was a wake-up call to say, OK, I know we’re doing something through the performing arts, but I felt that we weren’t doing enough,” he said.



*The first Exit 12 Dance Company performance inspired by military experiences was “Habibi Hhaloua,” a ballet about the things that go through a Marine’s mind while walking through the desert with an M-16, said the nonprofit’s founder, Román Baca. (Square)*

By the next year, Exit 12 had started incorporating dance workshops for veterans into its repertoire, hoping to use choreography to awaken veterans’ imaginations and promote healing from painful memories.

“It was pretty powerful,” remembers Jenny Pacanowski, an Army veteran from Pennsylvania, who has attended Exit 12 workshops.

Pacanowski said she has severe PTSD from her time deployed as a convoy medic responding to medical emergencies on the front lines.

“I’ve done every therapy type that’s on earth right now,” she said. But what she really appreciates about Baca’s approach is that it’s not another version of sitting and talking about your experiences.

“What a lot of people don’t realize is ... your trauma lies in the your muscles and your body. And to create storytelling with body movement, combining those two, I think is part of the avenues of healing,” she said.

One piece of the workshop that still stands out to her is when Baca told veterans to recall their military training for a set of violent action verbs — words like “hit”, “kick,” and “smash.” He instructed them to act out those motions as they were taught during military training, then repeat them harnessing positive human emotions, such as peace and love.

Initially, Pacanowski was “pissed off” at Baca for suggesting the exercise, she said. But somewhere along the way, it worked.

“I ended up doing it more in slow motion and just kind of being more gentle with it,” she said. “There was no malicious intent anymore. It was just infused with my own love, my own feelings.”

### ***Bridging the military-civilian divide***

In all of Exit 12’s workshops, veteran attendees are grouped with civilians and professional dancers.

“They can kind of encourage each other’s creativity and push each other’s boundaries so that the dancers aren’t just teaching veterans how to choreograph. They’re getting ideas from the veterans ... and together, everyone in the room is creating a dance,” Baca said.

Pacanowski, now a poet who runs local arts workshops of her own, said it’s one way to bridge the military-civilian divide, especially when it comes to stigma surrounding PTSD and other issues.

<https://rebootcamp.militarytimes.com/vet-stars/2019/02/06/this-marine-went-from-the-ballet-to-the-battlefield-and-back-again/>

“We bridge it through dance, through communicating, storytelling,” she said. “We do it through the arts because it can be seen, it can be heard, it can be felt.”

There’s another thing Pacanowski wants people to remember, too — that the arts aren’t “feminine or weak.” Ancient cultures often incorporated dancing into warrior homecomings and celebrations, she said.



*In workshops across the country, Exit 12 Dance Company pairs veterans and civilians to create dances based on each others' ideas and experiences. (Square)*

Exit 12 has more performances and workshops on the horizon, even while Baca is temporarily out of the country pursuing a master’s degree in fine arts from the Trinity Laban Conservatoire of Music

and Dance in London.

While there, he’s researching the impact of military training and its lasting impacts on the mind and the body, in hopes of finding ways to loosen those connections through choreography somehow, he said.

Eventually, Baca would like to take Exit 12 to the global stage, working with Australian and Georgian militaries, in particular.

And among his dreams are to one day do a workshop in Iraq — this time going in peace.



# Researchers seek fuller picture of first Africans in America

By Jesse J. Holland

The Associated Press, February 7, 2019



*In this April 10, 2018, file photo, Historic Jamestowne staff archaeologist Lee McBee, right, shows artifacts to Carla Howe, of Gilmanston, N.H., left, and her children Caroline, second from left, and Grace, third from left, at the dig site of the Angelo slave house in Jamestown, Va. The first Africans to arrive in North America were so little noted by history that many are known today by only their first names. (AP Photo/Steve Helber)*

WASHINGTON (AP) — The first Africans to arrive in English-controlled North America were so little noted by history that many are known today by only their first names: Antony and Isabella, Angelo, Frances and Peter.

Almost 400 years ago, they were kidnapped and forcibly sailed across the ocean aboard three slave ships — the San Juan Bautista, the White Lion and the Treasurer — and then sold into bondage in Virginia.

Now their descendants, along with historians and genealogists, are seeking recognition for a group of 20-some Africans they describe as critical to the survival of Jamestown, England’s first successful settlement in North America.

“We need to reclaim our history. We need to tell our story,” said Calvin Pearson, head of [Project 1619](#), which is named after the year those first Africans landed near what became Hampton, Virginia.

A few historical markers and records mention these early slaves, but there’s been scant research on their lives. President Barack Obama made the area where they arrived a national monument in 2011 to ensure that its history was not lost, and Pearson and others are working to learn more.

Before the slaves arrived, Jamestown was starving. “Basically all of those people were right off of the streets in England,” said Kathryn Knight, who in May will release a book titled “Unveiled - The Twenty & Odd: Documenting the First Africans in England’s America 1619-1625 and Beyond.”

Those colonists “didn’t know how to grow anything. They didn’t know how to manage livestock. They didn’t know anything about survival in Virginia,” Knight said. The Africans “saved them by being able to produce crops, by being able to manage the livestock. They kept them alive.”

The slaves’ arrival marked the beginning of the region’s fractured relationship with blacks. More than two centuries later, Virginia became home to the Confederate capital, and in the last week its governor has been pressured to resign for a racist photo that appeared on his page in a 1984 yearbook.

The new arrivals were Catholic and many spoke multiple languages, according to Ric Murphy, an author and descendant of John Gowan, one of the Angolan captives.

They came from a royal city and “were quite informed and educated, and several of them, based upon what they did in the latter part of their years, clearly were leaders in the community in one form or the other,” Murphy said. “Many of them became landowners, which is quite different from the false narrative of what an enslaved person was.”

In Jamestown, historian Mark Summers leads tourists down paths that Angelo — also known as Angela — walked after being sold to a Captain William Pierce.

<https://www.apnews.com/3501ba52dba0455597b3e7a330d2f50c>



*In this Feb. 1, 2019 photo, Mark Summers, a historian at Historic Jamestowne poses for a photo in Jamestown, Va. Summers leads tourists down paths once used by Angelo, also known as Angela, who was one of the first Africans to arrive in North America. Although there's not much known about Angela, Summers said being able to show people where she lived and the grounds she walked is a spiritual experience for some. (AP Photo/Steve Helber)*

Like many of that first group, her life is largely a mystery. In fact, her entire known biography “could probably fit on a 3x5 index card,” Summers said. But being able to show people where she lived and walked is a spiritual experience for some, he said.

For African-Americans, “this is the same thing as going to Plymouth Rock,” said Summers, who works at the Historic Jamestowne park. “Here’s a place where you can stand and say, ‘We set foot here, and we can still walk this ground.’”

The first Africans were among more than 300 taken out of the Ndongo region of Angola, a Portuguese colony of mostly Catholic Africans, on the San Juan Bautista bound for Mexico. That ship was attacked and plundered by the White Lion and the Treasurer, which together seized about 60 slaves. After stopping in the Caribbean and trading some of the slaves for provisions, the White Lion sailed for Virginia with its human cargo.

Englishman John Rolfe, who would later marry Pocahontas, [documented](#) the White Lion’s arrival at what was then called Point Comfort.

“He brought not anything but 20, and odd Negars, which the Governor and Cape Merchant bought for victualle,” Rolfe wrote in a letter in January 1620, meaning that the colony purchased the slaves with provisions.

A 1620 census showed 17 African women and 15 African men in Jamestown.

Although sold into servitude, many of those original Angolans fared better than the millions of African slaves who came to North America later, said John Thornton, a Boston University professor of African American studies and history.

“They had a better chance at a better future than almost anybody who followed them because they were the first,” Thornton said. “A lot of them ended up owning property, and they ended up owning slaves of their own.”

By intermingling with the English colonists, some had children who ended up passing for white and merging into early colonial society, Thornton said.

Some, like the Catholic John Pedro, met with tragedy, Pearson said.

Pedro “ended up owning quite a bit of land in Virginia. When the English Civil War broke out, it was Protestants versus Catholics,” Pearson said. Pedro moved to Maryland to live with other Catholics, but he was captured in a battle and executed.

Antony and Isabella became servants for a Captain William Tucker, gained their freedom around 1635 and started a homestead in Kent County, Virginia, Pearson said. Around 1623, they had a son named William Tucker who “became the first documented African child born in English-occupied North America.”

Descendants of Antony and Isabella are buried at a Hampton cemetery that has been in use since the 1600s, Pearson said.



<https://www.apnews.com/3501ba52dba0455597b3e7a330d2f50c>

Knight has a different interpretation of those early records, concluding that Frances gave birth to Peter first, making him the first African child born in Virginia.

Described in later records as a “Negro carpenter,” Peter married and received his freedom with the promise of paying 10,000 pounds of tobacco to his master around 1676. He made the last payment in 1682, Knight said.

Murphy, who wrote “Freedom Road: An American Family Saga from Jamestown to World War,” said it’s important for black people to know about these first Africans because it “helps us have more ownership of American history.”

Pearson, whose organization plans to honor the anniversary of the Africans’ arrival on Aug. 24, agrees.

“From here, we see the beginnings of the Africa imprint on what would become the United States of America. It’s worth remembering.”

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# **Discrimination**

# Judge Orders Pentagon To Stop Discriminating Against Naturalized Citizen Soldiers

By Richard Gonzales

NPR, February 2, 2019



*A Pakistani immigrant U.S. Army recruit, seen last year. A judge ruled this week that the Pentagon may not require soldiers who are naturalized citizens to undergo "continuous monitoring." (Mike Knaak/AP)*

A federal judge in Seattle has ordered the Defense Department to stop discriminating against naturalized citizens who volunteered to serve in the U.S. Army under a program to attract certain

immigrants with specialized skills.

U.S. District Judge Thomas Zilly [ruled](#) Thursday that the Pentagon may not require soldiers who are naturalized citizens to undergo "continuous monitoring," or security checks every two years, when such scrutiny is not applied to U.S.-born soldiers.

The plaintiffs are 17 naturalized citizens who enlisted through the Military Accessions Vital to the National Interest (MAVNI) program. [Begun in 2009](#), the program recruits immigrants with critical foreign language or medical skills in exchange for a fast track to citizenship. More than 10,000 soldiers have served in the U.S. military through the MAVNI program. The program was [frozen in 2016](#) due to security concerns.

The Defense Department "has provided no explanation for engaging in flagrant profiling, i.e., equating MAVNI status with national security risk, rather than justifying on a case-by-case basis the heightened monitoring or screening that the DoD wishes to conduct," Zilly wrote in a 32-page ruling that followed five days of testimony in November 2018.

The plaintiffs sued the Pentagon, arguing that the requirements for continuous security checks, even after discharge if they worked as civilians for the government or government contractors, represented unconstitutional discrimination based on national origin.

Attorneys for the Pentagon argued that the ongoing security checks were necessary for national security. The attorneys said the security checks were not related to the soldiers' national origin, but to the manner under which they had enlisted in the U.S. Army -- through the MAVNI program.

Judge Zilly noted in his ruling that the "defendant's witnesses acknowledged that no MAVNI soldier who has become a naturalized citizen has ever been charged or convicted of espionage or any other criminal offense or been denaturalized."

In July 2018, the Pentagon began [discharging immigrants](#) recruited under the MAVNI program, only to [reverse](#) that policy a month later.

# Diversity

## ‘The American dream is real’: Once a desperate refugee, now a US Army general

By Nancy Montgomery

Stars and Stripes, February 1, 2019



*Brig. Gen. Lapthe Flora, assistant commander of U.S. Army Africa, fled Vietnam in a fishing boat in 1979. (Nancy Montgomery/Stars and Stripes)*

VICENZA, Italy — He was a penniless, traumatized Vietnamese teenager with a fifth-grade education when in 1980 he arrived in the U.S. He knew how to survive in the jungle, evade checkpoints and control the terror he often felt.

But he couldn't speak more than a few words of English and had little practice in how to live a regular life.

Yet within seven years after his American arrival, Lap The Chau had a new name, a degree from the Virginia Military Institute and a career as “an officer in the greatest Army on Earth,” as he put it.

Brig. Gen. Lapthe Flora, as he's now known, is deputy commander of U.S. Army Africa and assistant adjutant general of the Virginia National Guard.

He is thought to be the only Vietnamese “boat person” to become a general officer in the U.S. military.

“After what I went through, practically death, and then somebody gives you that opportunity to live again, I can only say from my own perspective that I'm very grateful for what this country has done for me,” Flora said in an interview with Stars and Stripes.

Flora, who in civilian life is an engineer holding several patents on night-vision goggles, has recounted his unlikely story many times.

“The possibility in this great nation is boundless; the American Dream is real, only if you dare to pursue it with laser-focused hard work and perseverance,” Flora said in speech when he was promoted to brigadier general more than two years ago.

He has also showed appreciation for those who helped upon his arrival in America.

“There's no one who can get to where they are on their own. You need help,” he said in a 2017 talk at the Raleigh Court United Methodist Church in Roanoke, Va.



*Lapthe C. Flora is promoted to brigadier general at the National D-Day Memorial June 6, 2016, in Bedford, Va. (Cotton Puryear/Virginia National Guard)*

The church had sponsored him and several family members in 1980.

“We had a house for them. They came with nothing,” said Sharon Alexi, a former kindergarten teacher active in the church, who helped settle the 11-member Chau family.

She helped teach Flora and his brother English and how to drive.

“They caught on very quickly,” she said. “It was fun. It was a joy.”

<https://www.stripes.com/news/the-american-dream-is-real-once-a-desperate-refugee-now-a-us-army-general-1.566868>

A couple in the congregation were so taken with Flora that they adopted him when they were in their 60s and he was either 21 or 23; his birthdate is uncertain.



*Audrey and Jack Flora, from Roanoke, Va., adopted Lap The Chau. (Courtesy Lapthe Flora)*

“People thought they were crazy,” Flora said. “But they took me in.”

### ***Postwar exodus***

Flora is among 800,000 people who fled Vietnam by sea starting in 1975 in an international humanitarian crisis that took years to resolve. The exodus reached its height in 1978, when some 5,800 refugees a month were landing in Asian countries increasingly unwilling to accept them and an untold number were dying at sea.

President Jimmy Carter responded by ordering U.S. ships to the rescue, then doubled the number of refugees accepted into the U.S. from 7,000 to 14,000 a month, despite polls showing a majority of Americans disapproved.

“I benefited greatly from the U.S.’s decision to accept me into this country,” Flora said. “I’m extremely grateful for the circumstances that led to my citizenship.”

Flora declined to imagine what might have become of him had the Carter administration decided not to accept Vietnamese refugees.

In the end, nearly all of his family arrived in the U.S., including his future wife, his mother and a long-lost sister who’d been given up for adoption in Vietnam.

“I don’t like to think about hypothetical paths my life could’ve taken,” Flora said. “Instead, I focus on the future and my ability to give back whenever possible and sharing my story to inspire others.”

That story includes many early hardships and eventual triumphs.

When he was 2, his merchant marine father was killed in a mortar attack, Flora said. The death plunged the ethnic Chinese family into poverty so severe that his mother gave her infant daughter to another couple.

At 11, as the Vietnam War raged throughout the countryside, Flora worked as a live-in servant at a factory. That ended on April 30, 1975, when the North Vietnamese and Viet Cong captured Saigon, South Vietnam’s capital, ending the war and turning all of Vietnam into a socialist, one-party state.



*The boy who would become U.S. Army Brig. Gen. Lapthe Flora, left, poses with his family in Vietnam. All of them eventually fled the country as refugees. (Courtesy Lapthe Flora)*

The new communist government instituted “re-education camps” and other repressive measures against political opponents and those who had collaborated with the Americans.

### ***Flight to freedom***

Flora and two brothers fled the fallen capital, renamed Ho Chi Minh City, where they were at risk for military conscription. Hiding in the countryside for three years, he said, they survived on crops they planted and animals they hunted, including lizards and porcupines.

The brothers were sometimes frightened and often hungry, but they were also free.



<https://www.stripes.com/news/the-american-dream-is-real-once-a-desperate-refugee-now-a-us-army-general-1.566868>

“We sang in the middle of the night,” Flora said. “It was kind of fun.”

His escape came after a sister and brother-in-law in 1979 secured 11 spots for the family on a cramped, fetid fishing boat. The terrifying voyage lasted five horrible days and nights, he said, with little food or water, vulnerable to storms, shipwreck and pirates. A toddler on board died before they landed in Indonesia.

“We knew there was less than a 50 percent chance of survival,” Flora said. “Desperation, destitution will drive people to do anything.”

Much of his family settled in California, which along with Texas, accepted the most Vietnamese refugees.

But he preferred Roanoke and life with his adoptive family, Jack and Audrey Flora.

He graduated from high school in three years, while working part-time bagging groceries, and was accepted to VMI.

He took to the spartan school, his adoptive father’s alma mater, saying it reminded him of his early schooling in Vietnam.

He’s encountered little discrimination since coming to the U.S., he said, and any slights are easily ignored.

“You feel sorry for their narrow-mindedness,” Flora said.

From the start of his military career, Lapthe Flora made an impression. As a young lieutenant with the 116th Infantry Regiment in 1991, when Capt. Eric Barr met him, it was clear it wasn’t just his backstory that made him unique.



*Lapthe Flora took to the rigors of the Virginia Military Institute, saying the military academy reminded him of his strict elementary schooling in Vietnam. He is pictured here as a cadet in an undated photo. (Courtesy Lapthe Flora)*

“It just jumped out at me that Lapthe was one of the most professional, squared-away officers,” Barr said. “It was just obvious he knew his business.”

On a 2007 deployment to Kosovo, “whenever something really tough came up, Lapthe was known as the go-to person,” said Barr, now a retired colonel.

“Where it really stood out, he had so much credibility with the Serbs and the Albanians because they knew he had lived their lives,” Barr said. “He had been through the same hell they had been through.”

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# Commentary: Military legacy is rich with African-American contributions

By Retired Army Col. Charles D. Allen

Military Times, February 1, 2019



*Members of the 6888th Central Postal Directory Battalion take part in a May 27, 1945, parade ceremony in honor of Joan d'Arc at the marketplace where she was burned at the stake. (National Archives)*

Black History Month provides the opportunity for us to be curious, to look around, and to learn more about the contributions made by African-Americans to our country.

I continue to discover that our military legacy is rich, though we often do not know “the rest of the story.” It is important to understand how we came to our current station in American society and how far we have come. This is especially true for officers of color.

Last year, while researching the anniversary of President Truman’s July 1948 Executive Order (E.O.) 9981 directing the desegregation of the armed forces, I discovered the legacy of the first two black officer graduates of the U.S. Army War College. [Col. Frederic Davison](#) and [Col. Otho van Exel](#) hold that distinction with the Class of 1963. Davison became the first black officer in the Regular Army promoted to major general and to command an Army division (8th Infantry Division). He culminated his service as the commanding general of the Military District of Washington. Van Exel held four battalion and higher-level commands in the New York Army National Guard and received a brevet promotion to brigadier general upon his retirement.

This year, my curiosity led me to discover that an African-American officer, [Sherian Cadoria](#), was among the four women selected to attend the U.S. Army Command and General Staff College. As a member of the Class of 1971, she became the college’s first black female graduate. Lt. Col. Cadoria continued her legacy of firsts when she was the first black woman to attend the U.S. Army War College and became the first to graduate 40 years ago this summer in 1979. Prior to coming to Carlisle, Cadoria led the Military Police Training Battalion in Fort McClellan, Alabama, as the first woman to command an all-male battalion.

Later, as a colonel, she was in charge of the First Region Criminal Investigation Division (CID) Command. In 1985, Cadoria was promoted to brigadier general and served until her retirement in 1990. On this 40th anniversary, 1979 was the same year that [Hazel Johnson](#) became the Army’s first black woman promoted to brigadier general and selected to lead over 7,000 men and women as chief of the Army Nurse Corps.

Gens. Cadoria and Johnson both began their military careers as enlistees in the Women’s Army Corps. “The rest of the story” is that while the U.S. military needed personnel for myriad missions and functions during World War II, the percentage of African-Americans allowed in the Army was capped at 10 percent to match their representation in the U.S. population. Undaunted, black women joined the segregated Army (separated by race and gender) to serve a nation at war. In January 1945, the Army organized [the 6888th Central Postal Directory Battalion](#) in Georgia and deployed it in February to Birmingham England as the first all-female and all African-American unit to serve overseas. During WWII, most male black units had a

<https://www.militarytimes.com/opinion/commentary/2019/02/01/commentary-military-legacy-is-rich-with-african-american-contributions/>

cadre of white officers. The 6888th was different, being led by Maj. Charity Adams — a black woman commanded the battalion.

