

DEOMI News Highlights

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.

For a million U.S. men, failing to register for the draft has serious, long-term consequences [Gregory Korte, *USA TODAY*, 3 April 2019]

- For 39 years, it's been a rite of passage for American men. Within 30 days of his 18th birthday, every male citizen and legal resident is required to register for Selective Service, either by filling out a postcard-size form [or going online](#).
- What's less well known is what happens on a man's 26th birthday. Men who fail to register for the draft by then can no longer do so—forever closing the door to government benefits like student aid, a government job, or even U.S. citizenship.
- With the current male-only draft requirement [declared unconstitutional](#), Congress will have to decide whether to eliminate Selective Service registration or expand it to women. Unable to decide that question for decades, Congress created the National Commission on Military, National, and Public Service in 2016. It's [studying](#) the future of the draft with a report due next year.

[For a million U.S. men, failing to register for the draft has serious, long-term consequences](#)

Military's Top Lawyers Push to Keep Prosecution Decisions with Commanders [Patricia Kime, *Military.com*, 3 April 2019]

- The military services' top attorneys are holding the line against a renewed push by lawmakers to remove commanders from the process of deciding to prosecute sexual-assault cases.
- Although Congress ordered the Pentagon to form the [Response Systems to Sexual Assault Crimes Panel] to study the issue in 2013, several Senate and House Democrats have revived the issue. They say they're concerned that the number of assaults remains high while reporting rates are still low.
- The panel concluded that changes previously made by Congress, including restricting a commander's ability to grant clemency to perpetrators and changes to Article 32 hearings, were sufficient. The members concluded that removing convening authority from commanders would not reduce sexual-assault incidence rates or increase reporting.

[Military's Top Lawyers Push to Keep Prosecution Decisions with Commanders](#)

Muslim soldier demoted, planning to sue the Army after hijab controversy [Meghann Myers, *Army Times*, 3 April 2019]

- Following a rejected equal opportunity complaint and a demotion in rank, [a Muslim soldier](#) who has accused her Fort Carson, Colorado, leadership of [religious discrimination](#) is contemplating a federal lawsuit, her attorney confirmed to Army Times on Wednesday.
- Spc. Cesilia Valdovinos, who was demoted this week following an unrelated Article 15 investigation, will file a complaint alleging violation of her civil rights either in northern Virginia or Denver, according to Mikey Weinstein, founder of the Military Religious Freedom Foundation.
- The 26-year-old culinary specialist's story first went viral in mid-March, after she filed an EO complaint with her command based on an incident with her command sergeant major at the 704th Transportation Battalion. The senior noncommissioned officer, believing that Valdovinos was wearing her hair down underneath her hijab—rather than in a bun, [per regulation](#)—demanded the soldier remove the head covering.

[Muslim soldier demoted, planning to sue the Army after hijab controversy](#)

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Culture

Marine Officer to Next Commandant: Fix the Corps' Identity Crisis

By Gina Harkins

Military.com, April 3, 2019



Marines with 2nd Battalion, 3rd Marines, 4th Marine Regiment, execute an amphibious assault simulation for Ssang Yong 14 at Dogue Beach, Pohang, South Korea, April 1, 2014. (U.S. Marine Corps photo/Sara A. Medina)

A Marine Corps major is joining a growing chorus calling on the service to develop a clear identity and to stop being everything to everyone.

Maj. Leo Spaeder, a Marine air-ground task force planner at the Marine Corps Warfighting Laboratory, wants the general officer [nominated to lead the service](#) to end what he calls an ongoing identity crisis. Lt. Gen. David Berger was tapped to be 38th commandant of the Marine Corps in March; his confirmation hearing has yet to be scheduled.

In a commentary he wrote for War on the Rocks titled "[Sir, Who Am I? An Open Letter to the Incoming Commandant of the Marine Corps](#)," Spaeder said he's confused by his service's attempt to organize, train and equip before it has developed a clear identity.

"At Headquarters Marine Corps, I have heard and read a dizzying array of what we are doing, pursuing, and becoming," the major wrote. "... Not much of it is coherent: general purpose force, expeditionary advanced base operations force, paced against a specific threat, no pacing threat, applicable to all combatant commands, urban/megacities, jungle, sea control, forcible entry operations, amphibious, expeditionary, naval, crisis responders, contact force, blunt force, surge force, heavy, light, etc.

"I could go on, but it's starting to feel absurd."

Spaeder, who could not immediately be reached for comment, is not the only one [calling on Marine Corps leaders to develop a clear mission](#). Last month, Dakota Wood, a retired Marine officer now with the Heritage Foundation, [wrote a 60-page report](#) highlighting what the service must do to prepare for a near-peer naval battle.

"The ability to project ground combat power by sea is what differentiates the Corps from the Army," Wood said. "Without this capability, there is not much reason to maintain a Marine Corps."

And last year, Congress called for assessments on the service's ground forces when it comes to deterring near-peer enemies and the feasibility, plans and investments in the Marine Corps' ability to operate in contested littoral environments.

Like Wood, Spaeder said the Marine Corps "can stop creating redundant capabilities," such as Marine Corps Forces Cyberspace Command or Marine Corps Forces Special Operations Command. Those are services already provided to the joint force, he said. (Wood argued something similar about MARSOC, though it proved unpopular with some in the special operations community.)

If confirmed to serve as commandant, Berger should choose what Spaeder calls a single-core attribute. Marines need to know whether they should be focused on being a general-purpose force, one that fights small wars, one that fights in the littorals, or something else, he said.

<https://www.military.com/daily-news/2019/04/03/marine-officer-next-commandant-fix-corps-identity-crisis.html>

"Next, name two or three distinguishing attributes that -- in accordance with the National Defense Strategy -- differentiate the Corps from the other services," Spaeder added.

The Marine Corps should still be able to conduct other outlying mission sets that complement those missions, he said, but they should be Marines' lowest priorities when it comes to investing time and resources.

"I pose a single question to drive our identity: Are we naval in character or purpose?" Spaeder asks. "If it's the former, then we can continue to be anything we want and just continue using funny words for windows, walls, and water fountains."

But if the Marine Corps continues doing a bunch of other missions at the same time -- training for an arctic mission in Norway, providing land-based crisis response in Africa and the Middle East, and spending more on support elements than it does on infantry units -- the service will continue its march to irrelevance and eventual extinction, he warned.

The Marine Corps has no more time to be everything to everyone, Spaeder added. It can't dabble in modernization, he said, without a clear vision behind it. Now that the National Defense Strategy has been released, Berger should leverage it to decide the service's next steps.

And those who aren't on board with his vision should retire, Spaeder added.

"A clear identity is now possible and represents a once-in-a-century chance to re-invent the Marine Corps," he wrote.

Berger oversees Spaeder's command in his current role as head of Marine Corps Combat Development Command.

-- Gina Harkins can be reached at gina.harkins@military.com. Follow her on Twitter [@ginaaharkins](https://twitter.com/ginaaharkins).

Nation Honors Vietnam Veterans in Annual Observance

By David Vergun

Defense.gov, March 29, 2019



The Vietnam War Memorial in the nation's capital was the site for a wreath-laying event to observe the second anniversary of Vietnam Veterans Day, March 29, 2019. (DOD photo by Army Sgt. Amber I. Smith)

WASHINGTON—Today is National Vietnam War Veterans Day, and these veterans are being honored at events across the nation, including at the Vietnam War Memorial here.

At “The Wall,” as it’s commonly called, a number of veterans received Vietnam Veteran lapel pins from Kim Joiner, the acting principal deputy assistant to the secretary of defense for public affairs, on behalf of the Defense Department. The event also featured a wreath-laying event at the memorial.

One of the veterans being honored was Duery Felton Jr., who served in the Army in Vietnam from 1966 to 1967.

He was just 19 when he got to Vietnam after being drafted. “Vietnam stole my youth,” he said, adding that he has mixed feelings about his experiences there.

He was a radio telephone operator in the 1st Infantry Division with the rank of specialist 4.

The moment that stands out most in his mind, he said, is when his platoon was ambushed. During the ensuing firefight, he said he lost many comrades, all of whose names are inscribed on The Wall that he now stood beside.

During monsoon season in another firefight, he remembered rivulets of rainwater turned red from the blood.

Before returning home, Felton said, his leaders warned him not to wear his uniform in public because of the war protesters and the harm that might come to him. “Coming home was a culture shock,” he added.

After returning home, Felton used his G.I. Bill to go to college. A number of other Vietnam veterans were in college with him, and he said he noticed a high level of maturity these veterans displayed compared to the other students. Vietnam had that positive effect as well, he noted.

Appreciation for Recognition

Regarding today’s events, Felton said appreciates all the warmth and recognition expressed for the veterans, but he laments the many who never made it back to get that appreciation.

Another of the veterans being honored was Anthony Mustifa, who served in Vietnam in the Air Force from 1968 to 1969 as a combat security policeman with the rank of sergeant.

Mustifa said he arrived in Vietnam as an 18-year-old, and the events he witnessed over the course of his tour were traumatic, particularly seeing his buddies get killed.

“We got hit Feb. 22, 1969,” he said. “We had to pick up body parts without any gloves or anything the next day after a firefight.” Another day that stands out in his mind, he said, was June 17, when his men got hit by an enemy rocket barrage.

<https://dod.defense.gov/News/Article/Article/1800713/nation-honors-vietnam-veterans-in-annual-observance/>

“People labeled you as a crazy Vietnam vet, so you held everything in. You didn’t talk about your experience in Vietnam,” he said.

“I didn’t talk about Vietnam until 1999, when I found out something was wrong with me,” he said. He went to Veterans Affairs to get help for his post-traumatic stress disorder. He said he still goes to VA facilities to get help for the trauma he still experiences.

“I’m still learning how to cope -- still adjusting, still coping, still trying to find myself,” he said.

Despite all that, he said, his Vietnam experience gave him a deeper appreciation for America.

Committed to Healing

Gary Tallman, executive director of VA’s Office of Public and Intergovernmental Affairs, also attended the event. He said VA is committed to helping veterans to heal and “is proud to partner with DOD for this noble mission to support communities – large and small alike – throughout the nation to thank and honor thousands of Vietnam veterans and their families.”

During this, the second anniversary of National Vietnam War Veterans Day, VA and DOD are supporting more than 1,600 similar events in many states across the nation, he noted.

Joiner said it was a great privilege to attend the event to honor those who served during Vietnam and those who serve today. “It’s important we recognize their sacrifices, and it’s important we keep our commitments to those who answered the call to arms,” she said.

On March 28, 2017, President Donald J. Trump signed into law The Vietnam War Veterans Recognition Act of 2017, establishing The National Vietnam War Veterans Day, now celebrated each year on March 29.

The recognition is extended to men and women who served on active duty in the U.S. armed forces from Nov. 1, 1955 to May 15, 1975, whether in peacetime or war. Nine million Americans—about 6.4 million of them living today—served during that period.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/03/29/no-more-just-snapping-to-attention-for-the-marines-hymn-the-commandant-has-directed-marines-to-sing-it-out-loud/>

No more just snapping to attention for the Marines’ Hymn—the commandant has directed Marines to sing it out loud

By Shawn Snow

Marine Corps Times, March 29, 2019



Marines with Combat Logistics Battalion 251, 2nd Marine Logistics Group-Forward, stand at attention while reciting the Marine Corps hymn in Hammersodden, Norway, Nov. 9, 2018. (Cpl. Scarlet A. Sharp/Marine Corps)

Marines better make sure they remember all the words to the Marines’ Hymn come April 15, because the top Marine wants you to sing it out loud when it’s played, according to Marine officials.

That’s one of a slew of changes coming to the Corps’ new [drill and ceremonies](#) manual, which is expected to be published around April 15, Training and Education Command Sgt. Maj. William J. Grigsby told Marine Corps Times in an interview.

“It is now directed that Marines, present and who have served honorably, who are not in formation or part of an actual ceremony, or marching in a parade or review, who when they hear the playing of the Marines Hymn will stand at attention, face the music and sing the words to the Hymn,” the updated drill and ceremonies manual reads.

Previously Marines were directed to stand at attention during the playing of the Corps’ official song, the Marines’ Hymn — a tradition that dates back to just after World War II.

Other major changes include the removal of the complicated drill movement known as “stack arms,” various modifications to the Marine birthday ball ceremonies, and added language to former Commandant Gen. James Conway’s direction that the Marine ball ceremony include a reference to fallen comrades.

Conway’s call for a reference to fallen comrades during the Marine ball originally was published in a Marine message, but was never included in the official drill and ceremonies manual until now.

And stack arms is a difficult drill movement where Marines skillfully stack their rifles in groups of five without dropping a rifle. That maneuver has now been removed.

The Corps’ hallowed drill and ceremonies manual was written in 2003 and last updated in 2006.

The task to overhaul the drill manual was spearheaded by Gunnery Sgt. Zane Moorman, a former regimental drill master aboard the recruit depot at Parris Island, South Carolina.

Moorman worked with other drill masters at Parris Island, San Diego, and Officer Candidates School aboard Quantico, Virginia, for more than one and half years to refine the drill manual. That effort kicked off around October 2017 when Moorman flew to Quantico to meet with Grigsby, Moorman told Marine Corps Times.

They looked at “what was broken and what needed to be fixed,” Moorman said.