From their unit headquarters in the United Kingdom and later in France, the “Six-Triple Eight” excelled in its mission to sort and deliver backlogged mail to U.S. soldiers. In November 2018 — 70 years following E.O. 9981, the Army dedicated the [‘6888th Monument’](#) at the Buffalo Soldiers Memorial site at Fort Leavenworth, Kansas. The legacy of African-American soldiers — men and women — continues.

We do “stand on the shoulders of giants who have gone before us.”

*Col. Charles D. Allen (ret.) is professor of leadership and cultural studies at the U.S. Army War College. The views expressed are those of the author and do not necessarily reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.*

## For 3rd Month in a Row, Female Veteran Unemployment Rate Lower than Men's

By Richard Sisk

Military.com, February 1, 2019



*Airmen walk during the Colorado Springs Veterans Day Parade in Colorado Springs, Colorado, Nov. 5, 2016. The all-female Airmen flight represented Schriever during the women in military themed parade. (U.S. Air Force photo/Christopher DeWitt)*

The unemployment rate for female veterans was lower in January than the male veteran rate for the third consecutive month, a fact that may be a reflection of the current strength of the economy and the possible impact of programs to expand women's job

opportunities.

The monthly report Friday by the Labor Department's Bureau of Labor Statistics (BLS) showed that the overall national unemployment rate in January edged up to 4 percent from 3.9 percent in December. The unemployment rate for all veterans was 3.7 percent, compared to 4.1 percent in January 2018.

For female veterans, the unemployment rate in January was 2.7 percent; for male veterans, it was 3.8 percent, according to the BLS report.

Among Gulf War-era II (or post-9/11) veterans, the category that has been the focus of most jobs programs, the overall unemployment rate in January was 4.2 percent, compared to 4.1 percent in January 2018.

For female post-9/11 veterans, the January 2019 unemployment rate was 1.2 percent; for male veterans, it was 4.7 percent, according to the BLS monthly report. Similar statistics showing female veterans with lower unemployment rates than male vets were reported by BLS for November and December 2018.

"We don't know for sure if we have a new pattern going on here," BLS economist James Borbely said in a phone interview before the latest figures were released.

"In terms of the why" on the current low rate for women, "the overall economy is doing well compared to what we were seeing in 2010-2011" when double-digit unemployment figures were the norm, he said.

Jobless rates for male veterans have usually been lower than those for female veterans, but "it's not all that uncommon" for female vets to have lower unemployment rates, Borbely said. Women veterans had lower unemployment rates than men in November and December 2017, and also in December of 2015, he added.

The BLS monthly report for December 2018 showed that the overall unemployment rate for veterans was 3.2 percent, compared to 3.8 percent in December 2017. The rate was 2.3 percent for female veterans and 3.3 percent for male veterans.

For post-9/11 veterans, the overall unemployment rate in December was 3.6 percent. It was 3.0 percent for female veterans and 3.7 percent for males.

In November 2018, the veterans unemployment rate was 3.1 percent, compared to 4.0 percent in November 2017, BLS said. For women veterans, the rate in November was 3.0 percent; it was 3.1 percent for male vets.

<https://www.military.com/daily-news/2019/02/01/3rd-month-row-female-veteran-unemployment-rate-lower-mens.html>

The overall unemployment rate for post-9/11 veterans was 3.4 percent in November 2018. That broke down to 4.1 percent for female vets and 3.3 percent for men. The lower rate for male post-9/11 veterans in November was reversed in December and January.

"Any kind of a downward trend [in unemployment], especially for veterans, is great, and we've seen that in the last couple of years," Jeffrey Hall, national employment director for Disabled American Veterans, said before the latest figures were released.

He pointed to the BLS statistic of 2.3 percent unemployment for female veterans in December, saying, "That's absurdly low, in a good way."

But then he asked, "What does it indicate?"

Hall said it could be the result of years of effort by veterans service organizations and advocacy groups in making contact with employers to convince them that hiring veterans is good for their bottom line.

From his contacts, Hall said, he's found that companies are looking to hire more disabled veterans and female veterans to the point where they come to him to ask: "Can you help us find them?"

The DAV was encouraged by the employment figures, he said, "but we'd like to see if it's able to be sustained."

The goal is to sustain the low jobless rates to the point where "it won't be a trend, but just the way it is."

Although the jobless rate for female veterans has occasionally been lower than that of men previously, the numbers can come as a surprise even to those involved in advocacy.

"The numbers truly surprised me," said Dr. JoAnn Fisher, a 15-year Navy veteran and chief executive officer of Women Veterans United Committee Inc.

Retired Army Col. Ellen Haring, interim chief executive officer of the Service Women's Action Network (SWAN), said, she didn't think it was that unusual that female veterans would have lower unemployment rates than men on occasion.

Haring said it is her experience that female veterans are "more likely to be employed but at lower pay" than men. She said the female vets who come to SWAN don't usually seek out the group because of employment problems.

"They come for other things -- harassment, discrimination, assault," she said.

SWAN, Women Veterans United and other groups came together last year as the Military Women's Coalition, an umbrella group of service organizations.

Women currently make up about 14 percent of the active-duty force and 9.8 percent of the nearly 21 million veterans in the nation, according to BLS.

In 2016, the Labor Department's Veterans Employment and Training Service (VETS) reported that the male veterans unemployment rate was 4.2 percent and the women's rate was 5.0 percent.

Despite the difference, VETS said, "The unemployment rate of all women veterans was not statistically different from all male veterans or all non-veterans of either gender."

The VETS findings from annual averages also stated, "The average duration of unemployment is shorter for women veterans than or male veterans."

<https://www.military.com/daily-news/2019/02/01/3rd-month-row-female-veteran-unemployment-rate-lower-mens.html>

In recent years, the trend has been that "Women veterans are more likely than male veterans or women non-veterans to be in the workforce and to be employed," according to the Labor Department.

The most troubling statistics on jobless rates for veterans emerged from the recession of 2008 and its aftereffects, when unemployment rates routinely were in the double digits.

In a 2014 academic paper "BLS Spotlight on Statistics: Women Veterans In the Labor Force," BLS economist Borbely and his colleague James Walker examined the employment statistics for female veterans in the period before and after the 2008 recession.

They wrote, "Unemployment rates for women veterans and nonveterans followed similar trends during the 2006-2013 period, rising and falling in a similar pattern."

According to the paper, "Rates for both groups rose during the 2007-2009 recession and have declined in recent years, but they have not returned to their pre-recession rates. The unemployment rate for women Gulf War-era II veterans has always been higher than the rate for all women veterans and nonveterans."

Borbely and Walker attributed the higher rate for the post-9/11 female veterans to their "younger age profile. The rate peaked at 12.5 percent in 2012 and declined to 9.6 percent in 2013," and the downward trend has continued to date.

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<https://www.stripes.com/news/us/higher-further-faster-air-force-names-first-female-fighter-pilot-to-command-f-16-viper-team-1.567273>

## ‘Higher, further, faster’: Air Force names first female fighter pilot to command F-16 Viper team

By Chad Garland

Stars and Stripes, February 4, 2019



*U.S. Air Force Capt. Zoe "SiS" Kotnik, F-16 Viper Demonstration Team commander and pilot, smiles after a certification flight at Joint Base Langley-Eustis, Va., Jan. 29, 2019. Kotnik performed more than 30 practice missions before the certification. (Kathryn Reaves/U.S. Air Force Photo)*

The Air Force has named its first female commander of a single-aircraft demonstration team, as the service looks to leverage the anticipated popularity of an upcoming superhero movie featuring a female fighter pilot to spur recruitment.

Capt. Zoe “SiS” Kotnik was named pilot and commander of the Air Combat Command’s F-16 Viper Demonstration Team last week after completing a series of certification flights. The team showcases the F-16V Viper, the latest variant of the Fighting Falcon, at dozens of airshows each year.

In announcing Kotnik’s selection on Twitter, the team posted a video and photos framed and lettered like a comic panel.

“In that instant ... She knew she could fly her F-16 higher, further and faster than anyone else,” reads text that appears in the images.

The line is a clear nod to the “Captain Marvel” film, which premieres on March 8 and features Brie Larson in the role of the titular superhero, whose alter ego Carol Danvers is an F-16 pilot in the Air Force. Air Force pilots, including Brig. Gen. Jeannie Leavitt, the service’s first female fighter pilot, assisted in the production.

A new trailer, aired during the Super Bowl on Sunday, shows Larson’s character on the flight line walking beside fellow pilot Maria Rambeau, played by Lashana Lynch.

“About to show these boys how we do it,” Lynch says. “You ready?”

Larson’s reply, which is partly echoed throughout the 30-second spot: “Higher, further, faster, baby.”

In another nod to the movie, the Air Force Recruiting Service included the hashtag #higherfurtherfaster in a post on Friday announcing that Leavitt, who heads the recruiting service, hosted dozens of female pilots for an event at Edwards Air Force Base, Calif. Kotnik was among them.

“Every hero has an origin story,” said [the post](#), which included a photo the women on a foggy tarmac in front of a formation of aircraft. “We asked over 80 female pilots to share theirs.”

Kotnik’s origin story started in Poynette, Wis., where she was born into a family of aviators. Her uncle was skydiver and airshow hall of fame pilot Charlie Hillard, who in 1972 became the first American to win the World Aerobatic Championships. Her mother was also a private pilot.

But Kotnik’s path to becoming a fighter pilot really began when she saw a NASA T-38 Talon supersonic jet trainer pull up at an airshow, she told Live Airshow TV last fall in a video interview. The pilot shut down the engines, popped the canopy and pulled off the flight helmet, revealing a female fighter pilot.

<https://www.stripes.com/news/us/higher-further-faster-air-force-names-first-female-fighter-pilot-to-command-f-16-viper-team-1.567273>

“It was at that moment that I realized, ‘Oh my god, that’s exactly what I can do,’” Kotnik said.

After graduating from the Air Force Academy in 2011, Kotnik earned her wings in 2013 and learned to fly the F-16C. She’s since flown with the 35th Fighter Squadron at Kunsan Air Base, South Korea, and the 55th Fighter Squadron at Shaw Air Force Base, S.C., according to her official biography.

Most recently, at Shaw, she flew missions supporting Operation Noble Eagle — the air defense mission to prevent another 9/11 — and served as an instructor pilot training new F-16 wingmen.

She’s clocked more than 1,000 flying hours, but before cinching her spot as pilot and commander of the demonstration team for the next two years, she completed off-station training and more than 30 practice missions, then had to prove her skills in four certification flights.

Gen. Mike Holmes, commander of Air Combat Command, certified her on Jan. 29.

Now Kotnik will lead a team of 17 airmen assigned to Shaw’s 20th Operations Group as they travel to more than 20 airshows showcasing the F-16’s maneuverability to an estimated 10 million spectators each year, the Air Force said.



*U.S. Air Force Capt. Zoe "SiS" Kotnik, F-16 Viper Demonstration Team commander and pilot, performs a precision aerial demonstration near Shaw Air Force Base, S.C., Dec. 20, 2018. Kotnik completed more than six months of training in preparation for the F-16 VDT's 2019 air show season which is her first as team commander. (Courtesy Photo)*

The Viper team, one of four single aircraft performance teams in the Air Combat Command, is a key part of the service’s recruiting efforts. The command also oversees an A-10 Thunderbolt II team and an F-22 Raptor team. Newly added for the 2019 season is an F-

35 Lightning II demonstration team. The F-35 previously only flew in the command’s heritage formation alongside fighters from previous eras.

Kotnik’s team is in preseason training and is slated to perform their first show in Key West, Fla., from March 30-31.

Kotnik said she’s looking forward to having the effect on younger generations the NASA T-38 pilot had on her.

“I know firsthand how impactful airshows can be and what a difference it makes to young people to see just one example of what they too can do,” she said. “I hope to be a source of inspiration and motivation they can draw from.”

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**SEE ALSO:**

[Air Force’s F-16 Viper Demonstration Team commander is the real Captain Marvel](#) [*Air Force Times*, 2019-02-06]

# Lawmakers aim to reverse Trump's ban on transgender troops

By Leo Shane III

Military Times, February 7, 2019



*A paratrooper from recovers his parachute during an exercise at North Carolina's Fort Bragg on Feb. 1, 2019. New legislation introduced in the House and Senate on Thursday would block President Donald Trump's ban on transgender military recruits. (Spc. Darius Knight-Elliott/Army)*

WASHINGTON — A bipartisan group of House and Senate lawmakers introduced new legislation Thursday designed to block [President Donald Trump's rules regarding transgender troops](#) by removing any limits to their service.

“This bill makes it clear to our brave transgender troops that we see them and that we honor the risks they take,” [California Democratic Rep. Jackie Speier](#) said in a statement on the bill. “The president’s ban is not only hateful and un-American, it harms military readiness and morale and ultimately makes our country less strong.”

The move comes about two weeks after a [Supreme Court ruling](#) upheld new Defense Department rules on transgender troops. In a 5-4 decision, the justices ruled that the administration may move ahead with a ban on transgender recruits.

Pentagon officials said after the ruling that they would not yet move ahead with the transgender military ban because of other pending legal challenges still moving through the federal court system.

Thursday’s legislation would erase Trump’s planned limits, allowing any transgender individuals “who are qualified and meet standards” to enlist in the military.

The legislation faces a favorable road towards passage in the House, where the Democratic majority controls the chamber. Speier, who is the chairwoman of the House Armed Services personnel panel, has a promised hearing on the issue later this month, featuring some of the troops affected by Trump’s policies.

But the proposal faces much more opposition in the Republican-controlled Senate. Maine Republican Sen. Susan Collins has signed on to mirror legislation introduced by Democratic Sens. Kirsten Gillibrand, of New York, and Jack Reed, of Rhode Island, but GOP leadership has dismissed the issue as social engineering that hurts military morale.

Even if the measures were to pass the Senate, the final bill would have to be signed by Trump before it could become law.

Regardless, supporters said advancing the legislation sends an important message to the entire military force about equality and readiness.

“The president’s bigoted decision to ban transgender Americans from serving in the military, carries with it echoes of some of the most ignorant, intolerant moments in our history that saw women, black Americans, gays and lesbians barred from fully participating in our armed forces,” said Rep. Anthony Brown, D-Md., and vice chairman of the House Armed Services Committee.

<https://www.militarytimes.com/news/pentagon-congress/2019/02/07/lawmakers-aim-to-reverse-trumps-ban-on-transgender-troops/>

Outside advocates also hailed the move. Jennifer Levi, a director at GLBTQ Legal Advocates & Defenders, praised the proposals as “stepping in to protect our troops.”

Aaron Belkin, director of the Palm Center, said the current ban amounts to “the Pentagon shooting itself in the foot for no reason other than Trump-era politics.”

Officials at the American Military Partner Association echoed that worry.

“Thousands of qualified, patriotic transgender Americans raised their right hands and pledged an oath to defend the United States by serving in the military,” said AMPA President Ashley Broadway-Mack in a statement. “Instead of being singled out by the Trump-Pence administration for discrimination, these brave, highly trained warriors deserve our nation’s utmost support and thanks.”

In 2016, then-President Barack Obama announced that transgender individuals in the military would be allowed to serve openly and receive medical services for gender reassignment surgery. He also set a July 2017 target for allowing enlistment of new transgender recruits.

But Trump halted those plans after taking office. In March 2018, his administration announced a reversal of existing policies, replacing the rules with a ban on new transgender recruits.

The new policy has an exception for transgender troops who relied on the Obama-era rules to begin the process of changing their gender. The military said last year that more than 900 men and women have opted for that.

Past Defense Department estimates have said as many as 7,000 transgender individuals may currently be serving in the ranks. Six transgender service members were among Democratic lawmakers guests for this week’s State of the Union address.

*Reporter Tara Copp contributed to this story.*

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**SEE ALSO:**

[Gillibrand introduces bipartisan bill to allow transgender military service](#) [*The Hill*, 2019-02-07]

[California National Guard to transgender troops: ‘Nobody’s going to kick you out’](#) [*Sacramento (Calif.) Bee*, 2019-02-06]

# New Emojis Are Coming: Interracial Couples, Guide Dogs, Falafel and More

By Sarah Mervosh

The New York Times, February 6, 2019



*Some of the new emojis for 2019 announced by the Unicode Consortium this week. (Credit: Emojipedia)*

Interracial couples. A guide dog for blind people. A person using a wheelchair.

These were [among the new emojis announced this week](#) by the Unicode Consortium, the nonprofit that provides standards for text on the internet and oversees emojis.

The list — which includes 59 new emojis, as well as variants for a total of 230 options — emphasizes inclusivity. People will soon be able to create a “holding hands” emoji to reflect their own relationship, selecting for the skin color and gender identity of each individual. Other options include emojis showing a hearing aid, prosthetic limbs, sign language, a cane or a wheelchair.

A host of other new symbols include an otter, a sloth, a waffle, falafel, a yawning face, a white heart, a sari and [a contentious one-piece bathing suit](#).

In a world where people use emojis to represent everything from weddings to poop, the announcement naturally led to much discussion, with an image of a drop of blood becoming [a new way to talk about menstruation](#) and [a pinching symbol](#) leading to jokes about a certain male body part being very, very small.

But don't expect to see the latest offering on your keyboard just yet. That will most likely happen later this year.

The Unicode Consortium sets the standards for emoji compatibility, allowing the symbols to translate across the internet. Then companies like Apple and Google have to design emojis and incorporate the code into their operating systems, Greg Welch, a board member for Unicode, said in an interview on Wednesday. New emojis typically come to cellphones in September or October, Unicode said in the announcement.

On Wednesday, a representative for Apple pointed to its proposal for Unicode to create accessibility emojis, which said that the new emojis would “foster a diverse culture that is inclusive of disability” and help people express themselves, as well as show support for loved ones.

A representative for Google said on Wednesday that it hoped to release the new emoji designs soon.

The latest update continues a trend toward greater emoji diversity, which began in earnest a few years ago when a range of skin tones was introduced. In 2017, [a hijab emoji](#) was introduced.

“You see people are asking for curly hair or skin tone and bald and hijab,” said Jennifer 8. Lee, who serves on Unicode's emoji subcommittee and helped found Emojination, a grass-roots effort to make emojis more inclusive.

“In many ways it's because people are trying to say the word ‘I,’” Ms. Lee, who previously worked as a reporter at The New York Times, said in an interview on Wednesday. “They are trying to represent themselves in emojiland.”



<https://www.nytimes.com/2019/02/06/technology/new-emoji.html>

Tinder, the online dating app, had campaigned for Unicode to better represent couples of different races and genders in the “universal language of the digital age.”

“Love is universal,” Tinder’s website says. “And it’s time for interracial couples to be represented in our universal language.”

“It’s huge and historic,” said Ken Tanabe, the founder of Loving Day, an organization that encourages people to celebrate the anniversary of the Supreme Court decision that legalized interracial marriage.

“You are talking about marriages and starting families,” he said in an interview on Wednesday, adding that he had heard from people who could not find a wedding cake topper that reflected their relationship and chose to use black and white chess pieces instead.

“Having an emoji that’s already there, it feels like hey, we are part of the conversation,” he said. “We are part of the community. We are represented in the most personal part of our lives.”

Apple had [advocated](#) adding emojis to represent people with disabilities. In a statement on Wednesday, Howard A. Rosenblum, the chief executive of the National Association of the Deaf, a civil rights organization for deaf and hard of hearing people, said it worked with Apple to help create the deaf emoji and hoped it would help “raise awareness throughout the world about Deaf Culture and the many sign languages that exist.”

One of the new emojis — a guide dog for people who are blind and visually impaired — offers a fun way for people to represent their identity and honor their dogs in texts and emails, said Becky Davidson, who works at Guiding Eyes for the Blind, an organization that provides trained dogs for people who are blind or visually impaired.

“Some people might feel like they just don’t want that to define them. And that’s their choice and they don’t have to use it,” she said. “But I think a lot of us, we love our dogs and we love to show off our dogs.”

Guide dogs are an integral part of life for many blind people, so much so that they often sign emails from “so-and-so and their dog,” Ms. Davidson said.

But some people prefer to keep their dog’s name private, so that other people don’t use the dog’s name and distract it from its work, Ms. Davidson said. Using a guide dog image, she said, would be a way to include the dog in conversations without sharing specifics.

For Ms. Davidson, using emojis does not come naturally, she said, because she was born blind and does not know what some facial expressions look like. But she said she might make an exception for the chance to include an emoji of her 9-year-old yellow lab, Lawson.