Out of the nearly 600 page manual, there’s roughly 300 pages of changes, but a lot those changes include updating photographs that display Marines in outdated uniforms, according to Grigsby.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/03/29/no-more-just-snapping-to-attention-for-the-marines-hymn-the-commandant-has-directed-marines-to-sing-it-out-loud/>

For example, the old manual included photographs that showed Marines in the old tricolor woodland utilities. The updated manual displays Marines in the digital camouflage utilities.

The updating of the drill manual is important: Drill is about self-discipline that creates unit pride, Grigsby said.

“Drill and ceremonies are the cornerstone of Marine Corps customs, courtesies and traditions, Grigsby said. Drill “teaches an immediate obedience of orders.”

“A well drilled unit is going to be a pretty disciplined unit.”

The updated drill and ceremonies manual has been approved by Sgt. Maj. of the Marine Corps Ronald Green and the commanding general of Training and Education Command Maj. Gen. William F. Mullen.

The manual is currently at Records, Reports, Directives & Forms Management Section with Headquarters Marine Corps and is awaiting a final signature from the commander of Marine Corps Combat Development Command Lt. Gen. David Berger.

[Berger](#) was just recently nominated to replace Gen. Robert B. Neller as the next top Marine.

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SEE ALSO:

[Marines Will Soon Have to Belt Out the 'Marines' Hymn' When They Hear It](#) [*Military.com*, 2019-03-29]

'TransMilitary' Documentary to Draw Transgender Advocates, Lawmakers Together

By Patricia Kime

Military.com, April 2, 2019



Air Force Staff Sgt. Logan Ireland (right) seen in the documentary 'TransMilitary'. (Photo courtesy of TransMilitary')

As a new policy restricting transgender people from serving openly in the U.S. military [goes into effect this month](#), advocates are on Capitol Hill to protest the change and support those currently serving.

TransMilitary, a 2018 documentary by Gabriel Silverman, Fiona Dawson and Jamie Coughlin about transgender military service, will be screened Wednesday at the U.S. Capitol Visitor Center, with Speaker of the House Nancy Pelosi, D-California, and other lawmakers expected to attend.

The film centers around four transgender service members -- Air Force Staff Sgt. Logan Ireland, former Army Cpl. Laila Villanueva Ireland and Army Cpts. Jennifer Peace and El Cook -- as they navigate Pentagon transgender policy pendulum swings. The 90-minute documentary captures everyday moments with families and struggles they've faced, including conflicts with their birth genders, discrimination and combat deployments.

In one scene, Ireland's father, Todd Ireland, discusses the stress of having a child in Afghanistan and not feeling free to talk to coworkers about Logan's service because his colleagues think he has a daughter.

"I don't know where the mix-up was, if you want to call it that," Todd Ireland says of Logan's male gender identity, which was evident in childhood. "But I know God created this person and we're to accept that person for what that person is."

In another scene, Peace is transferred to an infantry training unit where she is concerned how the command will react to her gender identity. But three months into the assignment, she realizes her command knows -- and doesn't care.

"I may be the first transgender woman sleeping in a female barracks in the Army," Peace says in a self-shot video during an exercise. "It shouldn't be any more complicated than that."

Laila Villanueva served in the Army from 2003 to 2015, enlisting as a male. While she dressed as a woman privately, at work she had to "pretend" -- her words -- to be a male soldier. "Every morning before I head to work, I have to spend at least 20 to 25 minutes fixing my hair. I carry around a printout out of AR 670-1, the hair regulations for males, because I know someone is going to say something to me. ... This face doesn't even say male. It's crazy."

Transgender people were barred from serving openly in the U.S. armed forces until 2016, when then-Defense Secretary Ash Carter lifted the ban after a six-month study of the issue.

In July 2017, however, via a series of tweets, President Donald Trump announced he would reintroduce the ban, saying the military must be focused "on decisive and overwhelming ... victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail."

<https://www.military.com/daily-news/2019/04/02/transmilitary-documentary-draw-transgender-advocates-lawmakers-together.html>

The administration issued a policy in August 2017 effectively barring all transgender troops from serving, a rule that was to be implemented in March 2018. A series of court rulings, however, temporarily halted enactment. A new version was later introduced that excluded from service transgender persons diagnosed with gender dysphoria, as well as those who have transitioned.

Transgender personnel already serving are exempt from the new policy, which goes into effect April 12.

Speaking with Military.com about TransMilitary and the pending restrictions on transgender service, Peace, who has nearly 15 years of military service, said she plans to continue serving until retirement. She encourages transgender people to enlist, even if they can't serve openly.

"There's a fight to be had here. This ban certainly is going to be contested. People like myself are going to continue to fight it," Peace said. "Everyone who is qualified and capable to joining the military and willing to join the military should, because you can't fix the system from the outside."

Zeke Stokes, chief programs officer at GLAAD, the gay-rights advocacy group sponsoring Wednesday's screening, said the event is designed to show policymakers and military leaders that transgender personnel simply want to "serve this country alongside other brave patriots without discrimination."

"TransMilitary tells the story of transgender service members fighting for our country, while unfortunately, they fight for their careers in the midst of a proposed ban on their service by the president," Stokes said.

"Their stories -- and their service and sacrifice -- are undeniable."

-- Patricia Kime can be reached at Patricia.Kime@Military.com. Follow her on Twitter at [@patriciakime](https://twitter.com/patriciakime).

Discrimination

Face recognition researcher fights Amazon over biased AI

By Matt O'Brien

The Associated Press, April 3, 2019



In this Wednesday, Feb. 13, 2019, photo, Massachusetts Institute of Technology facial recognition researcher Joy Buolamwini takes questions from reporters at the school, in Cambridge, Mass.

Buolamwini's research has uncovered racial and gender bias in facial analysis tools sold by companies such as Amazon that have a hard time recognizing certain faces, especially darker-skinned women. (AP Photo/Steven Senne)

CAMBRIDGE, Mass. (AP) — Facial recognition technology was already seeping into everyday life — from your photos on Facebook to police scans of mugshots — when Joy Buolamwini noticed a serious glitch: Some of the software couldn't detect dark-skinned faces like hers.

That revelation sparked the Massachusetts Institute of Technology researcher to launch a project that's having an outsize influence on the debate over how artificial intelligence should be deployed in the real world.

Her [tests on software](#) created by brand-name tech firms such as Amazon uncovered much higher error rates in classifying the gender of darker-skinned women than for lighter-skinned men.

Along the way, Buolamwini has spurred Microsoft and IBM to improve their systems and irked Amazon, which publicly attacked her research methods. On Wednesday, a group of AI scholars, including a winner of computer science's top prize, launched a [spirited defense](#) of her work and called on Amazon to stop selling its facial recognition software to police.

Her work has also caught the attention of political leaders in statehouses and Congress and led some to seek limits on the use of computer vision tools to analyze human faces.

“There needs to be a choice,” said Buolamwini, a graduate student and researcher at MIT's Media Lab. “Right now, what's happening is these technologies are being deployed widely without oversight, oftentimes covertly, so that by the time we wake up, it's almost too late.”

Buolamwini is hardly alone in expressing caution about the fast-moving adoption of facial recognition by police, government agencies and businesses from stores to apartment complexes. Many other researchers have shown how AI systems, which look for patterns in huge troves of data, will mimic the institutional biases embedded in the data they are learning from. For instance, if AI systems are developed using images of mostly white men, the systems will work best in recognizing white men.

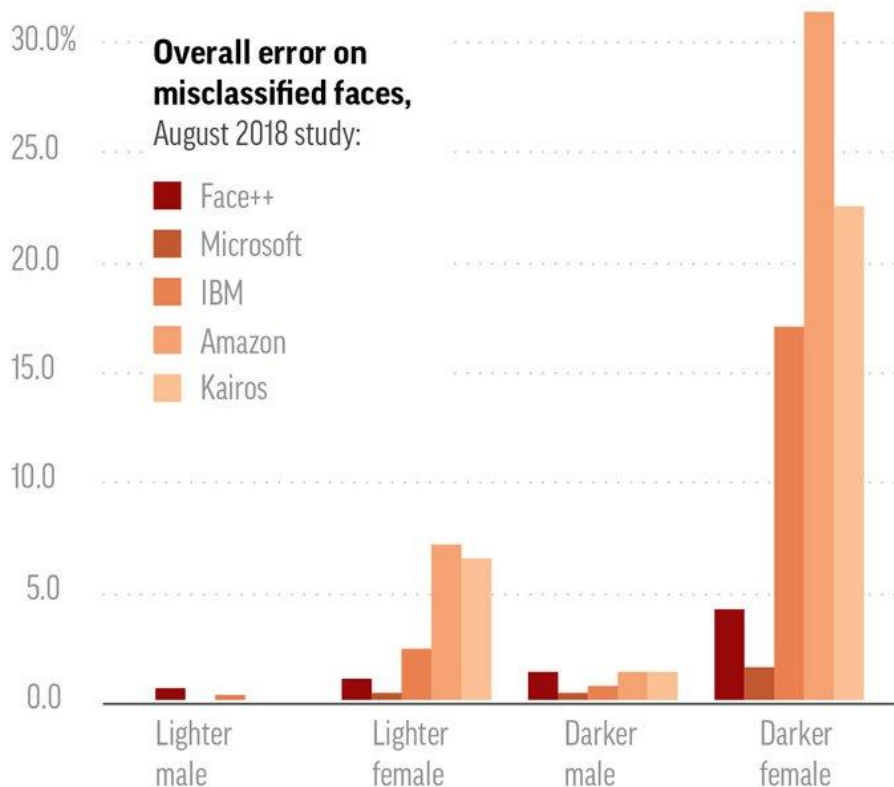
Those disparities can sometimes be a matter of life or death: One [recent study](#) of the computer vision systems that enable self-driving cars to “see” the road shows they have a harder time detecting pedestrians with darker skin tones.

What's struck a chord about Boulamwini's work is her method of testing the systems created by well-known companies. She applies such systems to a skin-tone scale used by dermatologists, then names and shames those that show racial and gender bias. Buolamwini, who's also founded a coalition of scholars, activists and others called the Algorithmic Justice League, has blended her scholarly investigations with activism.

“It adds to a growing body of evidence that facial recognition affects different groups differently,” said Shankar Narayan, of the American Civil Liberties Union of Washington state, where the group has sought restrictions on the technology. “Joy’s work has been part of building that awareness.”

Bias in facial recognition technology

A graduate student’s research project has revealed problems in facial recognition systems used by various companies. The study has shown a larger percentage of error in detecting female faces, especially in women with darker skin tones.



Source: Joy Buolamwini, MIT; Inioluwa Deborah Raji, University of Toronto

AP

Graphic: Phil Holm

Amazon, whose CEO, Jeff Bezos, she emailed directly last summer, has responded by aggressively taking aim at her research methods.

A Buolamwini-led study published just over a year ago found disparities in how facial-analysis systems built by IBM, Microsoft and the Chinese company Face Plus Plus classified people by gender. Darker-skinned women were the most misclassified group, with error rates of up to 34.7%. By contrast, the maximum error rate for lighter-skinned males was less than 1%.

The study called for “urgent attention” to address the bias.

“I responded pretty much right away,” said Ruchir Puri, chief scientist of IBM Research,

describing an email he received from Buolamwini last year.

Since then, he said, “it’s been a very fruitful relationship” that informed IBM’s unveiling this year of a new 1 million-image database for better analyzing the diversity of human faces. Previous systems have been overly reliant on what Buolamwini calls “pale male” image repositories.

Microsoft, which had the lowest error rates, declined comment. Messages left with Megvii, which owns Face Plus Plus, weren’t immediately returned.

Months after her first study, when Buolamwini worked with University of Toronto researcher Inioluwa Deborah Raji on a follow-up test, all three companies showed major improvements.

But this time they also added Amazon, which has sold the system it calls Rekognition to law enforcement agencies. The results, published in late January, showed Amazon badly misidentifying darker-hued women.

“We were surprised to see that Amazon was where their competitors were a year ago,” Buolamwini said.

Amazon dismissed what it called Buolamwini’s “erroneous claims” and said the study confused facial analysis with facial recognition, improperly measuring the former with techniques for evaluating the latter.

<https://www.apnews.com/24fd8e9bc6bf485c8aff1e46ebde9ec1>

“The answer to anxieties over new technology is not to run ‘tests’ inconsistent with how the service is designed to be used, and to amplify the test’s false and misleading conclusions through the news media,” Matt Wood, general manager of artificial intelligence for Amazon’s cloud-computing division, wrote in a January blog post. Amazon declined requests for an interview.

“I didn’t know their reaction would be quite so hostile,” Buolamwini said recently in an interview at her MIT lab.

Coming to her defense Wednesday was a coalition of researchers, including [AI pioneer Yoshua Bengio](#), recent winner of the Turing Award, considered the tech field’s version of the Nobel Prize.

They criticized Amazon’s response, especially its distinction between facial recognition and analysis.

“In contrast to Dr. Wood’s claims, bias found in one system is cause for concern in the other, particularly in use cases that could severely impact people’s lives, such as law enforcement applications,” they wrote.

Its few publicly known clients have defended Amazon’s system.