“I think it’s kind of a cute idea,” she said.

*Follow Sarah Mervosh on Twitter: [@smervosh](#).*

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**SEE ALSO:**

[Emoji representing people with disabilities approved for 2019](#) [*The Hill*, 2019-02-06]

[New emoji represent people with disabilities](#) [*USA TODAY*, 2019-02-05]



# New Jersey to require schools to teach LGBT history

By Hannan Adely, North Jersey Record

USA TODAY, February 1, 2019

WOODLAND, N.J. – New Jersey has become the second state in the nation after California to adopt [a law that requires schools to teach about LGBT history](#) in a move hailed by civil rights groups as a step toward inclusion and fairness.

Gov. Phil Murphy, a Democrat who promised to promote equality for gay and transgender people during his campaign, signed the bill Thursday. Among those celebrating the news was Jaime Bruesehoff of Vernon, whose 12-year-old transgender child, Rebekah, spoke in support of the bill in Trenton in December.

“This bill is so important for our young people,” Bruesehoff said. “They need to see examples of themselves in the history being taught and in classes they are going to each day. We know representation matters.

“By learning about LGBTQ people who have made amazing contributions to their country, they are seeing possibilities for themselves and hope for the future,” she said.



*The rainbow flag was risen at Bergen County Plaza in Hackensack. (Photo: Marko Georgiev / NorthJersey.com)*

Under the measure, public schools must include lessons about the political, economic and social contributions of individuals who are gay and transgender, starting in the 2020-21 school year. The bill also requires teaching about contributions of people who are disabled.

The law does not apply to private schools.

Leaders of civil rights and advocacy groups said the law will give students a fuller history of the United States, promote understanding and help children feel included in school.

“Our youth deserve to see how diverse American history truly is – and how they can be a part of it one day, too,” said Christian Fuscarino, executive director of the advocacy group Garden State Equality.

## ***Concerns about bullying, parents' rights***

Conservative organizations have opposed proposals to teach gay and transgender history, saying such requirements take away power from parents and may encourage kids to question their sexuality.

Len Deo, president of the New Jersey Family Policy Council, said he opposed the bill because it infringed on parents' rights.

“We believe it further erodes the right of parents to discuss this sensitive issue with their children, if in fact schools are going to be promoting and making the claim that this particular person was an LGBTQ member,” he said.

Deo said individuals should be included in lessons based on achievements without discussion of sexual orientation. He noted that New Jersey already has what many education experts consider the strongest anti-bullying law in the country.

<https://www.usatoday.com/story/news/education/2019/02/01/nj-schools-teach-lgbt-history-new-law/2749212002/>

Despite the 2011 anti-bullying law, many students in New Jersey still say [they feel harassed, targeted and unsupported at school](#) because of their sexual orientation or the way they express their gender, according to findings of a survey released last month by the Gay, Lesbian, and Straight Education Network, or GLSEN.

By teaching about lesbian, gay, transgender and bisexual communities in schools, students will feel more connected, which will help their mental health and ability to learn, said Kathryn Dixon, Northern New Jersey policy coordinator for GLSEN.

“It fosters respect and connectivity and develops a culture and climate where everyone feels safe,” she said.

The lessons shouldn’t be confined to the history of the gay rights movement, Dixon added. Rather, schools should also include everyday examples of LGBT individuals and families across subjects.

### ***New Jersey’s inclusive agenda***

The New Jersey law was modeled after one that took effect in California in 2012. It’s one of a several measures that the Murphy administration has backed or approved for LGBT rights.

In September, New Jersey issued guidance to schools that were designed to promote transgender-friendly policies on the use of names and pronouns, participation in activities, use of facilities and student records.

One of 11 states with similar policies, New Jersey's is considered the most progressive because it tells schools that [gender identity should rest with the student and that parents don't need to be notified](#).

On Feb. 1, a law went into effect that lets transgender residents more easily [change the gender on their birth certificates](#) while also adding a third, gender-neutral option.

# Support for Making VA Motto Gender-Neutral May Be Fading

By Richard Sisk

Military.com, February 7, 2019



*The Department of Veterans Affairs' motto, shown on a plaque outside the Veterans Health Administration building in Washington, D.C. (Hope Hodge Seck/Military.com)*

An annual membership survey from the organization Iraq and Afghanistan Veterans of America (IAVA) showed that less than half of surveyed members support a more gender-neutral version of the Department of Veterans Affairs' iconic motto: "To care for him care who shall have borne the battle, and for his widow, and his orphan."

The survey, released last week, of about 4,600 IAVA members showed that 46 percent either "strongly" or "somewhat" supported changing the motto taken from Abraham Lincoln's majestic Second Inaugural Address. About 30 percent "strongly" or "somewhat" opposed changing the motto, while 24 percent were neutral on the issue.

In October, the Veterans Legal Services Clinic at Yale Law School, backed by IAVA, the Service Women's Action Network, and the NYC Veterans Alliance, petitioned the VA to change the motto.

"The current VA motto is gendered and exclusionary, relegating women veterans to the fringes of veteran communities," the petition stated.

"The time to act is now," Paul Rieckhoff, founder and chief executive officer of IAVA, said in a statement when the petition was filed.

Changing the motto would make "a powerful commitment to creating a culture that acknowledges and respects the service and sacrifices of women veterans," Rieckhoff said.

Last November, Sen. Kirsten Gillibrand, D-New York, and Rep. Kathleen Rice, D-New York, introduced a bill that would change the motto to read: "To fulfill President Lincoln's promise 'To care for him who shall have borne the battle, and for his widow, and his orphan' by serving and honoring the men and women who are America's veterans."

Another replacement motto suggested by advocacy groups would read: "To care for those who shall have borne the battle and their families and survivors." A VA spokesman has repeatedly said that the petition will be reviewed, but there are no current plans to change the motto.

Lincoln delivered his Second Inaugural on the steps of the Capitol on March 4, 1865, in the waning days of the Civil War and about a month before he was assassinated. John Wilkes Booth, his assassin, was in the audience.

Lincoln's closing words were: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

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# Miscellaneous

# The Air Force is the only service that decreased its number of suicides in 2018

By Jeff Schogol

Task & Purpose, February 4, 2019

The Air Force is the only military branch that saw a decrease in both active-duty and Reserve suicides last year, according to data provided by the service.

A total of 58 active-duty suicides were reported in 2018, of which 16 deaths are suspected suicides pending confirmation, the service's data shows. By comparison, 63 active-duty airmen took their own lives in 2017; however, the five-year average for Air Force active-duty suicides is roughly 61 deaths per year, showing little has changed since 2014.

"We are not satisfied with flat-lined suicide death numbers," Brig. Gen. Michael E. Martin, director, Air Force Integrated Resilience, said in a statement. "The Air Force is dedicated to a comprehensive, leadership-driven strategy with the ultimate goal of supporting airmen and their families early with a robust network and never losing another airman to suicide."

However, the Air Force Reserves saw a sharp decrease in suicides from 11 in 2017 to three in 2018, the Air Force's data shows. That is the lowest number of Reserve suicides since 2012.

The decreases in active-duty and Reserve suicides set the Air Force apart from the [other services](#). The [Army reported](#) that 138 active-duty soldiers killed themselves in 2018 – the highest number since 2012 – compared with 116 in 2017. Additionally, 115 were Army National Guardsmen and 47 reservists took their own lives in 2018.

The [Navy reported](#) 68 active-duty sailors committed suicide in 2018, and that represents the highest number of active-duty suicides since 2006. Eleven Navy reservists also killed themselves last year. And 58 active-duty Marines took their own lives in 2018 – [the highest number since 2009](#) – along with 18 Marine reservists.

Whenever an airman commits suicide, the Air Force establishes a suicide analysis board that looks into the underlying causes of the death, similar to investigations into aircraft crashes, said Air Force spokesman Maj. Nicholas Mercurio.

"We engage with experts from the Air Force, Department of Defense and academia to identify and pursue the most promising immediate, mid, and long-range prevention approaches that have empirical support in reducing suicides," Mercurio said in an email.

The Air Force also trains airmen to recognize warning signs for suicide so they can intervene in time, he said.

"Our program is designed for maximum support to airmen and their families well in advance of crisis, and to support commanders and leaders at all levels in order to ensure the network of helping agencies is actively engaged in prevention, intervention and postvention," Martin said. "It is about a culture of care and respect established by commanders and senior enlisted leaders that arms airmen at all levels with the training and tools for the decisive edge when their wingmen are in crisis."

# Amazon says facial recognition tech should 'not violate civil rights'

By Emily Birnbaum

The Hill, February 7, 2019



(© Getty)

Amazon unveiled new [proposed guidelines](#) on Thursday for any national legislation regulating facial recognition technology following months of scrutiny over Rekognition, the tech giant's facial recognition software.

Progressive lawmakers, civil rights groups and privacy advocates throughout last year criticized Amazon's Rekognition contracts with law enforcement agencies, pointing out that the technology has misidentified [people of color](#) and, during one test, wrongly identified [members of Congress](#) as criminals.

Amazon previously has responded by insisting that researchers had used technology incorrectly, a point reiterated in the guidelines posted on its blog Thursday. The blog post marks the most extensive response yet by Amazon to such criticisms.

"In the two-plus years we've been offering Amazon Rekognition, we have not received a single report of misuse by law enforcement," Amazon said in its post. "Even with this strong track record to date, we understand why people want there to be oversight and guidelines put in place to make sure facial recognition technology cannot be used to discriminate."

The proposals from Amazon focus mainly on ensuring that law enforcement uses the technology effectively and without discriminating against minorities.

"New technology should not be banned or condemned because of its potential misuse," Amazon said in the post. "Instead, there should be open, honest, and earnest dialogue among all parties involved to ensure that the technology is applied appropriately and is continuously enhanced."

Amazon said any national legislation should ensure facial recognition technology avoids the potential for discrimination, in part, by requiring human reviewers to provide oversight of law enforcement agencies using the products. Amazon is calling for similar technologies used by law enforcement to meet a "99% confidence score."

"We support the calls for an appropriate national legislative framework that protects individual civil rights and ensures that governments are transparent in their use of facial recognition technology," the post reads.

The guidelines also call for "transparency" from law enforcement agencies using facial recognition technology, which could include a mandate that requires law enforcement to disclose when they are using it in connection with video surveillance in public places.

A group of Amazon shareholders last month [filed a resolution](#) to prohibit Amazon from selling Rekognition to government entities until the company's board could conclude that "the technology does not cause or contribute to actual or potential violations of civil and human rights."

Civil rights advocates and some black lawmakers have been raising concerns that the technology could contribute to racial discrimination by law enforcement and increase surveillance of marginalized communities.



<https://thehill.com/policy/technology/428983-amazon-says-facial-recognition-tech-should-not-violate-civil-rights>

American Civil Liberties Union (ACLU) senior legislative counsel Neema Singh Guliani called Amazon's framework "weak" and "hollow" in a statement Thursday. She pointed out that law enforcement has [previously raised concerns](#) about the facial recognition technology, and Amazon has declined to share information on the products with Congress.

"Amazon says that face recognition should not violate the law, yet it ignores the fact that there is no law on the books authorizing its use by law enforcement at all," Giuliani said. She also noted that Amazon's 99 percent confidence threshold "does nothing to reduce the inevitability of law enforcement using the technology to determine who attends protests, monitor immigrants, or target communities of color."

"Amazon's framework rings woefully hollow, underscores the company's refusal to properly address the dangers of its technology in government hands, and reinforces the urgent need for Amazon to get out of the surveillance business altogether," she said.

The Congressional Black Caucus also raised concerns in a letter to Amazon last year, writing, "We are troubled by the profound negative unintended consequences this form of artificial intelligence could have for African Americans, undocumented immigrants, and protesters."

Microsoft, which has also come under fire for its facial recognition technology, last month released a [similar set of guidelines](#) to regulate the use of the sensitive technology.

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**SEE ALSO:**

[Amazon testing facial recognition tools for online sellers: report](#) [*The Hill*, 2019-02-06]

# Army aims for more combat-ready troops with new fitness test

By Lolita C. Baldor

The Associated Press, February 6, 2019



*In this Jan. 8, 2019, photo, U.S. Army troops in training to become instructors, participate in the new Army combat fitness test at the 108th Air Defense Artillery Brigade compound at Fort Bragg, N.C. The new test is designed to be a more accurate test of combat readiness than the present requirements. (AP Photo/Gerry Broome)*

FORT BRAGG, N.C. (AP) — Army soldiers struggle to haul heavy sleds backward as fast as they can down a grassy field at Fort Bragg, filling the brisk North Carolina morning air with grunts of exertion and the shouts of instruction from their coaches.

Watching from the sidelines, Sgt. Maj. Harold Sampson shakes his head. As a military intelligence specialist he spends a lot of time behind a desk. Over his two decades in the Army, he could easily pound out the situps, pushups and 2-mile run that for years have made up the service's fitness test.

But change has come. The Army is developing a new, more grueling and complex fitness exam that adds dead lifts, power throws and other exercises designed to make soldiers more fit and ready for combat. "I am prepared to be utterly embarrassed," Sampson said on a recent morning, two days before he was to take the test.

Commanders have complained in recent years that the soldiers they get out of basic training aren't fit enough. Nearly half of the commanders surveyed last year said new troops coming into their units could not meet the physical demands of combat. Officials also say about 12 percent of soldiers at any one time cannot deploy because of injuries.

In addition, there has long been a sense among many senior officials that the existing fitness test does not adequately measure the physical attributes needed for the battlefield, said Gen. Stephen Townsend, head of U.S. Army Training and Doctrine Command.

The new test, "may be harder, but it is necessary," Townsend said.

Reaching the new fitness levels will be challenging. Unlike the old fitness test, which graded soldiers differently based on age and gender, the new one will be far more physically demanding and will not adjust the passing scores for older or female soldiers.

For example, in the current test — two minutes of situps, two minutes of pushups, a 2-mile run — younger soldiers must do more repetitions and run faster to pass and get maximum scores than those who are older or female.

Townsend said the new test was designed based on scientific research that matched specific exercises to tasks that soldiers in combat must do: sprint away from fire, carry a wounded comrade on a stretcher, haul cans of fuel to a truck.

The scoring is divided into three levels that require soldiers with more physically demanding jobs, such as infantry or armor, to score higher.

<https://www.apnews.com/51c2801133f5477488c0723bc0d6ee8f>

“We needed to change the culture of fitness in the United States Army. We had a high number of nondeployable soldiers that had a lot of muscular/skeletal injuries and medical challenges because we hadn’t trained them from a fitness perspective in the right way,” said Army Maj. Gen. Malcolm Frost, commander of the Army’s Center for Initial Military Training and the officer in charge of developing the new fitness test. “The goal is about a having a more combat-ready army.”

Frost said that about one-third of the soldiers who come into the service leave before their third year, many because of muscular skeletal injuries. The new test, he said, will help screen out recruits who are less physically fit and mentally disciplined. Those who make the cut are more likely to stay in the service.

It will also challenge senior officers such as Sampson, who have been doing less physical desk jobs.

“It breaks the mindset of ‘I am an intel soldier,’” said Sampson. “It changes it to ‘I am a soldier,’ because bullets on the battlefield don’t discriminate.”

The Associated Press was with Frost on a recent sunny Tuesday as he watched soldiers from three battalions go through the test. The six events take nearly an hour and are done in order with only a few minutes rest in between:

—a dead lift, with weights between 140 pounds and 340 pounds.

—a standing power throw, which requires soldiers to throw a 10-pound medicine ball backward and overhead.

—hand-release pushups, completing as many as possible in two minutes.

—the “sprint-drag-carry” that includes a 50-yard sprint, a 50-yard backward sled drag, a 50-yard lateral, where soldiers shuttle sideways down the lane and back, a 50-yard carry of two 40-pound kettle bells and a 50-yard sprint.

—after a short rest, the soldiers do the leg tuck pullup, as many as possible in two minutes.

—a 2-mile run.

“Many folks find it easy to do the maximum standard for the current test,” Frost said. “This new test is gender and age neutral. I cannot max this test.”

Across the country, 63 battalions are working on the final test development and will eventually go back to their units and train others. By Oct. 1, the entire Army will be using the test. By October 2020, it will be the official exam that all soldiers will have to pass.

Technique is key to success.

As the soldiers lined up to fling the medicine ball back over their heads, coaches stood by ready to shove them out of the way if the ball went straight up and came right back down.

The first throws landed with a chorus of thuds; many throws fell short. But the second and third tries went farther as soldiers figured out when to release the ball.

Next they quickly moved to pushups.

Crouched beside a soldier straining to master the hand-release, Frost shouts out encouragement and then drops down to demonstrate proper form. Each time the soldier lowers his body, both hands must quickly lift off the ground and immediately press back down for the next pushup.

A few lanes away, Staff Sgt. Idis Arroyo, has started what most consider the toughest element, the sprint-drag-carry. Pulling the 90-pound sled backward down the lane, her feet slip and she stumbles.

<https://www.apnews.com/51c2801133f5477488c0723bc0d6ee8f>

“C’mon get up! Get up, pull, pull!” a coach yells. Arroyo bounces up, drags it to the end and shifts quickly to the next movement.

How hard was it?

“It was pretty difficult,” said Arroyo, who is with the 519th Military Intelligence Battalion. “Once we got into the sprint-drag-carry and then sprint again and the laterals and all that, I think that was actually the hardest part.”

But she said she knows it will help her when she has to embed with a combat unit.

Commanders said the test will be harder at first for less fit soldiers or longtime veterans, who are in less physical jobs, and many may fail at first. But they said that over time, as soldiers adjust and get stronger, their scores will improve.

Lt. Col. Eric Haas, commander of Arroyo’s battalion, watched as his soldiers powered through the test. He said it was very telling to watch fit leaders struggle.

“This is a good assessment of where we are physically,” Haas said. “For years I’ve been taking the Army physical fitness test and that’s the most miserable I think I’ve seen a 2-mile finish line.”

Sampson, who is also with the 519th battalion and has deployed three times to Iraq and Afghanistan, said improving fitness will make his soldiers more prepared to do their jobs.

“It doesn’t matter that 90 percent of the time I may sit in a chair working behind a computer,” he said. “I’m going to have to move a person from point A to point B.”

As for his expected embarrassment on the test? He scored well and passed.

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**SEE ALSO:**

[Marine Corps Marathon to Debut New Ultra-Run This Fall](#) [*Military.com*, 2019-02-06]

[Army developing new fitness test after complaints over troop readiness: report](#) [*The Hill*, 2019-02-06]

# Army Recruiters Are Making Progress Connecting with Gen-Z, Generals Say

By Matthew Cox

Military.com, January 31, 2019



*Capt. Ryan Lewis talks to Sgt. 1st Class Christopher Jones and @twitch.tv shout caster James "jchensor" Chen during the Army Entertainment Esports Street Fighter V tournament 11 August 2018, at the Alternate Escapes Café at Fort Gordon, Georgia. (U.S. Army 2nd Recruiting Brigade)*

Senior U.S. Army recruiting officials said Thursday that the service's new recruiting strategy is beginning to show results as they learn how to connect with America's Generation Z.

The Army launched a [massive recruiting reform strategy](#) last fall after it [missed its recruiting goal for fiscal 2018](#) by 6,500 soldiers. The effort involves [targeting 22 major cities](#) and adding 700 recruiters.

But recruiting officials say a lot of the early success comes from the realization that they must turn to the digital world of social media to reach the 17-to-24-year-old population.

Maj. Gen. Frank Muth, commander of Army Recruiting Command, told reporters Thursday that this became clear after doing a 90-day assessment of recruiting challenges last summer.

"The overarching theme was, we are not where the youth are today," Muth said, talking about discussions he had with recruiters. "They said, 'Sir, when we will call people, they will not answer the phone.' Most people do not answer the phone when you get a number you don't recognize."

Recruiters began to use social media to recruit -- after the Army greenlit new guidelines -- and they started to see real success, he said.

The Army is also learning to connect with young people through the eSports gaming world.

The service is holding tryouts to [select its top gamers for the new Army Esports Team](#), which will compete in local, regional and national gaming tournaments.

"In the last four weeks when we have opened the tryouts, we have 7,000 soldiers signed up to come try out for our team, and we have 20 slots," Muth said.

Sgt. 1st Class Christopher Jones, noncommissioned officer in charge of the Army Esports Team, did a 45-second live spot on social media talking about the 150 jobs the Army offers and got more than one million views during an Ultimate Fighter 5 tournament, Muth said.