Chris Adzima, senior information systems analyst for the Washington County Sheriff’s Office in Oregon, said the agency uses Amazon’s Rekognition to identify the most likely matches among its collection of roughly 350,000 mug shots. But because a human makes the final decision, “the bias of that computer system is not transferred over into any results or any action taken,” Adzima said.

But increasingly, regulators and legislators are having their doubts. A bipartisan bill in Congress seeks limits on facial recognition. Legislatures in Washington and Massachusetts are considering laws of their own.

Buolamwini said a major message of her research is that AI systems need to be carefully reviewed and consistently monitored if they’re going to be used on the public. Not just to audit for accuracy, she said, but to ensure face recognition isn’t abused to violate privacy or cause other harms.

“We can’t just leave it to companies alone to do these kinds of checks,” she said.

Associated Press writer Gillian Flaccus contributed to this report from Hillsboro, Oregon.

Diversity

50 Years of Affirmative Action: What Went Right, and What It Got Wrong

By Anemona Hartocollis

The New York Times, March 30, 2019



The commencement for the Class of 1973 at Columbia University. The number of black students admitted to Columbia rose sharply in 1969. About half of those who enrolled graduated four years later. (Credit: University Archives, Rare Book & Manuscript Library, Columbia University in the City of New York)

On cold mornings, Les Goodson shows up early outside the University Club, on a wealthy stretch of Fifth Avenue in Manhattan, and races two panhandlers he has nicknamed Catman and Pimp-the-Baby for a warm spot in front of a steam vent. He launches into “Take Five” on his saxophone, leaving his case open for bills and coins.

In a good week, it’s a living — enough to pay the rent on his railroad flat in Harlem and put food on the table. A few times, he has seen a former classmate, Gregory Peterson, bound into the social club without so much as a nod.

Mr. Goodson, 67, and his classmate were among a record number of black students admitted to Columbia University in 1969. Columbia and other competitive colleges had already begun changing the racial makeup of their campuses as the civil rights movement gained ground, but the assassination of the Rev. Dr. Martin Luther King Jr. in 1968, and the resulting student strikes and urban uprisings, prompted them to redouble their efforts.

They acted partly out of a moral imperative, but also out of fear that the fabric of society was being torn apart by racial conflict. They took chances on promising black students from poor neighborhoods they had long ignored, in addition to black students groomed by boarding schools.

A look back through the decades shows what went right in the early years of affirmative action in college admissions, but also what can go wrong even with the best of intentions.

Those who were able, through luck or experience or hard work, to adapt to the culture of institutions that had long been pillars of the white establishment succeeded by most conventional measures. Others could not break through because of personal trauma, family troubles, financial issues, culture shock — the kind of problems felt by many white students as well, but compounded by being in such a tiny minority. And universities at the time, they said, did not have the will or the knowledge to help.

“I think it’s a fair question to ask: Did we really understand or know what we were doing, or could we have predicted what the issues would be?” said Robert L. Kirkpatrick Jr., who at the time was dean of admissions at Wesleyan University in Middletown, Conn., which was part of these early efforts. “The answer is no. I think we were instinctively trying to do the right thing.”

Columbia — an Ivy League campus right next to Harlem — was a particularly revelatory setting. Perhaps nowhere else were the divisions more striking between the privilege inside university gates and the troubles and demands of black people outside them.

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

The New York Times tracked down many of the nearly 50 black students in Columbia's Class of 1973, who arrived on campus as freshmen in 1969. Some of them have remained close friends and helped locate others from directories and photographs.

The number of black students admitted to Columbia more than doubled in 1969 from the year before. About half of those who enrolled received their degrees four years later.

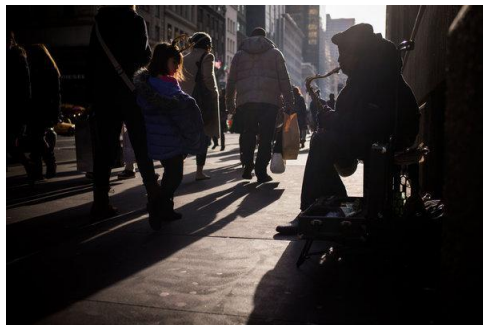
Many, like Mr. Peterson, went on to comfortable lives and professional success. His classmate, Eric H. Holder Jr., rose from a strivers' neighborhood in Queens to become the first black attorney general of the United States. There were future doctors in the class, future executives and lawyers. Others, like Mr. Goodson, strayed from prescribed paths.

The debate over race in college admissions only intensified. By the late 1970s, colleges began emphasizing the value of diversity on campus over the case for racial reparations.

Today, Harvard and the University of North Carolina at Chapel Hill are facing legal challenges to race-conscious admissions that could reach the Supreme Court. The Trump administration is investigating allegations of discrimination against Asian-American applicants at Harvard and Yale. University officials who lived through the history fear that the gains of the last 50 years could be rolled back.

One of them is Lee Bollinger, the current president of Columbia, who first arrived on campus as a law student in 1968.

"In that time, there was a sense, pure and simple, that universities had to do their part to help integrate higher education," Mr. Bollinger said. "We are still on that mission, but the sense of purpose and urgency and connection to the past have dissipated."



Les Goodson, one of about 50 black freshmen who enrolled at Columbia in 1969, played the saxophone on Fifth Avenue in 2013. (Credit: Damon Winter/The New York Times)

The Musician

Mr. Goodson sits on a plastic milk crate covered by a clean, brightly colored cushion. He is wrapped in layers of flannel shirts, sweatshirts, a canvas jacket, and wears stylish suede shoes. A watch cap and a graying goatee hide his face.

He resents it when people assume he is homeless and plop down bags of food next to him without even asking. He is more forgiving of the police officers who routinely ask him if he would like to go to a shelter. He jokes: No thanks, he has a place at Trump Tower, across the street. (His apartment is a short subway ride away, not far from the jazz club where he plays a weekly gig.)

Mr. Goodson grew up in a housing project in Fort Greene, Brooklyn, and in those days he was known as Ervin. His mother was a housekeeper for a wealthy family on Park Avenue; his father was a tailor and owned a dry-cleaning shop for a time. He took an early liking to music, learning to play the viola from Cora Roth, his fifth-grade teacher at Public School 46 in Brooklyn, now a painter in Los Angeles who still remembers him as "a pure soul."

A number of programs sprang up at the time to find talented students from tough neighborhoods. In junior high school, Mr. Goodson was chosen to spend three summers in enrichment classes at Hotchkiss, a Connecticut boarding school, where he read incessantly. He was accepted to New York's Stuyvesant High

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

School, which at the time was mostly white. Now Stuyvesant is mostly Asian-American, and under attack for its test-based admissions. This year, [seven black students were offered admission](#) out of 895 slots.

When a racially fueled teachers' strike broke out during Mr. Goodson's senior year, his parents managed to transfer him to the Wooster School, another boarding school in Connecticut. He had been a middling student at Stuyvesant, but vaulted to the top of his class in private school.

An English teacher drove him to Columbia for the admission interview, and he remembers feeling "a little bit phony" as he answered questions. He was also accepted at Dartmouth, but chose Columbia because it was closer to home.

In college, Mr. Goodson realized that he could reinvent himself, and began going by Les, his middle name, instead of Ervin. He wanted to be a photographer, and took pictures of B.B. King, Amiri Baraka and the band Sha Na Na with his Miranda camera. He made some rash decisions, once spending \$600 of a \$1,500 student loan on a Karmann Ghia sports car.

Not much in the course catalog spoke to him.

"If you go back and look at that blue book, all the courses — I would say 95 percent — were Eurocentric," he said. "I remember they had a few black courses, and all the black students would take them because they were known as cushy courses, because they were easy to pass."

The only black professor he can remember was Charles Hamilton, a political scientist who collaborated with Stokely Carmichael, the civil rights leader, to write about the Black Power movement, which Mr. Goodson said influenced him. Columbia's first black department chair, Elliott Skinner, in anthropology, would not be named until 1972 — the year Mr. Goodson dropped out.

After his freshman year, Mr. Goodson was asked to take a leave for bad grades. He lived surreptitiously on campus, crashing in friends' dorm rooms. He got a student at Barnard, Columbia's sister college, pregnant, and his daughter was born in August 1971. After three years, he left Columbia for good.

"Nothing stopped me from finishing," Mr. Goodson said. "I just did something else."

'I Didn't Notice Being Black'



Student protests at Columbia in April 1968. (Credit: Neal Boenzi/The New York Times)

While civil rights leaders pressed colleges to admit more black students, the big push came after the assassination of Dr. King on April 4, 1968, followed by uprisings in more than 100 cities and student strikes.

"I don't see how you can understand it apart from the upheavals on campus, racial upheavals in the larger society, the general upheavals around the world," said Jerome Karabel, a professor of sociology at the University of California, Berkeley, and [a historian of college admissions](#).

Later that month, students occupied several buildings in protest of what they saw as Columbia's complicity in the Vietnam War and a plan to build a gym in a Harlem park. The standoff ended with a violent clash with the police.

The radical politics of 1968 came too late to affect the admissions decisions that fall, as acceptance notices had already gone out. But in 1969, the number of black students recruited and admitted to Ivy League

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

universities and their sister schools rose sharply from the year before, in many cases by more than 100 percent, according to statistics published in The Times in April 1969.

From 1968 to 1969, according to archival data provided by Columbia this year, the number of students recorded as black who applied rose to 220 from 121, the number who were admitted rose to 130 from 58, and the number who registered rose to 48 from 31 out of a total class of about 700. (All of them were men; Columbia College did not begin admitting women until the 1980s.)

Some black students in that class resisted being cast as emissaries of racial understanding.

Gregory Peterson, the classmate Mr. Goodson has seen going into the University Club, did not see himself in any racial framework. “I shied away from anything that was like a ‘black’ group,” he said, “because I didn’t grow up that way.”



Mr. Peterson today at his apartment in New York. (Credit: Demetrius Freeman for The New York Times)

He and his twin brother, Maurice, were in advanced classes in predominantly white schools, although they were part of the black middle class in East Elmhurst, Queens. Their father owned a barbershop; their mother was a teacher.

When Mr. Peterson was in high school, the mother of a white friend took him to a cocktail party where he met a white intellectual who had gone to Exeter and Harvard. He became a mentor, encouraging Mr. Peterson’s ambitions to apply to Ivy League universities.

At Columbia, Mr. Peterson was an English major, and mixed with white students. He discovered his gay identity, though he remained closeted.

He did experience racial discrimination in college. A Southern white Barnard student apologized to him for not being able to invite him to a party back home. An older man at a reception once assumed he was on the basketball team.

But race took a back seat to his sexuality. “I was so busy having problems being gay that I didn’t notice being black,” he said.

After graduating in 1973, Mr. Peterson spent a few years in the arts before “the rational side took over,” and he went to Columbia Law School. He went on to become a corporate lawyer. His brother, who also graduated from Columbia, owns a spa.

Mr. Peterson and his husband now live on a high floor of a prewar building at 72nd Street and Riverside Drive, a prime Manhattan location. The light-filled apartment is crammed with his art collection. A portrait by Paul Hodgson of Mr. Peterson in a formal suit, looking cerebral and commanding, hangs on one wall.

A while back, as Mr. Peterson got out of a cab on his way to the University Club, he was greeted by a street musician.

“Hey, Gregory, it’s Lester — from Columbia,” the musician said.

The sounds of a saxophone had often filtered into the club gymnasium through the steam vents, but Mr. Peterson had never known who was playing it. He had not stopped before because he had not recognized his classmate.

“I tell you, I just totally flipped out,” Mr. Peterson said.

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

He did not know enough about Mr. Goodson's life to judge him, he said. But the encounter made him conscious of his own good fortune.

The Fugitive

In July 1972, Eldridge McKinney, a black sophomore at Columbia, [shot the dean of students](#) several times with a .38-caliber handgun. Mr. McKinney had been suspended for bad grades, and was angry that he was not reinstated, the police said. By one news account, he shouted "racist bastard" at the dean, who was white, before opening fire.

The dean, Henry S. Coleman, was badly wounded but returned to work. (Mr. Coleman had been caught up in campus turmoil before, when students occupied Hamilton Hall and took him hostage in 1968.)

Mr. McKinney's fall from grace was steep. He arrived at Columbia in the fall of 1970, a year behind Mr. Goodson and Mr. Peterson, as an overachiever: a Boy Scout leader; the valedictorian of his high school on the South Side of Chicago; a member of the band, school newspaper, yearbook, and the math, chess and Spanish clubs, according to The Chicago Tribune at the time. But at Columbia, something changed.

After the shooting, Mr. McKinney's mother and Roy Innis, the civil rights leader, publicly pleaded with him to turn himself in. Charged with attempted murder, he disappeared. Classmates remember the jarring sight of his face on wanted posters at the post office. His friends believe that he has been living under an assumed name and identity for nearly 47 years.

Mr. McKinney, nicknamed E, became something of a legend. Some black students quietly cheered him on, understanding his rage. "E was sort of like a semi-hero at the time, because apparently he got away with it," Mr. Goodson said. "And every once in a while, I'll ask somebody, 'Yo man, you ever hear from E?'"

Darryl T. Downing, a black classmate of Mr. McKinney's, stepped forward to defend him in 1972. He told The Times [back then](#) that Mr. McKinney wanted to be a lawyer, but found Columbia to be a hard adjustment.