"We know it is very powerful. If you look at Twitch, Twitch gets 150 million views a month watching eGames," he said.

Gen. Stephen Townsend, head of Army Training and Doctrine Command, said the goal of these types of reforms "is to give us a 21st-century digital, modern recruiting system that we can actually recruit the Army with fewer recruiters in the field. That's the goal."

So far, the results have been positive, Townsend said, explaining that the service's recruiting results for the first quarter "generally went very well. It went better than first quarter last year."

<https://www.military.com/daily-news/2019/01/31/army-recruiters-are-making-progress-connecting-gen-z-generals-say.html>

Muth said they won't have measurable results until the "second quarter and maybe even the beginning of the third."

However, 33 of the 38 recruiting battalions "beat their best" results from last year when "when we closed out at the end of December," he said.

The Army also tracks recruiting numbers monthly. The service had six battalions make 100 percent of their monthly mission, Muth said, adding that the average for the last several years has been three battalions.

"For February, what we are tracking right now is our 5th Brigade, which has most of Texas and into some of New Mexico and Arizona territory, and even some of Oklahoma and Kansas. They are about to make 100 percent of their mission, based on our projections," he said. "It's been several years since 5th Brigade made 100 percent of their monthly mission."

The Army has placed an emphasis on tracking the return on investment, Muth said.

It sent 120 recruiters to the recent Army-Navy football game, he said, which netted a "face to face with 3,988 potential applicants."

"Out of that, we got 1,500 leads. Out of that, we got 500 appointments and, out of that, we got 11 contracts," Muth said.

He tried to put the effort into perspective.

"So if I want to do 85,000 for a year, I have to talk to 14 million, which gives me 500,000 appointments, which 400,000 actually show up, 250,000 agree to take the test, 150,000 pass and, out of that, 95,000 will have signed a contract, but only 85,000 actually cross the floor," Muth said, explaining, "I have to keep about 8,000 for next year to help me start the year, and 2,000 are just going to fail out."

"So when someone says, 'You talked to 3,000 people and you made 150 appointments and you only got 11 contracts?' I go, 'It takes 40 no's to make one yes.'

"That is why the digital is so important because the digital works 24/7. A recruiter goes home at [7 p.m.], but that digital meme is still rolling at [2 a.m.] and some kid rolls onto his Instagram account and checks it out."

-- *Matthew Cox can be reached at [matthew.cox@military.com](mailto:matthew.cox@military.com).*

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**SEE ALSO:**

[Army to Release Music Video Aimed At Recruiting Gen-Z](#) [*Military.com*, 2019-01-31]

[Sgt. 1st Class Sutton is back with another Army recruiting rap](#) [*Army Times*, 2019-02-01]

[The Army needs to recruit more Gen Z-ers and it's turning to recruiters' rap to do it](#) [*Stars & Stripes*, 2019-02-01]



# Army secretary seeks to help families through fewer moves, spouse job opportunities

By Corey Dickstein

Stars and Stripes, February 5, 2019



*Senior Army leaders speak Tuesday, Feb. 5, 2018 during a family readiness forum at the Association of the U.S. Army's headquarters in Arlington, Va. Pictured, left to right, are Gen. James McConville, the vice chief of the Army, Army Secretary Mark Esper, and Command Sgt. Maj. of the Army Dan Dailey, the service's senior enlisted soldier. (Corey Dickstein/Stars And Stripes)*

ARLINGTON, Va. — The Army wants to stabilize family life for soldiers by moving them less often and improving access to jobs for their working spouses, the service's top civilian said Tuesday.

Army Secretary Mark Esper told a crowd of soldiers and their family members that he was crafting a variety of new policies that he believes would bolster families, at least in part to improve the attractiveness of remaining in the service for a long time.

Those proposed initiatives include lengthening soldiers' home station tours at most installations outside the United States, quickening the pace for hiring spouses to Army civilian jobs and reimbursing spouses for fees incurred to update professional licenses in new locations.

Esper said those policies would address some of the concerns soldiers and family members have raised during his visits to installations across the globe through his first 15 months in office.

“We’re turning common themes into actions [and] ideas into directives to really help improve the welfare of our soldiers and our families,” he said during a family forum hosted by the Association of the United States Army at its headquarters in Arlington, Va.

About 53 percent of soldiers are married and 43 percent have children, according to the Army.

In order to retain soldiers, the service must take care of those family members, Esper said. It’s an issue the Army and the other military services have long struggled with — especially with spousal employment.

A new report from the National Military Spouse Network released Monday found military spouse unemployment was increasing, including a 28 percent military spouse unemployment rate in 2017. In addition, more than half of working military spouses were underemployed. The same study found 77 percent of military spouses reported their career had been negatively impacted because of their status as a servicemember’s spouse.

“Choosing the life of a military spouse has, in turn, generally meant that the spouse must give up career aspirations of their own in lieu of their servicemember’s,” the report stated.

Esper said some of his initiatives should help curb those problems.

He proposed standardizing the typical amount of time that soldiers spend in their assignments across the United States and elsewhere to 36 months. Tours outside the continental United States are typically about 24 months.

<https://www.stripes.com/news/us/army-secretary-seeks-to-help-families-through-fewer-moves-spouse-job-opportunities-1.567454>

More so, Esper wants soldiers to understand they do not necessarily have to move locations to be promoted or improve their careers. At least in part, he wants to stabilize families by encouraging soldiers to seek new assignments at their current locations, if they are pleased with their home life.

“So, it’s OK to stay in one place for an extended period of time . . . as long as you are performing your role and it is value added to the Army,” Esper said. “Particularly if a spouse has a great job, doubly so if the kids are in great schools and are happy — we want as much as possible to reduce [permanent change of station] turmoil.”

For soldiers who must move, Esper said he is working to improve hiring practices for jobs on Army installations and to streamline the process for spouses in careers such as accounting, law, medicine and teaching who must recertify their credentials in their new location.

He said he is working to install a new policy that would reimburse Army spouses for the fees they pay for their credentials in their new location. Esper also said he is pressuring Congress to adopt new legislation to simplify and standardize that credentialing process.

Another barrier to spousal employment, Esper said, is the Army’s lengthy hiring process. It takes the Army more than 120 days on average to hire for on-post civilian jobs. Esper said he aims in the next two years to reduce that process to 60 days at the most, which would increase the attractiveness of installation jobs, often filled by Army spouses.

“We have to do a better job at spousal hiring and civilian hiring for those jobs locating on installations we provide,” he said. “There’s no reason why someone should have to wait 100-plus days to get a job. Nobody is going to wait . . . or another opportunity is going to come or it's time to [move] again.”

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**SEE ALSO:**

[Army secretary: ‘I want to put dollars’ into child care for families](#) [*Military Times*, 2019-02-07]

[Housing, relocation, access to health care are top concerns for military families in survey](#) [*Military Times*, 2019-02-07]

[‘Time Away’ Remains Top Troop, Military Family Worry: Survey](#) [*Military.com*, 2019-02-06]

[New Army Policies Aim to Enhance Lives of Soldiers, Spouses](#) [*Military.com*, 2019-02-06]

## Her texts urged a boyfriend to kill himself. A judge just upheld her conviction.

By Kayla Epstein, Lindsey Bever, and Kristine Phillips

The Washington Post, February 6, 2019

In 2017, Michelle Carter was found guilty of involuntary manslaughter for [persuading her boyfriend via text messages to die by suicide](#). She appealed the decision, but her conviction was upheld Wednesday by the Massachusetts Supreme Judicial Court.

[In a ruling written by Justice Scott L. Kafker](#), the court stated that “the evidence was sufficient to support the judge’s finding of proof beyond a reasonable doubt that the defendant committed involuntary manslaughter as a youthful offender.”

“By her wanton or reckless conduct, she caused the victim’s death by suicide,” the ruling concluded. “Her conviction of involuntary manslaughter as a youthful offender is not legally or constitutionally infirm.”

Carter’s lawyer, Daniel N. Marx, said in a statement to The Washington Post that they were considering further legal options, including a possible appeal to the U.S. Supreme Court.

“We are disappointed in the Court’s decision, which adopts a narrative that we do not believe the evidence supports. We continue to believe that Michelle Carter did not cause Conrad Roy’s tragic death, and she should not be held criminally responsible for his choice to end his own life,” Marx said.

Carter, now 22, and the victim, Conrad Roy III, met in 2012, according to court documents. They maintained their relationship via text messages and frequently discussed mental health issues. Roy had previously attempted suicide, and Carter had planned to seek treatment for an eating disorder.

Initially, Carter urged Roy to seek help, but “as the victim continued researching suicide methods and sharing his findings with the defendant, the defendant helped plan how, where and when he would do so, and downplayed his fears about how his suicide would affect his family,” the court wrote, citing several text exchanges.

“I thought you wanted to do this. The time is right and you’re ready, you just need to do it!” Carter texted Roy in July 2014 as he was having doubts about going through with suicide. They discussed methods, including carbon monoxide poisoning.

On July 13, 2014, Roy’s body was found in a vehicle in a Massachusetts parking lot. He died of carbon monoxide inhalation that was produced “by a gasoline-powered water pump located in the truck,” the ruling said.

In September 2014, Carter texted a friend, writing, “His death is my fault like honestly I could have stopped him I was on the phone with him and he got out of the car because it was working and he got scared and I [expletive] told him to get back in.”

He was 18 when he died. Carter was 17 at the time.

Three years later, Carter was convicted of involuntary manslaughter in Roy’s death, and her case hinged on the text messages she sent him as he contemplated suicide, and the fact that she did not try to prevent him from carrying out the suicide. She was sentenced by Bristol County Juvenile Court Judge Lawrence Moniz to 2½ years in prison but would be eligible for probation after 15 months and was allowed to remain free as she appealed the decision, [CBS News reported](#).

<https://www.washingtonpost.com/crime-law/2019/02/06/her-texts-urged-boyfriend-kill-himself-judge-just-upheld-her-conviction/>

It was a closely watched case not just for its startling details, but also for the legal implications of Carter's conviction.

After the conviction, Laurie Levenson, a criminal law professor at Loyola Law School in Los Angeles, told The Post that the case sends a strong message that "there are new means of committing old crimes," and prosecutors will be more likely to look at those cases. She argued that the case did not set legal precedent but raised the question, "When does bullying cross over into committing a homicide?"

The Massachusetts branch of the American Civil Liberties Union raised concerns about the greater implications of the ruling Wednesday.

"Conrad Roy's suicide is indisputably tragic. But, by upholding Michelle Carter's conviction, the Supreme Judicial Court has handed prosecutors broad, undefined powers that diminish the speech rights of everyone in Massachusetts," legal director Matt Segal said in a statement.

"The Court's decision tells prosecutors that they can bring charges against individuals based on arbitrary and subjective determinations of what speech is noble and what speech is criminal," Segal continued. "This prosecutorial power will chill important and loving end-of-life discussions between family members, and could lead to erroneous convictions of children who engage in reckless, juvenile conversations with friends. The Court's assurance that its opinion will not broadly criminalize other speech does little to change this inevitable outcome."

Marx issued similar sentiments Wednesday, telling The Post that the decision "stretches the law" and has "troubling implications, for free speech, due process, and the exercise of prosecutorial discretion."

In upholding the conviction Wednesday, the court decided that Carter's claim that her conduct was protected by the First Amendment, among other defenses, "lack[ed] merit."

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**SEE ALSO:**

[Massachusetts manslaughter conviction upheld in teen texting suicide case](#) [2019-02-06]

## MacDill penalizes base housing operator over mold as Bilirakis launches congressional inquiry

*At least two families point to illnesses in their children from mold in their homes. It's a problem plaguing military installations nationwide.*

By Howard Altman

Tampa Bay (Fla.) Times, February 1, 2019



*A mattress serves as a couch in the Riverview home of military spouse Amie Norquist and her children, from left, Allie, Ethan, Elise and Jason. Because of mold, the Norquist family had to get rid of their furniture and move from housing at MacDill Air Force Base. (Bronte Wittpenn/Times)*

TAMPA — When Amie Norquist and her family moved to MacDill Air Force Base in July, they thought they had found their ideal home.

“It was very convenient,” said Norquist, a military spouse and mother of four. “The housing in South Tampa is pretty expensive. We drove through the neighborhood there and it looked really nice.”

But within a month, her children started getting sick. Breathing problems sent her youngest to the emergency room twice, her 3-year-old came down with pneumonia, and another child’s existing health problems grew worse.

Norquist suspected mold. She asked Harbor Bay, the company that manages base properties, to check. Her fears were confirmed.

But for Norquist, 31, and for families like hers at bases nationwide, identifying the problem was just the beginning of a nightmare.

She soon found that she had limited recourse. One reason: The military contracts out 99 percent of housing on its bases to private firms, according to a report in March from the Government Accountability Office.

At least seven other families living in base housing have complained about mold, judging from a MacDill town hall meeting in October and interviews with the *Tampa Bay Times*. Norquist said even more families have reached out to her through email and social media.

The parent company of Tampa-based Harbor Bay said in a statement that mold problems pointed out by the *Times* have met with “a successful resolution,” but that’s not Norquist’s experience.

Her family was forced to leave their single-family home. The costs they’ve incurred have put them in debt as they set up a new home in Riverview and work to replace the contaminated furniture they had to dispose of.

“I feel like our family is a little broken at this point,” Norquist said. “It has been pretty traumatic.”

•••

MacDill’s host command showed its displeasure with Harbor Bay’s performance last year by cutting the money the company receives through a performance incentive fee.

The problem also has gotten the attention of U.S. Rep. Gus Bilirakis, who wrote a letter Jan. 25 to Air Force Col. Steve Snelson, the base commander. Bilirakis wants to know the extent of the problem and how MacDill deals with it, now and for the past ten years.

<https://www.tampabay.com/news/military/macdill-penalizes-base-housing-operator-over-mold-as-bilirakis-launches-congressional-inquiry-20190201/>

Bilirakis, the Palm Harbor Republican, joins other members of Congress looking into mold at base housing across the country. They include Sens. Diane Feinstein, Mark Warner and Kamala Harris, all Democrats.

The problem is a popular topic on a private Facebook page highlighting complaints nationwide about military housing.

“The mold situation is pervasive at best,” said Crystal Cornwall, a military spouse who runs the page.

People living throughout Florida, where annual rainfall averages nearly 60 inches, know the devastation that mold can cause.

But families who live in base housing face a special challenge in trying to do something about it.

Once operated by the government, base housing was found in the mid-1990s to have fallen into such poor condition that nearly two-thirds of it required repair or replacement, the March GAO report said.

According to estimates at the time, the work would cost \$20 billion and take 40 years to complete. So the Pentagon obtained authority from Congress to enter into public-private partnerships.

In return for building base housing, private management companies now are paid directly through the allowance each service member receives for rent and utilities.

Unlike civilians, however, military families cannot place their payments in escrow when problems crop up. What’s more, base commanders are limited in how they can intercede with private businesses.

That leaves military families who live on base, already under stress from frequent moves, to deal on their own with the landlord.

•••

During an [October town hall meeting](#) streamed live over Facebook, where families talked about a number of concerns, Amie Norquist and her husband joined with about a half-dozen MacDill residents to describe their problems with mold.

"I have had sick kids for over a month and myself also," an airman named Ashley Weber wrote during the town hall. "Was also told the attic door was not built with correct materials with the humidity and heat here."

Weber did not respond to a request for comment from the *Times*.

Amanda Bailey, Harbor Bay’s community director, took part in that town hall four months ago and thanked Norquist for raising the mold issue.

Still, the problems continued.

There were disagreements, for example, over how to treat the contaminated areas. Norquist wanted Harbor Bay to remove the subflooring, but the company eventually opted just to sand away mold spots, instead.

By the middle of December, the family decided to move. MacDill’s host unit, the 6th Air Mobility Wing, paid relocation costs, but the family had to put more than \$6,000 on a credit card to rent the home in Riverview. The reason: Harbor Bay continued collecting their housing allowance until a week after they signed the new lease, Norquist said.

She estimates the family is out \$40,000 considering the costs of furniture and expensive medicines that no longer are usable.





# Pentagon Launches Prescription Monitoring Program to Curb Substance Abuse

By Patricia Kime

Military.com, February 6, 2019



*A pharmacy technician counts pills before filling a prescription. (U.S. Air Force/Bobby Jones)*

Military hospitals, clinics and pharmacies will soon share information on prescriptions written for controlled substances with civilian doctors in nine states, part of a growing effort to stem addiction and illegal transfer of medications such as opioids within the military population.

Defense Health Agency (DHA) officials said Tuesday that the information, which will include the number of prescriptions as well as the quantity and strength of dosages, will be shared to ensure that patients aren't receiving overlapping or additional prescriptions outside the military health system.

The goal is to sign agreements with all 49 states and several territories enrolled in the National Association of Boards of Pharmacy's Prescription Monitoring Program Interconnect System, which monitors prescriptions for restricted drugs nationwide, according to DHA.

Navy Vice Adm. Raquel Bono, director of the DHA, said the launch of the Military Health System Prescription Drug Monitoring Program, or MHSPDMP, gives military and civilian treatment facilities "a powerful tool for opioid safety."

"The [program] will allow civilian and military providers to review patient opioid prescription histories to ensure there are no overlapping opioid prescriptions that can worsen an opioid use disorder or cause an overdose," Bono said in a release.

Each state's monitoring programs differ in the types of medications they track. The DHA did not list the specific medications that would be shared through MHSPDMP, only that it will track "controlled substances."

This could include up to 150 types of medications -- narcotics; opiates; opioids; stimulants, including some medications for attention-deficit hyperactivity disorder; depressants; barbiturates; and benzodiazepines like Xanax and Valium, among others.

As the nation struggles to address opioid dependence in the general population -- in 2017, 47,600 Americans died of opioid overdoses -- drug-related addiction disorders in the military remain relatively rare.

Of the more than nine million beneficiaries in the military health system, which includes 1.3 million active-duty service members, roughly 600 active-duty troops were diagnosed with an opioid use disorder, or OUD, in 2016, down from nearly 2,000 in 2011.

That same year, about 500 military retirees and roughly 600 dependents of active-duty personnel were diagnosed as abusing opioids, and another 1,400 beneficiaries -- dependents of retired personnel, dependents of deceased retired personnel and other people seen in the military health system -- received the same diagnosis, according to a presentation given by Zachary Peters, a researcher with the DHA

<https://www.military.com/daily-news/2019/02/06/pentagon-launches-prescription-monitoring-program-curb-substance-abuse.html>

Psychological Health Center of Excellence, at the annual meeting of AMSUS, the Society of Federal Health Professionals, in December.

By contrast, nearly one in five active-duty members had a prescription for an opioid, while one in four retirees had one in 2016, according to Peters.

From 2006 to 2014, a total 117,118 Tricare beneficiaries, including active-duty service members, retirees and dependents, were considered to be dependent on opioids (excluding patients with a diagnosis of cancer, for whom opioids are used to treat pain).

The research, published in 2017 in JAMA Surgery, noted that just 458 of those patients received a prescription following an inpatient procedure. More than 30 percent were prescribed them for ill-defined conditions such as general pain.

The states now participating in the military's drug monitoring program include several with large military populations, including Virginia, North Carolina, Texas and parts of Colorado. The others are Idaho, Mississippi, North Dakota, Oklahoma and South Carolina. Puerto Rico also has signed on.

Eight of the nine states, plus Puerto Rico, track prescriptions for Schedule II through V drugs -- classifications that include medications with high risk for dependency as well as those with a low risk but potential side effects that require tighter controls.

South Carolina tracks only Schedule II through IV drugs, declining to monitor medications such as cough syrup with low doses of codeine or anti-diarrheal medications, which contain small amounts of opiates. Virginia tracks gabapentin and naloxone prescriptions, while North Dakota tracks gabapentin.

All nine states and Puerto Rico also share their databases with law enforcement.

In addition to DHA sharing its prescription data, the agreements with states are reciprocal, meaning that DHA providers will have access to prescription information written by civilian doctors for their military patients.

Patients who get their prescriptions for these medications through civilian doctors and the Tricare pharmacy network or mail-order system already have been participating in state PDMPs.

DHA officials said they intend to sign agreements with the remaining 40 states that participate, the District of Columbia and Guam "in the near future." Missouri is the only locale that doesn't have a statewide registry. St. Louis County, Missouri, participates in a PDMP.

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# Retired SEAL: Tracking Special Operators' Performance May Help Prevent Suicides

By Matthew Cox

Military.com, February 6, 2019



*Basic Underwater Demolition/SEAL students participate in surf passage at Naval Amphibious Base Coronado. (U.S. Navy Mass Communication Specialist 1st Class Michael Russell)*

A former Navy SEAL and retired high-ranking Defense Department official said Wednesday that the Pentagon could prevent the suicide spikes that occurred recently among special operators and other service members by tracking every detail of human performance.