"Columbia is not the situation we're used to," Mr. Downing, who went to a neighborhood public school in New York City, said then. "But we felt we were lucky to be here, so we got together to adjust."

Mr. Downing now lives in a high-rise project in Harlem, where he answers the door warily; for many years, he said, the police or the F.B.I. would knock on his door asking if he had heard anything from Mr. McKinney.

Mr. Downing said he had been constantly looked on with suspicion at Columbia, as if he did not belong. Security guards would demand to see his identification every time he walked in, even though they knew who he was and did not demand the same of white students.

Soon after the dean was shot, when the campus was "on high alert," Mr. Downing said he was brought up on disciplinary charges for fighting with a white student who barged into his dorm room uninvited. He said that Dr. Skinner, the black anthropology professor, interceded on his behalf.

"Instead of just going to school and just having an experience, the experience was survival," said Mr. Downing, who is now an events promoter. In his last semester, he "just walked away."

Black and Hispanic alumni from those days recall forming tight bonds because they were so few. They studied together. They went to their own parties and listened to different music. Mr. Downing recalled that his black friends preferred rhythm and blues, while his white classmates listened to Jimi Hendrix.

"We had massive — massive — study groups, where everybody would pile into a black lounge," Mr. Downing said. Many black students felt pulled in two directions — assimilation or resistance.

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

“I think that’s still an open question in some people’s minds: Are you expected to stay with your ghetto identity and the world has to adapt to you?” said Julius Gonzalez, the son of Cuban factory workers in West Harlem, and a member of the Class of 1973. “Or do you make a few adjustments and adapt more to the outside world?”



Eric Coleman, part of the Class of 1973, is a state judge in Connecticut. (Credit: George Etheredge for The New York Times)

‘You Had to Prove Them Wrong’

Despite how hard it could be to adapt, there were many success stories among the black students in the Class of 1973.

Mr. Gonzalez, whose factory-worker parents had grade-school educations, got an M.B.A. from Harvard and became a financial officer in energy ventures abroad. He is now retired and living in Florida.

Gary Friday, son of a beer distributor in Philadelphia, became a neurologist. Eric Coleman, whose widowed mother straightened and curled hair in her kitchen and took in laundry, is a state judge in Connecticut.

But many names disappeared from the class directory between freshman and senior years. “Sometimes I look through a list of people who actually graduated,” Dr. Friday said. “A lot of people are missing.”

About half the students recorded as black in the class — 25 of the 48 — received diplomas in 1973, according to the data provided by Columbia. Seven more got their degrees later, and one, a student from Tanzania, graduated early.

The common perception that professors made allowances for minority students was false, Mr. Gonzalez said. If anything, being black invited tougher scrutiny. “Some of these guys smirked and looked at you and said, ‘What are you doing here? You misspelled a term,’” he said. “You had to prove them wrong.”

Within a few years, universities stopped taking as many gambles. The early press coverage was celebratory: “Colleges That Recruit in Ghetto Find Effort Benefits All Concerned” read a headline in The Wall Street Journal in 1968. But it soon became more skeptical.

Thomas Sowell, a black professor of economics at the University of California, Los Angeles, [wrote in The Times](#) in 1970 that white college administrators, out of misguided “romanticism,” were admitting unqualified “‘authentic’ ghetto types” and setting them up to fail, while overlooking “intellectually oriented black students.”

A 1973 [New York Times Magazine article](#) by Martin Kilson, a black Harvard professor of government, caused a furor by arguing that students had imported a culture of black separatism that was dysfunctional in academia.

It was the dawn of a series of bitter battles in the Supreme Court over allegations of “reverse racism” against white students, beginning with Marco DeFunis, a white student rejected by the University of Washington Law School in 1971. The high court found the DeFunis case moot in 1974 because the plaintiff was graduating.

David L. Evans, associate dean of admissions at Harvard, acidly complained that because of the DeFunis case, alumni believed that “semiliterate blacks are being accepted at the expense of white geniuses,” according to The Harvard Crimson in 1975.

<https://www.nytimes.com/2019/03/30/us/affirmative-action-50-years.html>

Since then, the Supreme Court has consistently upheld the right of colleges to use race as one factor in admissions. Now Harvard is fighting a claim that it is manipulating the admissions process to exclude Asian-Americans.

But what happened 50 years ago changed admissions forever. In some ways, affirmative action has become more sophisticated over time, as diversity has become an established principle, and schools — barred by law from using racial quotas — have sought an ideal mix of students that is more reflective of society.

Colleges often turn to private schools to find even poor black and Hispanic students, because “they have the cultural and social capital to succeed on campus,” said [Anthony Abraham Jack](#), a professor of education at Harvard and author of “The Privileged Poor.”

Mr. Gonzalez said he saw the difference among the younger generation of black and Hispanic students at reunions: “They act like, ‘Yeah, I belong here.’”

Life After Columbia

After dropping out, Mr. Goodson worked a variety of jobs, from junk hauler to taxi driver to furniture refinisher.

In a late-life bid for middle-class stability, he returned to college with renewed zeal for learning, and received a bachelor’s degree in history from Lehman College in 2003, then completed most of a master’s degree. He lasted only briefly as a high school social studies teacher, unable to abide students who addressed him as “Dawg” and freely used racial slurs among themselves.

His daughter, Dara, graduated from Morgan State University, a historically black college in Baltimore. She and her husband, both teachers, have three children.

A few years ago, Mr. Goodson was rejected from a Columbia Ph.D. program. The blow was softened by the interest that one professor, Eric Foner, an expert in the Reconstruction era, took in his proposal to study the 13th Amendment’s exception clause and its connection to black incarceration. (“When he proposed to study this subject, it was a very original project,” Professor Foner wrote in an email.)

Mr. Goodson has not strayed far from the Columbia orbit. Every Wednesday night, his four-piece band, the Les Goodson Intergalactic Soul Jazz Band, performs at Paris Blues, an old-fashioned dive bar just a 15-minute walk from campus.

What he whimsically calls his “penthouse,” a fifth-floor walk-up in central Harlem, is a few blocks farther.

The apartment is a revelation. It is narrow, stylishly appointed. He has decorated the walls with art and photographs that he made himself. One painting is splattered like a Jackson Pollock. A homage to Miró features a big blue flying saucer; floating window bars were inspired by Chagall.

He has stacked sheet music on the floor under a well-buffed antique wooden table that is a testament to his refinishing skills. A violin hangs on the wall. Scattered about are dismembered bits of saxophone, an instrument he first picked up some 50 years ago, in a classmate’s dorm room.

“Columbia,” he said, “it changed my whole life.”

Doris Burke and Alain Delaqu erie contributed research.