In 2018, the Pentagon reported that it suffered [the highest number of active-duty suicides since 2012](#). There were 321 suicides -- 138 soldiers, 68 sailors, 58 airmen and 57 Marines.

Twenty-two U.S. Special Operations Command operators took their own lives in 2018, CNN reported.

"I was shocked and horrified ... just for the fact that our folks are having those kinds of challenges, and we are not even talking about behavioral performance in the field," said Michael Lumpkin, a retired Navy SEAL and former assistant secretary of defense for Special Operations and Low Intensity Conflict.

He made his comments to an audience Wednesday during a discussion on human performance at the National Defense Industrial Association's Special Operations and Low Intensity Conflict symposium.

"One suicide is too many, but to see a 2X increase, there is a problem," said Lumpkin, who is now the senior vice president for Human Performance and Behavioral Health at Leidos. "The question is, are we capturing the right data to identify those who are vulnerable to things like that, which are some of the most basic things that we should be doing in preserving the force?"

Human performance, in the special operations world, breaks down into four domains "that need to be sustained in order to ensure the highest operating potential for an operator," said panel moderator Jared Ross of the Asymmetric Operations Group.

"There is an optimum state for every person. Some of it is nutrition, some of it is spiritual -- I'm not saying religious, just spiritual -- some of it is the physicality of eat, sleep, move. ... Some of it [is] getting your financial house in order. Some of it is marriage-family counseling," Lumpkin said.

"If you want to get the best out of somebody ... we have to make sure they are 100 percent focused on what is going on," he continued. "Which means they can't be worried about can they afford to put their kid in school, they can't be worried about domestic problems in their house, they can't be worried about their landlord."

Lumpkin said the military is going to "fall short" of its goals for human optimization until a more complete system is created to track data that can affect all aspects of human performance.

Patty Deuster, professor and director of the Consortium for Health and Military Performance, said one of the problems "with the metrics that we are currently collecting is they are more pathology-based."

"They are illness-based; they are not wellness- or performance-based. And I think that we have to have a merging of those types of metrics," Deuster said.

<https://www.military.com/daily-news/2019/02/06/retired-seal-tracking-special-operators-performance-may-help-prevent-suicides.html>

Illness and performance data need to be loaded into a common database such as the Defense Department's electronic health record system "so they can be analyzed at the individual level, at the unit level and on up so that you can ... predict who needs something right there and then, as opposed to after something has already happened," she said.

Such an endeavor may be expensive, but Lumpkin argues it will be worth it.

"People say, 'We can't afford to do that data and data analysis,' " he said. "I would argue that we can't afford not to."

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**SEE ALSO:**

[US Special Ops suicides triple in 2018, as military confronts the issue](#) [2019-02-02]

[Suicides nearly triple among elite forces](#) [*Newsweek*, 2019-02-02]

# Suicides among active-duty soldiers are up about 20 percent

By Meghann Myers

Army Times, February 4, 2019



*Army suicides were up in 2018 for active-duty soldiers, though total Army numbers dipped slightly. (Tech. Sgt. Matt Hecht/Air Force)*

The [Army](#) reported an uptick in active-duty [suicides](#) in 2018, according to service statistics, though [deaths by suicide](#) were slightly down in the total force.

Out of 300 total reports, 138 came from the active-duty side — 22 more than in 2017, [Defense Department statistics](#) show.

“Like the rest of America, the Army continues to grapple with the loss of too many of our people to suicide,” Army spokeswoman Col. Kathleen Turner told Army Times in a statement Friday. “The loss of any soldier or Army family member to suicide is a tragedy.”

The most recent DoD quarterly suicide report goes back to 2012, showing a six-year high of 325 total suicides in the Army. That number dropped to 300 in 2013 and then to a low of 245 in 2014, before ramping back up to 279 in both 2015 and 2016, then jumping again to 303 in 2017.

During that time, active-duty numbers also fluctuated. The Army reported 165 active-duty suicides in 2012, which dropped to 121 in 2013, then 126 in 2014 and 120 in 2015. The past three years, the numbers have swelled and dipped from 120 in 2016 to 116 in 2017, then back up to 138.

“While the Army has made progress, more work needs to be done,” Turner said.

Meanwhile, the Marine Corps reported its highest suicide numbers in a decade, at 75. According to [Military.com](#), total active-duty reports across the four DoD services are the highest they’ve been since 2012, which had been the DoD services’ worst year since it began centrally tracking reports in 2001.

“We must continue to ensure commanders have the policies and resources they need to prevent suicides, that all leaders have the tools to identify soldiers who are suffering and to positively intervene, and that all soldiers view seeking mental health care as a sign of strength,” Turner said.

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## SEE ALSO:

[Active-Duty Army Suicides Reach Highest Level Since 2012](#) [*Task & Purpose*, 2019-01-31]

[US Marine and Navy suicides at a 10-year high](#) [*CNN*, 2019-01-25]



# Top Enlisted Military Leaders Pressed on Unsafe Housing, Sex Assault

By Patricia Kime

Military.com, February 7, 2019



*Chief Master Sergeant of the Air Force Kaleth O. Wright and Sergeant Major of the Marine Corps Ronald Green testify before a congressional panel in 2017. (DoD screenshot)*

Members of a House subcommittee on Thursday chided senior leaders of the Army and Air Force for failing to provide safe housing for military families, and urged all services to work harder to reduce sexual assault in their ranks.

In a hearing on military quality-of-life issues, Democrats and Republicans on the House Appropriations Military Construction, Veterans Affairs and Related Agencies Subcommittee faulted the services for failing to provide oversight of the private companies that manage base housing, leading to problems with mold on Air Force bases and lead poisoning among children on some Army posts.

In 2018, families across the Air Force began sounding the alarm on high levels of mold in their military homes, from MacDill Air Force Base in [Tampa, Florida](#), to Tinker Air Force Base in Oklahoma and elsewhere. Eleven families from Keesler Air Force Base in Mississippi filed a lawsuit in July against the company that manages housing at the base.

In the Army, more than 1,000 children who lived in base housing across the country tested above the Centers for Disease Control and Prevention's threshold for lead poisoning -- a finding only revealed in August [following an extensive investigation by Reuters](#).

In her opening line of questioning, Florida Democrat Debbie Wasserman Schultz, the subcommittee chairwoman, said the services must "get to the bottom of how these problems stacked up."

"It seems that from 1996 on," Wasserman Schultz said, referring to the year the Defense Department privatized most base housing, "it feels like the military washed its hands of any oversight of these private contractors and left it to the contractors."

Rep. John Carter of Texas, the senior Republican on the panel, agreed.

"We need to jump all over these people," he said. "We want to be proud of what we are providing for our warriors. It's up to each service to come down hard on these people."

Chief Master Sergeant of the Air Force Kaleth Wright said his service's housing has an 82 percent satisfaction rate but it is "holding the project managers accountable," requiring them to spend \$6.5 million to fix the issues.

"We are fully engaged and have a strategy for how to remediate," Wright said.

Sergeant Major of the Army Dan Dailey told the panel that his senior leadership is "very concerned" about the lead contamination in its housing, adding that the service has spent \$4 million to conduct inspections and held town halls on every post to discuss safety concerns.

"We are fully aware of the hazards and ... have a detailed plan to eliminate them," Dailey said.

<https://www.military.com/daily-news/2019/02/07/top-enlisted-military-leaders-pressed-unsafe-housing-sex-assault.html>

But Rep. Matt Cartwright, D-Pennsylvania, chastised Dailey for not raising the issue in his opening statement. "We're here to provide responsible funding for adequate housing ... this is something you are concerned about, isn't it?"

Dailey said he is, but added that soldiers and their families also live off base.

"I'm not making light of it, it's a very serious concern, but ... there are about 250 million pre-1978 homes in America," referring to the year the U.S. banned the use of lead in household paints. "This is not just an Army problem, it's a nationwide problem."

Another issue raised by the panel was sexual assault in the military. The Defense Department in January released a report finding that incidents of sexual assault were up by 50 percent over the course of two years at the nation's military academies -- a "devastating portrait of the conduct that is occurring" at the schools, Wasserman Schultz said.

The senior enlisted personnel assured her that the issue is a top concern for the services.

"There's no issue that is any more important," Master Chief Petty Officer of the Navy Russell Smith said.

The services, the enlisted chiefs said, are taking steps to reduce incidents of sexual assault on the campuses and across the ranks, to include building trust with leaders so troops are comfortable reporting incidents, reinvigorating prevention education programs and fostering a culture of respect among members.

Wright added that the Air Force Academy is promoting responsible use of alcohol and cracking down on its abuse. "About 65 percent of those cases involve alcohol. Just a fact. So we are doing some very targeted alcohol assessments," he said.

The subcommittee conducts a hearing with the senior enlisted personnel each year to find out the top concerns among troops and determine the services' needs.

The senior enlisted leaders said child care and the transition from military to civilian employment remain important subjects to junior personnel. But they also reported that retention rates are at record highs -- a reflection, in part, of improved quality of life.

In his opening statement, Smith said accessible and affordable child care is a readiness issue for sailors, as is failing infrastructure. "The condition of many Navy facilities impacts their quality of life and ability to train," he said.

Wright said airmen also report affordable child care and infrastructure concerns as important to quality of life in surveys.

Sergeant Major of the Marine Corps Ronald Green told the subcommittee that housing and infrastructure are a top priority for his service, as more than 1,000 Marine families remain displaced from their homes as the result of two hurricanes last year.

"The need to get their facilities up and running, the resources they need to have safe homes is paramount," Green said.

For the most part, however, service members and families appear to be satisfied with their career choices and lifestyles and are demonstrating this by choosing to remain in the services, the chiefs said.

"Two years ago, I reported that quality of life was good. Over the past two years, we've seen even more improvements based on our own investments and due to the help of this committee," Dailey said.

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# Veterans are committing suicide in VA parking lots: report

By Joshua Axelrod

Military Times, February 8, 2019



*The Washington Post investigation focused on a few specific cases, including the February 2018 suicide of 33-year-old Marine Corps veteran Justin Miller in the Minneapolis VA hospital's parking lot. (Jim Mone/AP)*

A new report illustrates a troubling trend of veterans committing suicide on VA hospital campuses after receiving inadequate care from individual facilities.

Nineteen suicides have occurred on VA campuses from October 2017 to November 2018 — seven of them in parking lots, according to data [the Washington Post obtained](#) from the Department of Veterans Affairs. Some are worried that this is a gruesome form of protest by veterans to highlight how little help they were given in their time of need by the VA system.

On Thursday, the Post published an investigation into this phenomenon featuring both big-picture concerns about mental-health services offered by the Department of Veterans Affairs and stories about veterans who took their lives after attempting to get treatment from their local VA hospitals.

The Post investigation focused on a few specific cases, including the February 2018 suicide of 33-year-old Marine Corps veteran Justin Miller in the Minneapolis VA hospital's parking lot, as well as 32-year-old former Army Sgt. John Toombs, who hung himself on the grounds of a VA medical center in Murfreesboro, Tennessee, just before Thanksgiving 2016.

Both men entered the separate VA facilities seeking assistance for post-traumatic stress disorder stemming from their time in the military, among other issues. Miller killed himself after four days in the Minneapolis VA's mental-health unit, and Toombs did the same after being kicked out of his treatment program for not following its instructions, including being 20 minutes late to pick up his medications.

Most recently, 55-year-old Marine Col. Jim Turner shot himself in December 2018 outside the Bay Pines Department of Veterans Affairs while dressed in his service uniform. He left a disturbing note that investigators found close to his body: "I bet if you look at the 22 suicides a day you will see VA screwed up in 90 percent."

There were more than 6,000 reported veteran suicides every year from 2008-16, according to the 2005-16 [VA National Suicide Data Report](#). The same report indicated that as of 2016, the suicide rate for veterans was 1.5 times higher than for non-veteran adults.

In January 2018, President Donald Trump [signed an executive order](#) to give all veterans access to mental-health services for the entire first year of their new civilian lives. The VA told the Washington Post that it prevented 233 suicide attempts in that October 2017-November 2018 window, which mainly involved VA staff stopping veterans from hurting themselves on their campuses.

The quality of care at individual VA facilities fluctuates wildly, as demonstrated by the Department of Veteran Affairs' 2016 [Quality of Care](#) report that ranks each hospital in various categories. The one that Toombs entered in Murfreesboro happened to be one of the lowest-ranked in the entire VA system for its mental-health care.

<https://rebootcamp.militarytimes.com/news/transition/2019/02/08/veterans-are-committing-suicide-in-va-parking-lots-report/>

Miller's suicide invoked [an official inquiry](#) into the failings of the Minneapolis VA system that may have led to his death. The VA Office of the Inspector General determined that the facility staff who evaluated Miller did not schedule any follow-up appointments, communicate with his family about his treatment plan and, most crucially, properly assess his access to firearms.

"The VA didn't cause his suicide," Alissa Harrington, Miller's sister, told the Washington Post. "But they could have done more to prevent that, and that's just so maddening."

# Misconduct

# 'Grave consequences': Federal lawsuit filed against Penn State frat in Tim Piazza death

By Mike James

USA TODAY, February 2, 2019



*Evelyn, Tim and Jim Piazza (Photo: Piazza family photos)*

The parents of a Penn State student who died after "writhing and deteriorating" in front of fraternity members who had forced him to consume massive amounts of booze have filed a federal wrongful death lawsuit, naming 28 frat members who hazed their son.

Tim Piazza, 19, whose death in February of 2017 has shined a national spotlight on the problem of hazing rituals on campus, "endured horrible pain and suffering" during the ordeal, according to the lawsuit, which cites video evidence seized from the Beta Theta Pi fraternity.

The video shows Piazza on a couch after he had tumbled down a set of stairs in a drunken stupor following a drinking ritual at the fraternity called "the Gauntlet." He suffered a lacerated spleen, a skull fracture and other injuries that would have been survivable if he had received quick medical help.

Instead, he died two days later at Hershey Medical Center.

"Despite knowing the serious nature of Timothy Piazza's fall, and despite knowing that some fraternity members wanted Piazza to receive medical care, the fraternity defendants did not seek medical care until it was too late," says the lawsuit, announced Friday by the family and their attorneys, Kline & Specter of Philadelphia.

The lawsuit alleged that fraternity members realized the "grave consequences of their conduct" and tried to conceal evidence surrounding the hazing. The fraternity's Penn State chapter has since been shut down.

Kline & Specter also disclosed Friday that it has reached a confidential monetary settlement with Penn State. A spokeswoman for the university said its settlement with the Piazzas, who had not sued the school, codifies the university's reforms to fraternity and sorority life and shows "our mutual commitment to promoting positive change."

The agreement with the university touches on safety and accountability for fraternities and sororities, encouragement of alcohol-free housing and continued training for bystander intervention and other preventative measures.

Authorities say Piazza, of Lebanon, New Jersey, suffered fatal injuries in a series of falls. Medical help was not summoned until the next morning.



*This Nov. 9, 2017, file photo shows the shuttered Beta Theta Pi fraternity house on Penn State University's main campus in State College, Pa. Former members of the fraternity are due in court for a preliminary hearing on charges related to the February 2017 death of a pledge after a night of hazing and drinking. The hearing Tuesday, Aug. 21, 2018, before a district judge will determine if there's enough evidence to send charges against several of the defendants in the case to county court for trial. The charges relate*



<https://www.usatoday.com/story/news/nation/2019/02/01/lawsuit-filed-against-penn-state-frat-hazing-death/2748550002/>

*to the death of 19-year-old Tim Piazza, of Lebanon, New Jersey. (Photo: AP)*

The building's elaborate system of security cameras captured events as Piazza and other pledges engaged in drinking rituals. After Piazza fell down the basement steps he had to be carried up to a first-floor couch, where he spent the evening and overnight in visible agony.

The lawsuit, filed in the U.S. District Court for the Middle District of Pennsylvania, alleges negligence, civil conspiracy, battery and infliction of emotional distress.

Piazza's death resulted in criminal charges against 28 members of Beta Theta Pi, in many cases the same young men who were sued on Thursday.

Nearly all of those criminal charges have been resolved. Some have pleaded guilty to mostly alcohol- or hazing-related charges and others have entered a diversion program designed for first-time, nonviolent offenders.

Tom Kline, the Piazza family's attorney, said Friday that the lawsuit aims to hold people accountable for Piazza's tragic death.

"We expect this federal lawsuit to result in a trial to determine the shared responsibility of all those who contributed to the needless and senseless tragedy," Kline said. "We look to the civil justice system to obtain a full measure of accountability."

He said Piazza's parents, Jim and Evelyn Piazza, have been crusaders for reform in the battle to stop fraternity drinking rituals and hazing.

"This lawsuit filing, and announcement of our sweeping out-of-court settlement with the university, marks two milestone developments in this long and difficult journey of Jim and Evelyn Piazza as they fight for the full measure of justice – and permanent Greek life reforms - in memory of their son following his preventable death."

# Naked, drunken sailor found in Japanese home, reports say

By Caitlin Doornbos and Hana Kusumoto

Stars and Stripes, February 2, 2019

YOKOSUKA NAVAL BASE, Japan — A U.S. servicemember was arrested Saturday in the home of a Japanese couple who found him naked after he'd used their shower, according to local news reports.

Petty Officer 2nd Class Nathaniel Williams, 27, is accused of walking through the unlocked front door of a home in Ebina City while intoxicated at about 5:10 a.m., the Kanagawa Shimbun reported Saturday.

Williams is assigned to the Aircraft Intermediate Maintenance Depo at Naval Air Facility Atsugi, Navy officials said Saturday evening.

Williams was discovered after an unidentified 44-year-old man who lives in the home woke up to use the bathroom and heard water running, the Kanagawa Shimbun report said.

The man thought a family member was using the shower, but soon saw Williams emerge naked from the bathroom, according to the newspaper.

The man then woke up his wife, who called police, the Asahi Shimbun reported.

Police arrested Williams on suspicion of trespassing, a Kanagawa prefectural police spokesman told Stars and Stripes on Saturday afternoon.

Officers detected alcohol on his breath, according to the Kanagawa Shimbun report.

The residence is on the second floor of an apartment building. There were no signs of forced entry, so police believe Williams entered from an unlocked front door, according to the newspaper.

Police planned to send the case to the prosecutors office on Sunday, the police spokesman said.

The Navy is “continuing to monitor and cooperate with local police regarding the alleged illegal residential break-in,” said Naval Air Facility Atsugi Public Affairs Officer Sam Samuelson.

“Of course, the Navy takes this matter very seriously and will continue to cooperate fully with local law enforcement as the investigation continues,” Samuelson said.

Williams was still in police custody in Ebina City as of Saturday evening, Samuelson said.

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## Navy prosecuting alleged sailor swindler

By Carl Prine

Navy Times, February 1, 2019

A barracks swindler assigned to Naval Medical Center San Diego bilked a string of petty officers in California out of a combined \$142,150, military prosecutors allege.

Electrician's Mate Fireman Recruit Ko Ndali Aime David Land Kangha, 35, has been charged with four specifications of larceny and wrongful appropriation for allegedly poaching \$54,950 from Hospital Corpsman 2nd Class Wickbol Monno; \$39,900 from Machinist's Mate-Weapons 2nd Class Wesley Payton; \$18,000 from Machinist's Mate 2nd Class Emmanuel Pohla; and \$29,300 from Aviation Boatswain's Mate-Fuels 3rd Class Toudonou Aguemon, according to legal filings.

Kangha faces two additional specifications for attempting to take \$15,000 from Machinist's Mate 3rd Class Emmett Brown on Sept. 15, 2015 and \$7,000 from Cryptologic Technician-Technical 3rd Class Jessmir Edmond on Feb. 7, 2017, according to charge sheets released to Navy Times.

Navy Region Southwest spokesman Brian O'Rourke said that some of the charges are tied to Kangha allegedly using a fake vehicle identification number as a form of collateral and IOUs that he never paid back.

"These charges are more like swindling people and involve promissory notes that went unpaid," said O'Rourke, who noted that Kangha is considered innocent until proven guilty in a military court of law.

Kangha has pleaded not guilty.

Investigators suspect that the victim who lost the most money, Monno, gave Kangha cash on multiple occasions between Aug. 1, 2015 and Jan. 14, 2016.

Two other sailors — Aguemon and Pohla — allegedly lost their money over the span of just weeks, mostly in December of 2016, according to the charge sheets.

Navy Region Southwest commander Rear Adm. Yancy "Lurch" Lindsey referred Kangha to a general court-martial on Halloween.

Except to voice concern that readers won't get the full story about what really happened, Kangha said he couldn't speak about his case because of the upcoming court-martial trial, slated to run March 18 through 22 at Naval Base San Diego.

His military attorney said that he and his client would not comment publicly about his charges before the trial.

This isn't Kangha's first brush with the military criminal justice system.

On Dec. 6, 2016, he pleaded guilty at a special court-martial in San Diego to one specification of attempting to defraud a victim, four specifications of larceny and three specifications of drawing a check without sufficient funds, according to Navy legal records.

A military judge sentenced him to forfeit \$1,044 per month for two months and reduced him to the pay grade of a seaman recruit. He also was restricted to Naval Base San Diego for 60 days and received 90 days of hard labor without confinement.

Originally from Texas, Kangha enlisted in the Navy on May 5, 2012, according to his military records.

Before arriving at the hospital in early 2015, he was assigned to Amphibious Construction Battalion 2 in Norfolk.

## Suspected pedophile fired by Wright-Patterson after working there for nine months

By Brian Ferguson

Stars and Stripes, February 7, 2019

An Air Force base employee who reportedly discussed child rape fantasies and visiting child pornography sites in a previous federal job interview was terminated last month, after service officials learned of the interview in September.

The worker, whose name was not disclosed, was hired at Wright-Patterson Air Force Base, Ohio, and employed from April 16 to Jan. 23, according to a base statement. An investigation by the Air Force Office of Special Investigations is underway.

On Wednesday, ABC affiliate WCPO in Cincinnati reported that the man had discussed his fantasies with a federal agency in March.

The man stated that he was attracted to girls as young as 6 but preferred 10-year-olds, according to a Dec. 28 search warrant affidavit filed in federal court and posted on WCPO's website. The man also disclosed that he had communicated online with minors, according to the affidavit.

It was not clear which agency the man interviewed with, and base officials in Ohio said they were not at liberty to disclose the agency.

The man had been under investigation by police in March as a result of the interview, but the police did not proceed with criminal action because he "no longer resided or was present in their jurisdiction," according to the affidavit.

While working at Wright-Patterson, the employee lived in a privatized base housing area on base near a child development center, WCPO reported.

On Sept. 20, OSI received notification of the interview, according to a Wright-Patterson statement.

"During the entire time the criminal investigation was open, security measures were in-place to monitor the individual's activities on the base property to ensure he did not have access to any child care centers, schools or sensitive installation information," the statement said.

It's not clear why it took five months for the unnamed federal agency to contact Wright-Patterson officials about the disclosed fantasies.

"The appropriate course of action was to review the received information and conduct a thorough and deliberate investigation while protecting the individual's due process rights. Such a review was necessary to substantiate any response by the installation," base officials said.

A federal magistrate from the Southern District of Ohio granted a search warrant in December.

The man was given notice of termination and subsequently resigned on Jan. 23 and was barred from all areas of the installation, base officials said. The man has not been charged with a crime, pending the investigation.

"The safety of our employees and family members at Wright-Patterson AFB is our most important responsibility," said Col. Tom Sherman, 88th Air Base Wing and installation commander. "The moment our federal law enforcement teammates became aware of the situation, they took immediate and deliberate actions to investigate and ensure the safety of our family members was maintained."

# 'Tumultuous': Virginia politics in chaos amid Northam, Fairfax and Herring scandals

By John Bacon

USA TODAY, February 7, 2019



*In this Dec. 18, 2017 file photo, from left, Lt. Governor-elect Justin Fairfax, Attorney General-elect Mark Herring and Governor-elect Ralph Northam listen as Virginia Governor Terry McAuliffe addresses a joint meeting of the House and Senate money committees at the Pocahontas Building in Richmond, Va. (Photo: Bob Brown, AP)*

It took Kirk Cox almost 30 years to rise from a freshman GOP member of the Virginia House of Delegates to the legislative body's speaker.

He could jump to the governorship in a matter of weeks as the state's top three officials, Democrats all, stagger under the weight of scandals.

First, Gov. Ralph Northam admitted wearing [blackface](#) in the 1980s. Then, Lt. Gov. Justin Fairfax was [accused of sexual assault](#), which he adamantly denies, stemming from a 2004 encounter. Finally, Attorney General Mark Herring admitted he, too, donned blackface in the 1980s.

"The last seven days have been tumultuous for our Commonwealth," Cox said in a statement late Wednesday. "The revelations against and admissions by the leaders of the executive branch are disturbing." If all should fall, Cox would be next in line.

Larry Sabato, head of the Center for Politics at the University of Virginia, says that, if [Northam](#) does exit, he would be the state's first governor since the Civil War not to complete his term.

But Sabato doesn't see all three Democrats walking away.

"Speculation that all 3 statewide VA Dem officeholders will resign is overwrought," Sabato said on Twitter. "One or more will survive. VA Dems won in an anti-Trump landslide in 2017. They're not going to turn government over to a pro-Trump GOP House Speaker."

On Thursday, a joint statement by Virginia's Congressional delegation stressed that Northam should resign.

"Like other Virginians, we have been devastated by these horrible developments," the statement said. "We are brokenhearted that the actions of Governor Northam and Attorney General Herring have reopened old wounds left by Virginia's long history of slavery, Jim Crow segregation, and systemic racism. There's no question that Virginians' faith in their government and leaders has understandably been deeply shaken. We have each publicly called for Governor Northam to resign."

The statement was released by U.S. Senators Mark R. Warner and Tim Kaine and U.S. Representatives Bobby Scott, Gerry Connolly, Don Beyer, A. Donald McEachin, Elaine Luria, Abigail Spanberger and Jennifer Wexton.

John McGlennon, professor of government at the College of William & Mary, agrees that Democrats will be unwilling to yield power to the GOP after winning an election mandate in November 2017. That preference would more likely be overturned if the bad behavior took place while the three were in office, he said.

<https://www.usatoday.com/story/news/nation/2019/02/07/ralph-northam-justin-fairfax-mark-herring-virginia-politics-chaos/2799369002/>

McGlennon told USA TODAY that the scandals involving Fairfax and Herring have improved Northam's chances of political survival – but not much.

If the accusations against Fairfax are not corroborated and no other accusers come forward, the lieutenant governor is perhaps most likely to be serving as governor when the dust clears, McGlennon said. And he believes Fairfax's race – African American –and the confirmation of Brett Kavanaugh to the Supreme Court will play a role.

"You are a white man accused by multiple people of inappropriate sexual action and you get a Supreme Court post for life," McGlennon said. "But if you are a black man and accused without corroboration of an incident that you deny, you are forced out of office?"

On Thursday, a Republican was drawn into the controversy. A 1968 Virginia Military Institute yearbook overseen by [Tommy Norment features a host of racist photos](#) and slurs, including blackface, the Virginian-Pilot reported.

Norment, now the state Senate majority leader, declined to comment on the yearbook to the newspaper but later released a statement through his spokesman that said:

“The use of blackface is abhorrent in our society and I emphatically condemn it. As one of seven working on a 359-page yearbook, I cannot endorse or associate myself with every photo, entry or word on each page. However, I am not in any of the photos referenced on pages 82 or 122, nor did I take any of the photos in question.

“As my comment on Page 236 notes, I supported the integration of VMI. And in 1997, I led the effort to have my alma mater include women for the first time.”

Virginia's tumult began Friday with revelations that Northam's 1984 medical-school yearbook page contained a photo of one person in blackface and another in Ku Klux Klan robes. Northam quickly apologized – then the next day said he wasn't in the photos. Northam did, however, [admit donning blackface](#) for a Michael Jackson dance party more than 30 years ago.

Northam's jumbled explanations prompted an avalanche of calls for his resignation from leading Democrats and Republicans. However, University of Richmond law professor Carl Tobias said Thursday that he remains convinced there are no grounds thus far to impeach Northam if he doesn't go willingly.

Fairfax is facing accusations of sexual assault dating back to the 2004 Democratic National Convention. His accuser, Vanessa Tyson, is a political science professor at Scripps College in California.

"What began as consensual kissing quickly turned into sexual assault," she said in the statement issued by her lawyers Wednesday. She said he physically forced her to perform oral sex.

Fairfax said the accusations against him are false and that the entire encounter was consensual.

Also on Wednesday, Herring admitted that he, too, once wore blackface in the 1980s.

"This was a one-time occurrence, and I accept full responsibility for my conduct," he said in a statement.

The developments have put Virginia's Democratic leadership under an intense nationwide spotlight – and Cox in position to become governor if the others step aside or are pushed out.

Marvin Kirkland "Kirk" Cox is a married father of four sons. He retired from teaching after 30 years in the classroom and serves as a deacon in his Baptist Church in Colonial Heights, 25 miles south of the state Capitol in Richmond.



<https://www.usatoday.com/story/news/nation/2019/02/07/ralph-northam-justin-fairfax-mark-herring-virginia-politics-chaos/2799369002/>

Cox was able to become speaker only after fellow Republican David Yancey's name was drawn from a ceramic bowl in January 2018. Yancey and Democratic challenger Shelly Simonds had tied in the November 2017 election. The drawing broke the tie, Yancey claimed the 94th district seat in Newport News, and the GOP retained its majority by 51-49.

In his role as speaker, Cox is the plaintiff in a legislative redistricting case with deep racial implications. A federal judge previously ruled in favor of Democrats who say the legislative maps were drawn to pack African Americans into 12 districts to provide Republicans the advantage in many more surrounding districts.

The case is bound for the Supreme Court, although last month Cox announced support for a plan that would set up a bipartisan commission to redraw the districts.

Shortly after the Northam scandal broke, Cox called for the governor to resign. Late Wednesday, he called for a "full airing of the facts" surrounding the accusations against Fairfax.

And Cox appeared to call for Herring's resignation, saying the attorney general "should adhere to the standard he has set for others or he loses credibility." Herring previously had called for Northam's resignation.

[President Donald Trump weighed in](#) on the Virginia's political chaos on Thursday, tweeting: "Democrats at the top are killing the Great State of Virginia. If the three failing pols were Republicans, far stronger action would be taken. Virginia will come back HOME Republican) in 2020!"

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**SEE ALSO:**

[Virginia Democrats struggle with interlocking crises](#) [*The Associated Press*, 2019-02-07]

[Democrats speechless as scandal engulfs Virginia's leaders](#) [*The Associated Press*, 2019-02-07]

[Democrats mute calls for Va. resignations with power at risk](#) [*The Associated Press*, 2019-02-07]

[GOP state senator in Va. oversaw yearbook with racial slurs, blackface photos](#) [*The Hill*, 2019-02-07]

[Virginia Gov. Northam, isolated, gets space to ponder his fate as Democrats absorb scandals](#) [*The Washington Post*, 2019-02-07]

[What Virginia's scandals tell us](#) [*The Washington Post*, 2019-02-07][OPINION]

[Virginia AG Says He Dressed As A Rapper And Wore 'Brown Makeup' At A 1980 Party](#) [*NPR*, 2019-02-06]

[Second Virginia Democrat Says He Wore Blackface, Throwing Party Into Turmoil](#) [*The New York Times*, 2019-02-06]

[Virginia Democrats hunker down amid blackface, sex assault scandal](#) [*Reuters*, 2019-02-07]

[Northam says he doesn't know how a racist photo got on his yearbook page. This yearbook staffer explains why that's not likely](#) [*CNN*, 2019-02-05]

[Virginia Gov. Ralph Northam clings to office amid racist yearbook photo scandal](#) [*USA TODAY*, 2019-02-05]

[‘This isn’t me’: Gov. Northam’s defiance caught advisers off guard](#) [*The Washington Post*, 2019-02-05]

# War crimes prosecution against Navy SEALs takes a double hit

By Carl Prine

Navy Times, February 2, 2019



*Special Warfare Operator Chief Edward “Eddie” Gallagher in Iraq in 2017. (courtesy photo)*

A Navy SEAL who allegedly staged a re-enlistment ceremony over the body of a dead Islamic State prisoner during the Battle of Mosul in Iraq and also hovered a drone over the corpse may have acted in “poor taste” but didn’t commit a war crime, a Navy judge has ruled.

On Friday, two military judges delivered a pair of big wins for two Navy SEALs on trial for alleged war crimes by tossing out key charges against the special operator at the center of the case, Chief Special Warfare Operator [Edward “Eddie” Gallagher](#), and the officer in charge of his platoon, Lt. [Jacob X. “Jake” Portier](#), who stands accused of covering up the incidents.

Gallagher is accused of stabbing to death a wounded Islamic State prisoner of war and attempting to shoot innocent civilians with his sniper rifle near Mosul in 2017.

Also among the allegations is that Gallagher staged the re-enlistment ceremony [over the dead ISIS teenager’s body](#) near the Iraqi city of Mosul on May 3, 2017, amid some of the U.S. forces fiercest fighting against ISIS. Prosecutors also say he hovered a drone over the body.

But the military judge, Navy [Capt. Aaron Rugh](#), determined that those are not prohibited acts under Article 134 of the Uniform Code of Military Justice.

That ruling is also likely to be a big win for platoon leader Portier, who also faces a raft of charges alleging that he covered up his chief petty officer’s war crimes.

Military prosecutors charged Portier with lying to his superior officer, Lt. Cmdr. Robert Breisch, about whether he saw “anything criminal” at Gallagher’s reenlistment ceremony. Portier allegedly said: “There was nothing criminal. It was just in poor taste,” according to investigative files obtained by Navy Times.

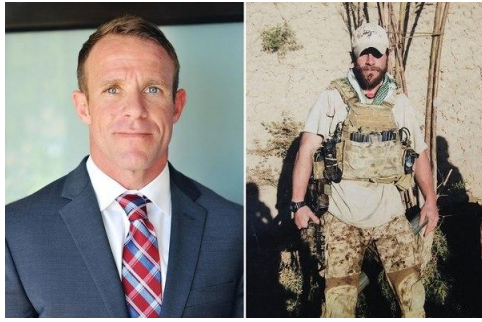
If the judge overseeing Portier’s separate court martial case agrees with Rugh, however, then Portier told the truth and his charge must be tossed out, too.

“It is honorable for a Navy SEAL to reenlist on the battlefield, the same battlefield where he was willing to sacrifice his own life to protect our nation,” Portier’s civilian defense attorney, Jeremiah J. Sullivan III, told Navy Times.

## ***SEAL “rock stars”***

The origin of the sprawling war crimes investigation is murky, but appears to have started with allegations lodged by a special warfare operator first class — an SO1.

Because of the clandestine work performed by SEALs overseas, authorities have asked Navy Times to not publish some of the names involved in the investigation.



The way the SO1 recollected events — and reported them to Naval Criminal Investigative Service agents — the seeds of the scandal began to grow in Iraq in 2017, when he and others from SEAL Team 7’s *Chief Special Warfare Operator Edward “Eddie” Gallagher at home and in Iraq in 2017.* (photos provided)

Platoon Alpha voiced concerns about Gallagher’s conduct, according to an NCIS “investigative action” provided to Navy Times.

The SO1 and others talked “about what they should do to stop [Gallagher] from killing innocent civilians while they were deployed to Iraq” according to the NCIS file.

The SO1 said that platoon snipers “began shooting warning shots at any civilians they saw on the battlefield so that the civilians would run away and [Gallagher] could not kill them.”

The SO1 said that he had reported war crime allegations committed by Gallagher to both Portier, the platoon commander, and another lieutenant, the platoon’s Assistant Officer in Charge, or AOIC, who also has emerged as one of the key witnesses against both the lieutenant and his chief.

Portier and his AOIC assured the SO1 “that something was being done about the situation,” according to an NCIS report.

But they never seemed to do anything, so in the autumn of 2017 the SO1 confided with a master chief petty officer at SEAL Team 7 about the allegations, the report indicates.

Authorities also asked Navy Times not to publish the master chief’s name, but he was a troop chief, the next enlisted leader above Gallagher in his chain of command.

The allegations of war crimes against Gallagher came as a shock to the troop chief, who later told NCIS agents he considered Gallagher and his Platoon Alpha SEALs to be “rock stars.”

### ***A platoon’s “hate and discontent”***

The troop chief told investigators he’d mentored Gallagher over the phone in Iraq but had never taken disciplinary actions against him, even after the platoon chief had been accused of stealing nutrition bars from another SEAL’s gift bag.

The troop chief recalled serving as sniper Gallagher’s spotter during a brief visit to Alpha when they were operating near the Tigris River in an area known as “Old Mosul.” During his interview, an NCIS agent told him that Gallagher was alleged to have made it his priority “to shoot as many people as possible with his sniper rifle.”

The troop chief said “he could see [Gallagher] doing that.”

But it was only after the deployment ended that the troop chief began to realize Gallagher’s platoon was driven by “hate and discontent,” he told investigators.

The troop chief said he urged Gallagher to talk to his platoon to make things right and thought the unspecified issues “had been solved but he started getting calls from platoon members about (Gallagher).”

It was then that the SO1 alluded to possible war crimes committed by Gallagher, the troop chief told investigators.

<https://www.navytimes.com/news/your-navy/2019/02/02/war-crimes-prosecution-against-navy-seals-takes-a-double-hit/>

The troop chief said that he repeated the allegations to both Group 1 Command Master Chief Steve Ward and Lt. Cmdr. Breisch, an officer in Gallagher's chain of command and the troop chief's boss.

After consulting with the group's judge advocate general, the SEAL leaders decided that those who said they witnessed the war crimes should come forward and make official statements.

The troop chief told investigators that it was during a March 18, 2018, briefing about that decision with six current or former members of Platoon Alpha that he first learned the specific allegation that Gallagher stabbed to death a detainee.

The troop chief warned them that the "frag radius" of that and other allegations "would be significant" and likely hit other SEALs and their officers with disciplinary action, according to the NCIS report.

The next day, the SO1 who lodged the initial allegations told NCIS agents that he'd previously gone to Portier and said a formal probe needed to be launched. He also "threatened to tell more people if an investigation did not occur," according to the NCIS report.

As the investigation got underway, the SO1 had a meeting with Portier on April 6, 2018, and said he told Portier to send NCIS an email outlining some of the explosive allegations. The SO1 said he leaned over Portier's shoulder as he typed out the email.

Soon afterward, an NCIS agent contacted the SO1 for an interview.

### ***A platoon percolating with "rumors"***

But others in the NCIS investigative report don't remember it exactly like that.

For example, Lt. Cmdr. Breisch told investigators that he began hearing "rumors" in the summer of 2017 that members of Gallagher's platoon were unhappy with his actions in Iraq, especially the "tactical decisions he made" there.

Breisch said he talked directly to the SO1 in October of 2017 during the Mosul deployment and the SO1 never mentioned war crime violations, according to his interview records.

Instead, Breisch said that the SO1 complained that Gallagher was going to be awarded a Silver Star for combat valor, calling it "unconscionable because (Gallagher) had lied about the incidents described."

He also repeated accusations that Gallagher rifled through other SEALs' care packages.

Breisch told him "to decompress and let it go," according to the NCIS report.

When Breisch later began hearing about possible crimes committed by Gallagher in Iraq, he called the SO1 back "and asked him if there was anything criminal in nature to report."

"No," the SO1 told the officer, according to the NCIS report.

Breisch told investigators that he encouraged the SO1 to report anything criminal but "if there were no actual criminal allegations, he needed to let it go."

### ***A lying SEAL?***

A similar pattern played out with Portier's fellow lieutenant in the platoon, the AOIC who is now in graduate school.

During Platoon Alpha's deployment to Mosul, the AOIC often shared a bedroom with Portier and Gallagher as part of a platoon leadership triad and he told an NCIS agent during a May 31, 2018, interview that he came to know both men well.

<https://www.navytimes.com/news/your-navy/2019/02/02/war-crimes-prosecution-against-navy-seals-takes-a-double-hit/>

The agent asked the AOIC if he could guess why he was being questioned.

He told the investigator that it likely involved Gallagher stealing from care packages, some of his tactical decisions in Iraq and “lying to individuals,” including him, “about various topics.”

The AOIC said that he grew to dislike Gallagher during the Mosul deployment, mostly because he “was acting like a younger enlisted platoon shooter without the responsibility of being the platoon chief,” according to the NCIS report.

The AOIC said that he urged Portier to relieve Gallagher and that the platoon commander initially appeared to agree with him, but Portier never fired his chief and discontent within the platoon continued to fester.

The AOIC was deep into his interview with the NCIS agent before he suddenly disclosed the allegation that Gallagher stabbed a wounded ISIS fighter to death while he was being treated for his wounds.

The AOIC told the agent that he didn’t witness the alleged murder, but the SO1 did “and he reported it directly to Portier either the same day or within a few days of the event.”

In fact, the AOIC told the NCIS agent, “he first found out about the allegation from Portier.”

That statement doesn’t seem to jibe with the SO1’s recollection, which is a key reason why Portier’s attorney, Sullivan, wants to question both of them under oath in a public hearing.

### ***“They wanted an officer’s scalp”***

And it looks like he’s going to get that chance.

On Thursday, the Navy judge in Portier’s case quashed a blanket “protective order” issued by SEAL Group 1 that restricted the attorney’s access to key information about the case.

The decision by judge Capt. Jonathan Stephens, greenlights Sullivan to start interviewing witnesses and could force prosecutors to bring the case back to a preliminary hearing, repeating the Article 32 proceedings that brought the matter to Stephens’ court in the first place.

The decision also sets up a legal showdown at Naval Base San Diego on Feb. 15.

Sullivan wants to call a slate of high-ranking witnesses from the SEAL community, including the commodore of Naval Special Warfare Group 1, Capt. Matthew D. Rosenbloom, as well as Rosenbloom’s staff judge advocate, Lt. Keleigh Anderson, and NCIS special agent Joseph Warpinski, who spearheaded the law enforcement probe into the alleged war crimes.

Also on his list are the SO1 who sparked the allegations against Portier and Gallagher and the AOIC who backed them up.

Sullivan suspects that Rosenbloom colluded with other unidentified senior Navy leaders to create a draconian “protective order” that attorneys had to sign or they were barred from reading the evidence collected against Portier.

While Gallagher’s lawyers agreed to Rosenbloom’s blanket gag order, Sullivan never did.

That meant that the only evidence Sullivan could review with his client was Portier’s own brief statement to investigators.

Sullivan believes that if he had the chance to sift through all the evidence collected by NCIS and then share it with other potential witnesses to find out what really happened in the case, he could’ve swayed the



<https://www.navytimes.com/news/your-navy/2019/02/02/war-crimes-prosecution-against-navy-seals-takes-a-double-hit/>

investigating officer in the preliminary Article 32 hearing to recommend against bringing his client to court-martial.

“Three separate judges now have found provisions in this protective order that were unlawful,” Sullivan said.

“We feel vindicated now and we can start conducting our own investigation into what really happened here. Instead, we’ve suffered from a prosecution that was gaming the system to gain a tactical advantage over defense attorneys.”

Sullivan vowed “to return to court on the 15th of February and we’re going to reopen the Article 32 hearing.”

“My client has been denied substantial rights, including having exculpatory evidence presented,” he said.

Under Rosenbloom’s “protective order,” Sullivan said he was allowed to read one thick government binder for about an hour shortly before the preliminary hearing, which prevented him from calling witnesses or properly preparing for Portier’s defense.

And he thinks that was by design.

“What this comes down to is that they wanted an officer’s scalp so they picked Portier,” Sullivan said.

Asked if prosecutors charged Portier to pressure him into ratting out other top officers and senior enlisted SEALs in Group 1 identified in investigative files provided to Navy Times, Sullivan declined comment.

Officials at Group 1’s parent unit, Naval Special Warfare, did not return messages from Navy Times.

Contacted directly by email, the Navy’s lead prosecutor in the case, Cmdr. Christopher W. Czaplak, referred all questions to Navy Region Southwest spokesman Brian O’Rourke, who also declined comment.

So did [Phillip Stackhouse](#), one of Gallagher’s civilian attorneys.

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**SEE ALSO:**

[Navy Judge Rules Re-Enlistment Next to Iraqi Corpse Was Not a Crime](#) [*Military.com*, 2019-02-05]



# **Racism**

# A Complicated Racial History Underpins Politics In Virginia

By Debbie Elliott

NPR, February 7, 2019



*A statue of Confederate Gen. Robert E. Lee stands at the center of Lee Circle along Monument Avenue in Richmond, Va. The commonwealth of Virginia has a complicated racial history that underpins many of today's political controversies. (Salwan Georges/Getty Images)*

Political enemies and allies alike are calling for Virginia Gov. Ralph Northam, a Democrat, to step down after a racist photo from his 1984 medical school yearbook was uncovered. But Northam has shown no inclination to do so. Now the two Democratic officials in line behind him to assume the governorship are both embroiled in [scandals](#) of their own.

The controversies rocking Richmond are a reminder of the complicated racial history that underpins Virginia politics.

Northam had strong support from African-American voters in his 2017 race for governor. Now black leaders say they've been let down after seeing the racist photo in his medical school yearbook.

"Because those images bring back hate, bring to memory ... things that we are trying to heal over, get over, put it in the past," said Robert Barnett, vice president of the Virginia NAACP, which has called for Northam to resign.

The weight of history is strong in the commonwealth.

"The system of enslavement that we know in America really was born here," said historian Gregg Kimball with the Library of Virginia.

"You don't overcome a legacy like that overnight," Kimball said. "And even though we see advances in terms of different people that have different ethnicities and races serving in politics, there's still this undertone."

Richmond is a walking tour of American history: Thomas Jefferson designed the Capitol building, the White House of the Confederacy is located here, and it was the site of one of the nation's busiest slave markets. Yet there has been a concerted effort to move from Old South nostalgia to telling the broader story of Virginia's history.

The American Civil War Museum, which operates the White House of the Confederacy and a museum at Appomattox, is creating a new space along the Richmond riverfront expected to open later this year. It's a modern glass structure built around the brick ruins of the Tredegar Iron Works, which once supplied the U.S. Navy and the Confederacy.

"We really wanted to create a space where immediately coming into it you see this connection between past and present," said CEO Christy Coleman.

Coleman said the scandals rocking the Capitol reveal the need for a deeper understanding of history and what the Ku Klux Klan and blackface actually represent.

<https://www.npr.org/2019/02/07/692128582/a-complicated-racial-history-underpins-politics-in-virginia>  
"Those images, even if they're 35 years ago, still have a real power and they have an ugliness," Coleman said. "Because they're both tied to a form of domestic terrorism that the nation still deals with, right?"

Not many politicians have stood by Northam.

But Republican state Sen. Richard Stuart, a friend, came to his defense. "I think we need to give him the chance to stand up and work through this and I think that in the long run can be very helpful to the commonwealth and the country," said Stuart.

He said poor judgment years ago should not outweigh Northam's service given that racial attitudes in rural Virginia at the time were far different than they are today.

The head of the state's Republican Party is not buying that defense.

"If you're in your mid-20s dressing, in blackface or a KKK robe, that's a little bit beyond youthful indiscretions at that point," said Jack Wilson, chairman of the Virginia GOP.

The party is calling on both Northam and Attorney General Mark Herring to resign.

Herring [came forward on Wednesday](#) to acknowledge that he, too, had worn "brown makeup" at a college party in 1980 to impersonate a popular rapper.

Northam has said he's not in the photo after first indicating he was.

Regardless, Wilson said Northam should resign so the state can move on. He likens the situation at the Capitol today as a "power vacuum."

Democrat Kimberly Gray is on the Richmond City Council. Her district includes Monument Avenue, a street famous for civil war figures. Under the imposing and controversial Robert E. Lee memorial, Gray reflected on how this episode in Virginia politics is yet another chapter in navigating a fraught past.

"This is our history and it is part of who we are," Gray said. "We need to figure out how to reconcile it."

Gray, who is biracial, said that although she's disheartened, she's hopeful that talking honestly can help move the commonwealth forward.

"We're a strong community of people. We do love each other," she said. "The vast majority of us are not racist, but we have to come together and we have to embrace each other."

As for the governor, Gray said she doesn't see how he can remain in power because he can no longer be a unifying force.

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**SEE ALSO:**

[Gucci Apologizes And Removes Sweater Following 'Blackface' Backlash](#) [NPR, 2019-02-07]

[Virginia isn't a one-off. Here's a \(growing\) list of celebs and lawmakers who got in trouble over blackface](#) [CNN, 2019-02-07]

[New York Times explains 'dark makeup' screw-up: 'The coverage should have said blackface'](#) [*The Washington Post*, 2019-02-07] [OPINION]

[Blackface photo reopens long history of bigotry in medicine](#) [*The Associated Press*, 2019-02-06]

[Virginia is the birthplace of American slavery and segregation — and it still can't escape that legacy](#) [*The Washington Post*, 2019-02-06]

[Behind the legacy of America's blackface](#) [BBC, 2019-02-05]

[AP Explains: Racist history of blackface began in the 1830s](#) [*The Associated Press*, 2019-02-04]

# White domestic terrorists threatened this city of refugees, here's what happened next

By Trevor Hughes

USA TODAY, February 1, 2019



*Somali refugees pray in an apartment that has been turned into a mosque at the Garden Spot Apartments Jan. 23, 2019. (Photo: Michael Ciaglo, for USA TODAY)*

GARDEN CITY, Kansas — Born in Kenya to Somali refugees, Ifrah Ahmed found a new home amid the cattle ranches, beef slaughterhouses and pancake-flat fields of western Kansas.

Here in Garden City, Ahmed, 29, has made a community for herself with fellow African and Asian refugees and longtime locals who make up an unusual fabric that they believe represents the best of America: open, inclusive and understanding.

“It’s the people that make home. It’s not the area, not the environment,” says Ahmed. “It’s the people. It’s your neighbors.”

In Garden City, population 27,000, residents speak 40 languages, including Burmese, Spanish, Vietnamese, Swahili and Creole. About 23 percent of the population is foreign born, according to the U.S. Census. White, non-Hispanic residents account for 40 percent of the population. On main street, Vietnamese noodle soup is prepared by Hispanic chefs, and hookah stores sit next to taco joints and drive-up hamburger stands.

It's also the place where in 2016 three men who called themselves the Crusaders launched a plot to blow up an apartment complex housing a mosque and dozens of Muslim refugees.

[The FBI ultimately swooped in to prevent the attack](#), and since then Garden City residents have rallied against hate. They've hosted steak dinners, taken an interest in new cultures and taught their children to learn from each other. At a time when hate crimes are up across the U.S. for the third consecutive year, with shootings at places of worship and people of color expressing fear over rising white nationalism, Garden City's residents say they are proud of their tolerant, inclusive community.

## ***A home for hard workers***

Garden City was always a place for anyone who wanted to work hard.

It got its start as a waypoint on the Santa Fe Trail used by Mexican merchants to access eastern U.S. markets, and later by westbound settlers headed to California. Cowboys, Native Americans and residents of the former Mexican territories of southern Colorado and New Mexico mingled freely in Garden City, giving it a diverse population from the start.

In those days, Texans drove their animals north to the ends of the railroads in southwest Kansas, where they could be shipped -- alive -- to eastern slaughterhouses to feed a growing nation. Refrigerated trucks have largely replaced the trains, and now the outskirts of Garden City are the final stop for a steady stream of cattle pouring into holding pens.

The community's makeup today is driven primarily by the work at the [Tyson Fresh Meats](#) plant, where thousands of cows a day get turned into hamburger, steak and other beef products. Running six days a

<https://www.usatoday.com/story/news/nation/2019/02/01/after-terror-attack-residents-choose-hope-over-hate/2001200002/>

week, the plant demands a massive workforce to power its two shifts as cows are killed, skinned and sawn into smaller pieces.

It's hard, dangerous, dirty work that can pay about \$15 an hour in a town where a four-bedroom house can be bought for \$125,000. Early mornings and evenings see a stream of headlights flooding into and out of the plant, which employs about 3,200 people.

For generations, Hispanic immigrants worked the plant, but the past two decades have seen an influx of new faces from Asia and Africa.

Mohamed Abdulhadir lost two brothers to the al-Shabab extremist group linked to al-Qaida during the decades-long civil war in Somalia. He fled first to Kenya and then arrived in Minnesota under the federal resettlement program.

His wife and kids remain in Africa, and he hopes one day they will join him in Kansas. While he waits, he works as a translator for the Tyson plant, coordinating between managers and workers in the six languages he speaks -- Arabic, Italian, Swahili, Somalian, Spanish and English.

"They welcomed us, they treated us well, and showed us what we need," says Abdulhadir, 71, of the United States. "I believe it's a good place to live. It's a place of opportunity to work and earn money."

Ahmed, who fled Kenya, helps lead food safety efforts at Tysons as a food scientist. She was born in Nairobi to Somali refugees, and spent time in the Nakivale refugee camp in southern Uganda before coming to the United States. She went to college in Kansas City and later got a job in Garden City.

This fall, she voted in her first election as a U.S. citizen, a pathway that seemed unobtainable all those years ago in Africa. She said refugees want to come to the United States because it is full of decent people -- a country of laws and fair chances.

"Are there bad people? Yes, in any place, there are closed-minded people," Ahmed says. "But I think the bigger picture is that there are a lot of people who are willing to accept and to change.

"Every refugee is trying to find somewhere that they belong. I like to say that Kansas picked me, that there's a reason that God wanted me in Kansas," she says.

The new residents added different threads to the Garden City's fabric, from Vietnamese-language Catholic church services to a small mosque in an apartment complex where Muslims prayed.

"To experience that firsthand was quite a revelation," says the Rev. Warren Stecklein, of Saint Dominic's Catholic Church, who moved to Garden City about a year ago. Stecklein said his church proudly hosts mass in English, Vietnamese and Burmese.

### ***A ban on Muslims***

For decades, Kansas welcomed international refugees under a U.S. State Department policy that resettled them in new homes after extensive screening. Most of the refugees from that program were fleeing violence in their home countries, from Myanmar (formerly known as Burma), Vietnam and the Congo. Refugees were required to work and were given a path toward citizenship.

In 2015, then-Gov. Sam Brownback issued an executive order barring the use of state money to assist Syrian refugees. He then formally withdrew Kansas from the federal refugee resettlement program that brought many Somalis to Kansas, arguing that some refugees might actually be members of the Islamic State group infiltrating the country. The decisions came amid a string of terror attacks across Europe conducted by members of ISIS, including the November 2015 attacks in Paris that killed 130 people.

<https://www.usatoday.com/story/news/nation/2019/02/01/after-terror-attack-residents-choose-hope-over-hate/2001200002/>

Fighting for the presidential nomination at the time, Trump said a plan by President Barack Obama to admit at least 10,000 Syrian refugees that year in the wake of widespread violence in their homeland was "insane." Several other GOP presidential candidates took similar stances, including former Pennsylvania Sen. Rick Santorum and former Arkansas Gov. Mike Huckabee. Dozens of states banned refugees.

"It seems to me the craziest thing we could do is take people who live in a desert who don't speak our language, who don't understand our culture, who don't share a same worldview, and bring them to Minnesota during the winter," Huckabee said.

In 2017, the Trump administration capped the number of refugees eligible for admission into the United States at 45,000 -- the lowest cap level in decades -- and then told nonprofit resettlement agencies to close their smaller offices, including the one in Garden City.



### ***Deadly terror plot***

For months, a small group of men from other Kansas cities had been watching the international debate over Muslim refugees. They focused on the increasing number of refugees living and working in Garden City. Gavin Wright, Curtis Allen and Patrick Stein eventually settled on blowing up a small apartment complex that was both home to a mosque and Muslim refugees.

In June 2016, the FBI recorded Stein's plotting. He called the refugees, "f---ing g-----n cockroaches" and "mother----ers."

"I'll blow every g----- building up right there...boom...I'm outta there," he said.

After a secret investigation following a tipoff from another plotter, FBI and local police arrested the three men in October 2016 over their plan to detonate four massive car bombs at the corners of the Garden Spot Apartments on West Mary Street. The men planned to trigger the bombs the day after the 2016 presidential election.

Mursal Naley, 28, director of the East African Community Center, was preparing for evening prayers on the day of the arrest when police chief Michael Utz called, asking him to assemble a group of community leaders for a briefing. Standing in the Garden Spot parking lot, police laid out the plot: how the three men had begun stockpiling explosives and ammunition, how they'd driven these streets and mapped out their attack.

"I wasn't expecting something like this in the U.S.," says Naley of the bomb plot.

Abdulfeta Ahmed, 21, had arrived in Garden City about three months prior to the aborted attack. Like many of the immigrants to Garden City, Ahmed came because he had family living in the area.

"It was frustrating to hear something big like that," says Ahmed, whose family is originally from Ethiopia, of the proposed terror attack, "especially when you just landed in free nation where you have all the right to do what you want and that kind of thing happens, I felt not only afraid, but unsafe, as well."

Since relocating, Ahmed started taking attending Garden City Community College. He is trying to get used to the blizzards that sweep across the Kansas plains. He is happy to call Garden City home, even after the bomb plot.

"To be honest, the people are so nice and more than welcoming," he says. "I like the people, the city and pretty much everything... I mean, all the places you go for service I see smiley faces and that's all."



<https://www.usatoday.com/story/news/nation/2019/02/01/after-terror-attack-residents-choose-hope-over-hate/2001200002/>

### **'A stronger community'**

Longtime Garden City residents sought to make clear that the "Crusaders" were outsiders who didn't represent the community's values.

"It was a shock that people from outside wanted to come here and do harm," said former Garden City Mayor Roy Cessna, 50. "The community has a long history of celebrating different cultures – it's who we are."

In Garden City, children enrolling in schools get help with vaccinations and practicing the Pledge of Allegiance through the district's "Newcomers" program. School administrators have learned to place students by ability, not age or expected grade level, and organize parent-student visits to the schools before new students start classes. The failed attack prompted the district to temporarily add more security to schools.

"After that, we went on with school as normal," Cessna said. "Our community rallied around and supported the people who were being targeted."

Support for the refugees and immigrants has come from all quarters, not just government agencies and churches.

Born and raised in California's Bay Area, hospital administrator Ben Anderson married a small-town Kansan who wanted to return to her roots. They settled on the Garden City area in 2013 because of its diversity. But Anderson said he found the African immigrant community surprisingly disconnected from rest of Garden City. Many immigrants worked their shifts at the Tyson's plant, shopped at the African Store, and worshiped in mosques rarely visited by anyone else.

Anderson, 39, started buying tea, dates and olive oil at the African Store, slowly establishing a relationship with the staff and other customers. A mutual agreement that neighbors ought to know each other better led to a 300-person steak dinner at a junior high school in April 2016, the same month Brownback announced he was withdrawing the state from the federal refugee resettlement program.

At the dinner, white guys like Anderson showed up in Somali clothing, as a sign of respect, only to find Somali men wearing Western-style suits to show their own respect.

"It was electric, it was wonderful. That built some trust," Anderson says. "Beef is the universal language of love in western Kansas."

That event led to more intimate gatherings. Anderson said the first conversations he had, via interpreters, were far more basic than he'd ever imagined: How do we get driver's licenses, the refugees asked? Where can we learn English when we're working double shifts all week? How does one open a restaurant?

"What I learned is that having a stranger in your home for a meal, or at all, is a simple act of bravery. And it's so necessary," Anderson says.

### ***Frightening rhetoric***

A federal judge last week sentenced the three "Crusaders" after a jury convicted them in April. Allen received 25 years, Wright got 26 and Stein received 30 years.

"The defendants in this case acted with clear premeditation in an attempt to kill innocent people on the basis of their religion and national origin. That's not just illegal—it's morally repugnant," Acting Attorney General Matthew Whitaker said in a statement.

<https://www.usatoday.com/story/news/nation/2019/02/01/after-terror-attack-residents-choose-hope-over-hate/2001200002/>

Ahead of the sentencing, attorneys for the three suspects argued Trump's pre-election rhetoric had egged them on. As a candidate, Trump called for a "complete and total" shutdown of Muslims entering the United States.

"The court cannot ignore the circumstances of one of the most rhetorically mold-breaking, violent, awful, hateful and contentious presidential elections in modern history, driven in large measure by the rhetorical China shop bull who is now our president," said defense attorney Jim Pratt in a sentencing memo filed in U.S. District Court in Kansas.

Hate crimes are up across the country since Trump ran for the White House, and civil rights groups say it's no coincidence. The total number of hate crimes in the 10 largest cities in America jumped in 2017, marking four straight years for an uptick in such incidents, according to The Center for the Study of Hate and Extremism at California State University.

In October, a Florida man was charged after he allegedly sent pipe bombs to Barack Obama, Hillary Clinton and others critics of the president. That same month, a Pennsylvania man killed 11 people in a mass shooting at a Pittsburgh synagogue. In January, a Republican congressman defended his racist views in an interview with The New York Times. "White nationalist, white supremacist, Western civilization — how did that language become offensive?" Rep. Steve King of Iowa [said](#).

Trump's language has given extremists "permission" to begin airing their more virulently hateful views, said Eric Ward, executive director of the Oregon-based civil-rights group Western States Center.

"Once you start to dehumanize individuals, violence becomes permissible," Ward said. "That's what's so frightening about the rhetoric. And if that rhetoric was being used in Rwanda, we'd know it for exactly what it is: steps toward genocide and ethnic cleansing."

Utz, the Garden City police chief, said law enforcement must strike a careful balance between freedom of speech and threatening language. Like many officials in Garden City, Utz declined to discuss the politics behind the president's words. Trump captured more than 60 percent of the vote in Finney County in the 2016 election.

"We can't arrest somebody for shooting their mouth off," Utz said.

Naley, however, worries about the next person "inspired" by Trump's language. He said all Muslim refugees living in the United States are thankful for the refuge provided by Americans, and are confident that this is a far better country than the ones they left behind. Still, he wishes Trump would be a little more careful about what he says.

"The president has the right to speak, to say anything he wants. But you've got watch what you say," Naley said. "He could inspire a lot of people who hate Muslims. What's going to happen next?"

# **Sexual Assault / Harassment**

# Facing up to 30 years, Air Force Academy cadet gets 75 days for sexual assault

By Tom Roeder

The Gazette (Colorado Springs, Colo.), February 2, 2019



*(Photo by Mark Reis/The Gazette)*

Facing as much as 30 years behind bars for sexual assault, an Air Force Academy cadet was sentenced to 75 days in jail Saturday.

The sentence, handed down by a jury of eight officers including seven men and one woman, will also see Armis Sunday, a junior, booted from the academy and forfeiting his pay.

Ryan Coward, the civilian attorney who led Sunday's defense team, said evidence in the case, which included Sunday's contention that the sexual act was consensual, led to the relatively light penalty.

"We believe that the light sentence reflects the nature of what was alleged, and we look forward to the appeal," Coward wrote in an email to The Gazette.

Sunday was convicted of sexual assault on Friday for a 2017 incident in the academy dorms. A female cadet contended that Sunday groped her as she slept after an evening of drinking.

Prosecutors alleged that Sunday planned the encounter, bringing alcohol to the woman's dorm room and lying about being locked out of his domicile by a roommate.

The trial ran four days in a courtroom in the school's Harmon Hall.

The conviction kicked off a miniature trial where prosecutors and Sunday's defense team argued over an appropriate sentence. Unlike civilian courts, where judges pass sentence based on guidelines that often include mandatory minimums, military courts let jurors rule, with wide discretion.

The military panel's options ranged from a reprimand to the full 30 years.

He'll likely serve his jail time in Teller County, which contracts with the Air Force to hold local military inmates. Conviction for sexual assault in a military court also comes with sex offender registration and puts a federal felony on Sunday's record.

Sunday also escaped a second charge of sexual assault that was brought for a 2016 incident involving a female cadet.

Academy leaders chose not to pursue that case after an evidentiary hearing.

<https://www.washingtonpost.com/nation/2019/02/07/florida-politician-allegedly-made-habit-licking-mens-faces-now-shes-resigned/>

## A Florida politician allegedly made a habit of licking men's faces. She has now resigned.

By Antonia Noori Farzan

The Washington Post, February 7, 2019

It was supposed to be a fun, lighthearted alternative to typical government meetings, and one befitting a laid-back beach town. The city commission of Madeira Beach, Fla. — a coastal community of nearly 4,500 situated on a barrier island facing the Gulf of Mexico — had decided to hold a special outdoor meeting during the King of the Beach fishing tournament in November 2012. The main order of business: honoring a sister city in the Bahamas.

But things quickly got out of hand at the meeting, according to a [report](#) from the Florida Commission on Ethics. By her own admission, Nancy Oakley, a city commissioner in Madeira Beach, had done some drinking at the fishing competition. She spotted Shane Crawford, the city manager at the time, and Cheryl McGrady, his executive assistant. The two would later marry, but were in relationships with other people at the time. Oakley suspected them of having an affair.

Using expletives, she demanded McGrady, who was supposed to be acting as deputy city clerk and taking the minutes, be removed. Then, after the otherwise low-key meeting concluded, Oakley walked up to Crawford again. She allegedly licked his neck and the side of his face, slowly working her way up from his Adam's apple, and groped him by grabbing at his crotch and buttocks.

McGrady, who had been standing there the entire time, told Oakley that her behavior was inappropriate. According to the report, Oakley threw a punch at the woman, but missed.

It wasn't an isolated incident, Crawford told [Bay News 9](#) last month. Oakley had a "habit of licking men that either she was attracted to or thought that she had authority over," he said. He wrote in a 2017 [complaint](#) to the ethics board that Oakley had made unwanted advances toward other city staff, too, and that they were "not interested in enduring that type of treatment ever again."

Oakley resigned from her position on the Madeira Beach City Commission on Tuesday, a week after the state ethics panel announced Crawford's complaint had been [upheld](#) in a unanimous vote. She has repeatedly denied touching the former city manager inappropriately and has insisted she never licked his face or anyone else's. But the ethics commission chose to go with the accounts of several bystanders who offered sworn testimony to the contrary and noted three other men testified Oakley had licked their faces in public without their consent.

"The act of licking a person on the face and neck is too unusual to be contrived by multiple witnesses and multiple victims," administrative law judge Robert S. Cohen wrote in [his final report](#). He recommended she be fined \$5,000 and publicly censured by the governor for inappropriate behavior.

Oakley could not be reached for comment late Wednesday night. In her [resignation letter](#), she continued to deny any wrongdoing and said she was only giving up her position in an attempt to quell the controversy.

"While the Commission on Ethics has made their decision, I maintain my innocence and am pursuing the paths of appeals available," she wrote. "With that being said, it is time for us all to move on."

Residents who spoke up at [a special meeting](#) of the Madeira Beach City Commission on Wednesday night seemed to agree. While some friends defended Oakley, who was not present, others accused her of giving the city a bad name.

<https://www.washingtonpost.com/nation/2019/02/07/florida-politician-allegedly-made-habit-licking-mens-faces-now-shes-resigned/>

“I am sick and tired of the embarrassing headlines created by the majority of this commission, and it is time for a change,” commented one woman who introduced herself as Helen Price.

Another Madeira Beach resident, Robert Preston, told the commission, “I would love to be part of a city that’s in the news for good things, not dirt and garbage.”

Though the face-licking episode allegedly took place in 2012, it took another five years for Crawford to file a complaint. According to [a report](#) prepared by the ethics commission, Crawford explained he had not initially reported Oakley for harassment because he feared he would lose his job. The following year, she chose not to run for reelection, and Crawford let the matter go, according to the [Miami Herald](#).

After Oakley decided to seek office again in 2017, Crawford filed an official complaint. She won the race, and, in her first meeting back, suggested McGrady should be fired. A month after that, she was one of three commissioners who voted to suspend him for reasons that were [not fully explained](#). He ultimately chose to resign rather than be fired, according to the Herald.

The investigation into Oakley’s misconduct led to a very public [airing of Madeira Beach’s dirty laundry](#), the Tampa Bay Times reported in September. During one hearing, Oakley’s attorney began shouting at McGrady and insisting she had been having an affair with Crawford in 2012, when the two were married to different people. McGrady insisted it was untrue. Meanwhile, numerous friends of Oakley’s were called to the stand and subjected to extensive questioning about her drinking and whether she had ever been known to lick people’s faces.

Oakley testified she had drank “some beer” and possibly a cocktail before the alleged face-licking incident, the [transcripts](#) from the hearings show. She also acknowledged she had used profanity to demand that McGrady leave, explaining, “I didn’t think she needed to be there. I don’t like her. [ . . . ] I think something was going on between the two of them.”

In her own testimony, McGrady told a different story, describing Oakley as “belligerent and intoxicated” and “stumbling all over the place,” while holding a Tervis tumbler filled with alcohol that she insisted be set up at her place on the dais.

“I’ve never seen anything like that in life and hopefully I’ll never see anything like it again,” she said, later explaining that she “got the impression that Commissioner Oakley was jealous of me somehow.”

Crawford also faced an ethics complaint of his own, the Times [reported](#). His relationship with McGrady didn’t violate the city’s rules, but it did prompt the International City/County Management Association to ban him for life in 2016, after residents filed complaints. A [letter](#) to Madeira Beach’s then-mayor noted “it is highly inappropriate for a city manager to have a personal relationship with a subordinate employee,” and Crawford had recommended McGrady for raises and promotions while the two were in a relationship.

Separately, in December, the Florida Ethics Commission [fined him \\$2,000](#) for accepting prohibited gifts from lobbyists, which consisted of [discounted rent](#) on condominiums he leased from local developers.

During cross-examination at one [hearing](#), Oakley’s lawyer asked McGrady if she had ever told anyone about the alleged assault on her then-boss.

“Not about that incident, no,” McGrady replied. “I mean, she licked a lot of people, sir. So everyone kind of talked about the fact that she licked people. That’s what she did when she got drunk.”



## Sisterhood Is Powerful

*The Swedish Navy brass responded well to #MeToo. But real change came from the ranks.*

By Teresa Fazio

Foreign Policy, February 1, 2019



*Members of GRYM, a group for women in the Swedish Navy, share coffee aboard the HMS Visby off the coast of Berga, Sweden, on Sept. 18, 2018. (Teresa Fazio for Foreign Policy)*

The coffee was hot and strong, and the sugar-glazed, cream-filled doughnuts were baked that very day aboard the Swedish corvette HMS Visby. But this was no ordinary *fika*, or coffee break. Several women from the 4th Flotilla of the Swedish Navy were gathered on Sept. 18, 2018, 10 months after the November 2017 launch of the Swedish military’s #MeToo movement—called #givaktotchbitihop, which loosely translates to “[stand at attention and bite the bullet](#)”—when more than 3,000 incidents of abuse in the armed forces over the past 30 years were detailed on one Facebook page.

Though the military’s top-down response to #givaktotchbitihop was perceived as unequivocal—the supreme commander, Air Force Gen. Micael Byden, addressed a harsh video message to perpetrators—true culture change must happen organically. To that end, Swedish troops themselves have also been bringing about change among the rank and file.

A group of about 50 female sailors, out of about 400 total in the 4th Flotilla, have long been one another’s strongest supporters. They formed GRYM, an acronym that in Swedish stands for Community, Recruitment, Career guidance, and Mentorship, but can also translate to “cruel,” “savage,” or “ferocious.” This flotilla’s GRYM chapter was formed four years ago by its former commander Rear Adm. Ewa Skoog Haslum, the first female admiral in the Swedish Navy. The group encourages women to trade career planning advice, information on what to do when you’ve been harassed, and tips for balancing work and family (egalitarian Sweden offers 480 days of family leave per child for all citizens).

GRYM members also act as informal sounding boards for survivors of sexual harassment or assault. This is of particular use to those wary of official reporting. “It’s hard to be anonymous,” said Lt. Mia Rismalm, a member of the group. Nor do all women need the same thing. Skoog Haslum said she herself never needed women’s networks or female role models. Now deputy vice chancellor at the Swedish Defense University, she acknowledged some survivors prefer an empathetic conversation to an incident being brought to trial. Swedish law, she said, mandates investigation of reported incidents but doesn’t dictate how the commander must perform them. Skoog Haslum tries to reassure skittish subordinates that she “will never do something that [a complainant] doesn’t want to do. Never.”

While the responses are remarkable, the stories the women tell echo #MeToo experiences in other parts of the world.

Navy Lt. Rebecca Landberg has a wide smile and a neat blonde bun, but these days, she doesn’t even wear skirts to rock concerts. About nine years ago, a drunken senior male colleague mistook her conversational tone for attraction during a talk about relationships at a shipboard Christmas party. Though alcohol wasn’t supposed to be served past midnight, most flaunted that rule. Landberg, sober, left early to prepare for a morning duty shift. When the senior colleague banged on her stateroom door several times that night, she waved him away, chalking it up to his inebriation. Around 3 a.m., she woke to the chilling *click* of her door

<https://foreignpolicy.com/2019/02/01/sweden-me-too-military-part-two/>

locked from the inside. The male officer, completely naked, tried to drag her out of her upper bunk. Fighting to escape, she felt his penis against her back. She persuaded him to leave, saying her male roommate would arrive soon, and locked him out. When her roommate returned, he accompanied her to wake up other sailors and report the incident. Within 12 hours, Landberg was giving testimony to her command.

One junior enlisted sailor, the daughter of a Swedish Navy mine diver who asked to be identified by her first name, Malin, felt obligated to report her assault, a smack on her bottom that happened while she was changing into uniform. After the #givaktochbitihop campaign revealed the number of incidents buried for decades, she wanted to encourage other women who had been harassed to take that step as well and convey the message that reporting was not only okay, but necessary.

But while Sweden has been admirable in its approach, women often face social isolation after they report, as the rumor mill aboard ship speculates about their harassment or assault.

Landberg said the colleague who assaulted her “was a good friend of so many.” She feared he’d told a version of his side of the story to everyone else. Further complicating her experience was that her command expected her to be immediately sure of what she wanted to do after she testified, but she was still processing the shock. In the end, the alleged perpetrator, who claimed to have no memory of the incident, was denied higher education. He then left the Navy.

For her part, Malin—who said her commanders were “very supportive”—felt out of the loop as her complaint made its way through Swedish military bureaucracy. Her relationship with colleagues changed, too; in the sailors’ mess, “it would be quiet when I would sit around the table ... they wouldn’t want to joke around with me. It was really different,” she said. These dynamics make for a complicated balance between fitting in and speaking up aboard tightknit ships.

While Malin’s emotional support came from her closest female colleague, whom she explained she “really trusted,” no one in Landberg’s all-male crew asked her how she felt. Though their assailants were punished, “There’s one thing I think men don’t understand,” Landberg said, “and that is how you feel afterwards.” She had the sense that the unspoken narrative around her was, “‘Now they have their punishment, they have money taken away, so it’s fine! Now he’s not working here anymore, so get over it!’ But,” she added, she’s still wary, especially when aboard ship with drunk comrades.

It’s not just these women’s own experiences that have left lasting impressions. Malin said that friends’ similar stories have made her “always on guard” when she goes out on the town with colleagues. Though her male crewmates do not share the same fears of sexual trauma, Malin said plenty of them have empathized with her.

The Swedish military’s occupational health service offers counseling services for both survivors and perpetrators, and it can also refer troops to civilian providers. But one further lesson of the #givaktochbitihop outcry is that it’s crucial for *all* troops to learn basic communication skills. For example, Landberg’s attacker drunkenly assumed a deep discussion about relationships meant she was willing sexual prey. But, of course, just because someone talks about feelings with you doesn’t mean she wants to sleep with you.

All of this was eye-opening for Filipa Gode, a Navy cook who was in boot camp when #givaktochbitihop started (and therefore heard little about it). “I think men support men in Sweden, whatever happens ... we [women] have to listen to each other and support each other,” she said.

Even so, that sexual harassment and assault are now discussed openly is a huge change from 15 months ago, before #givaktochbitihop broke the silence and denial that had previously permeated the Swedish

<https://foreignpolicy.com/2019/02/01/sweden-me-too-military-part-two/>

Armed Forces. And then there's that group—GRYM. It provides women—survivor and otherwise—sisterhood and support, coworkers and colleagues, as well as space to speak and learn. It's not just women supporting women, though. While Malin, a former youth Sea Scout, said she remained in the Navy because of “these fantastic women” she has also seen over the last year a noticeable change in the culture of her male colleagues: In the wake of #givaktochbitihop, both the witness to her assault and the colleague who encouraged her to report it were men.

*This work was supported by the Pulitzer Center on Crisis Reporting.*

*Teresa Fazio is a former U.S. Marine officer and freelance writer in New York City. [@doctorfaz](#)*

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**SEE ALSO:**

[Stand at Attention and Bite the Bullet: The Swedish military had a #MeToo problem. They decided to do something about it.](#) [2019-01-27]

# Virginia Lt. Gov. Fairfax acknowledges 2004 consensual encounter with accuser, denies sexual assault

By Doug Stanglin

USA TODAY, February 7, 2019



*In this undated photo provided by Scripps College, Vanessa Tyson, an associate professor in politics at Scripps College, poses for a photo. Tyson, a 42-year-old political science professor who studies the intersection of politics and the #MeToo movement, went public with her sexual assault accusation against Virginia Lt. Gov. Justin Fairfax on Feb. 6, 2019. (Photo: Scripps College via AP)*

Virginia Lt. Gov. Justin Fairfax acknowledges that he had a consensual encounter with a colleague in a Boston hotel during the 2004 Democratic national convention but flatly denies her charges of sexual assault.

"I wish her no harm or humiliation, nor do I seek to denigrate her or diminish her voice," Fairfax [said Wednesday](#) in his second response to the burgeoning allegations. "But I cannot agree with a description of events that I know is not true."

The allegations by Vanessa Tyson, now a professor at Scripps College in Claremont, California, surfaced in the wake of a blackface scandal involving Gov. Ralph Northam that potentially could lead to Fairfax becoming governor of Virginia.

Tyson said she decided to go public with her charges because of the prospects that Fairfax seemed likely to become the state's chief executive.

"I felt a jarring sense of both outrage and despair," Tyson said [in a statement](#) Wednesday in which she spoke of her charges.

In the statement released by her lawyer, Tyson said she met Fairfax in 2004 when both were working at the Democratic party convention and realized they had a mutual friend.

At one point, she said, Fairfax invited her back to his hotel to retrieve some papers.

"What began as consensual kissing quickly turned into a sexual assault," Tyson said. "Mr. Fairfax put his hand behind my neck and forcefully pushed my head towards his crotch."

Tyson alleged that Fairfax then forced her to perform oral sex.

"I cannot believe, given my obvious distress, that Mr. Fairfax thought this forced sexual act was consensual," she said, adding that she consciously avoided him for the rest of the convention and never spoke to him again.

Fairfax, in his statement, called Tyson's account "surprising and hurtful" but said, "I have never done anything like what she suggests."

Fairfax first acknowledged having had an intimate encounter with Tyson on Monday, but told reporters it had been "100 percent consensual."

"We hit it off, she was very interested in me, and so eventually, at one point, we ended up going to my hotel room," Fairfax recalled of the 2004 incident, according to *The New York Times*.

<https://www.usatoday.com/story/news/nation/2019/02/07/virginia-lt-governor-justin-fairfax-sexual-assault-allegation/2800541002/>

The 39-year-old Democrat said any review of the circumstances surrounding the alleged incident would support his account.

"At no time did she express to me any discomfort or concern about our interactions, neither during that encounter nor during the months following it, when she stayed in touch with me, nor the past fifteen years," [Fairfax said](#). "She in no way indicated that anything that had happened between us made her uncomfortable."

While a wide array of Democrats, both in Virginia and nationally, as well as Republicans have called on [Northam to step down over the blackface incident](#), fewer voices have come out against Fairfax.

Toni Van Pelt, president of the National Organization of Women, however, has urged him to step down, as has Rep. Jennifer Wexton, a freshman Virginia Democrat who previously served in the state senate.

Democratic presidential hopeful Sen. Kamala Harris, of California, said Thursday she finds Tyson's charges "credible" and called for a thorough investigation of the allegations.

In a bizarre twist to recent sexual allegations that have rocked national politics, Tyson is represented by the law firm that backed Dr. Christine Blasey Ford when she accused then Supreme Court nominee Brett Kavanaugh of sexual misconduct in high school.

Fairfax, in turn, has retained the law firm that represented Kavanaugh during those contentious hearings, [CNN reports](#).

Although Tyson agreed to go public with her allegations this week, she had tried to raise her concerns last year in the run up to the elections that put Fairfax in the lieutenant governor's chair.

She said she spoke in 2017 to a personal friend at The Washington Post, and to colleagues, about the allegations but that the newspaper decided not to run her story.

The Post, which spoke to people who knew Fairfax from college, law school and through political circles, found no similar complaints of sexual misconduct against him, [the newspaper reported this week](#). Without that, or the ability to corroborate Tyson's account — in part because she had not told anyone what happened — the Post did not run a story.

The experience, she said, left her feeling "powerless, frustrated, and completely drained," and that she had declined to press the issue until Fairfax appeared likely to ascend to the governorship in Virginia.

"I have no political motive," she said. "I am a proud Democrat. My only motive in speaking now is to refute Mr. Fairfax's falsehoods and aspersions of my character, and to provide what I believe is important information for Virginians to have as they make critical decisions that involve Mr. Fairfax."

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