SEE ALSO:

[New York’s Best Schools Need to Do Better](#) [*The New York Times*, 2019-03-30] [OPINION]

Heart of Dixie? Alabama presenting diversity in bicentennial

By Jay Reeves

The Associated Press, March 31, 2019



In this Feb. 28, 2019, photo a worker adjusts a banner celebrating Alabama's bicentennial outside the Department of Archives and History in Montgomery, Ala. Alabama is the latest state trying to balance a painful past with other parts of its history as it recognizes its 200th birthday as a state. (AP Photo/Jay Reeves)

MONTGOMERY, Ala. (AP) — In 1961, Alabama marked the 100th anniversary of the start of the American Civil War with white women dressed in hoop skirts parading through a coliseum and a re-enactment of the inauguration of the Confederate president at the state Capitol.

The state's 2019 bicentennial celebration is very different, with a frank discussion of the horrors of slavery sharing space on a schedule with a Civil War re-enactment promoted by a Confederate heritage group and scores of other events, many focused on civil rights.

The departure from years past is intentional, officials who helped plan the program say.

Although Alabama license plates still carry the words "Heart of Dixie" and the state even today has three holidays linked to the Confederacy, organizers say they wanted to present a balanced view of history for the bicentennial.

"The idea was that we want to celebrate the scope and range of Alabama history," said Ed Bridges, who directed the Alabama Department of Archives and History for more than three decades and now chairs an advisory committee overseeing the bicentennial. "The really big idea is to find ways to make Alabama better as we enter our third century."

Unlike other states that have marked bicentennials with yearlong programs or single events, Alabama planners laid out a schedule of nearly three years' worth of events culminating with a ceremony in Montgomery on Dec. 14, which will mark the 200th anniversary of the state's admission to the United States in 1819. As part of the program, more than 1,200 educators are getting new materials and supplemental training for state history lessons.

Bertis English, who teaches history at historically black Alabama State University and participated in some of the early planning, said the expanded schedule allowed more time to include diverse perspectives on the state's past.

"I am seeing a much more inclusive body of participants and events than I probably would have seen two or three decades ago," English said.

The result is a statewide program that includes everything from the state's pre-Colonial history to its role in developing the first moon rockets. Country music legend Hank Williams is being recognized; so is R&B singer Wilson Pickett.

Alabama, like other one-time Confederate states that have celebrated bicentennials, included its years outside the United States in calculating when to mark its 200th birthday. Neighboring Mississippi staged events in 2017 that included opening a civil rights museum in Jackson. Tennessee's bicentennial included

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the opening of a Civil War heritage trail in 1996, and Louisiana's 2012 bicentennial featured traveling exhibits and school educational programs.

So far, Alabama is getting generally positive marks for its bicentennial, which is operating on about \$10.5 million in government funding over three years and has raised another \$3 million in private funds, Alabama Bicentennial Commission Director Jay Lamar said.

Doris Cooper Anthony, 71, of Montgomery attended a bicentennial program that coincided with Black History Month about the legacy of slavery at Alabama State in Montgomery and was pleased to see the state's warts being presented along with more positive aspects.

"It's not history unless you tell the whole thing. History has been fragmented selectively to paint a picture that is delusional really," said Anthony, who is black.

Marvin Dulaney, a retired University of Texas historian who spoke at the event, said it's vital for any Southern state to present its full history, including the antebellum period, the Civil War and beyond.

"That Confederacy period is still part of that history. Criticize it and indeed tell the truth about it, that it's about slavery and not state's rights and so on," he said.

The model for the bicentennial program was based in large part on a series of events nearly a decade ago marking the 150th anniversary of the Civil War, the bicentennial of a bloody dispute called the Creek War and the 50th anniversary of the civil rights movement, Bridges said.

Rather than simply highlighting battles or civil rights demonstrations, he said, organizers back then said, "Let's look at this as a process of how we became who we were."

"That was a testing ground for what we are doing now," he said.

https://www.washingtonpost.com/national/chicago-voters-set-to-make-history-with-mayoral-runoff-election/2019/04/01/af90f7f0-5230-11e9-a3f7-78b7525a8d5f_story.html

Lori Lightfoot elected Chicago mayor, becoming first black woman and first openly gay person to win the office

By Mark Guarino and Mark Berman

The Washington Post, April 2, 2019

CHICAGO — Voters in Chicago made history on Tuesday by electing Lori Lightfoot, a former federal prosecutor, as the city's [first black female mayor](#). Her commanding victory capped a grueling campaign in which Lightfoot, who will become the city's first openly gay mayor, defeated [more than a dozen challengers](#) en route to winning her first elected office.

Lightfoot, 56, is now set to lead the nation's third-largest city as it continues to grapple with [gun violence](#), alleged [public corruption](#), ongoing efforts to reform the police force and an exodus of black residents. In the runoff election on Tuesday, she defeated Toni Preckwinkle, president of the Cook County Board of Commissioners, in [a contest fraught with historic meaning](#), given that it featured two black women vying to succeed outgoing Mayor Rahm Emanuel.

The Associated Press called the race less than an hour after polls closed, with Lightfoot leading Preckwinkle by nearly 50 percentage points.

In her victory speech, Lightfoot said she was committed to ending the broken political culture of Chicago.

"We can and we will break this city's endless cycle of corruption," she said, raising her fist in the air. "And never again, never ever, allow politicians to profit from elected positions."

The significance of the moment was not lost on the crowd at the Hilton hotel on South Michigan Avenue where Lightfoot's election party took place.

"I did not think I would see this in my lifetime," said Leslie Page-Piper, 60, of Englewood, who volunteered for the Lightfoot campaign. "And it happened just like that," he said, snapping his fingers. "I'm overwhelmed."

Lightfoot, who had previously led Chicago's civilian board handling police discipline cases and worked for the law firm Mayer Brown, had been an underdog during the mayoral race. A relative unknown seeking her first electoral victory, Lightfoot drew inevitable comparisons to Harold Washington, Chicago's first black mayor who ran a grass-roots campaign in 1983.

Mirroring other campaigns that have unfolded on local and national levels alike, Lightfoot ran on promises of change as she sought to defeat Preckwinkle, a veteran elected official who has been president of the county board for nearly a decade.

Emanuel stunned observers last fall when he [announced his decision](#) not to seek a third term, which gave way to a crowded scrum of 14 candidates seeking to succeed him. Lightfoot and Preckwinkle [emerged in February as the two final contenders](#) from a group that included a former police superintendent, former state representatives and a man who was the son and brother of former mayors.

Preckwinkle, addressing supporters late Tuesday, said she was "disappointed" but "not disheartened." She also pledged to continue working for her constituents as president of the county board.

"This is clearly an historic night," she said. "Not long ago two African American women vying for this position would have been unthinkable. While it may be true that we took different paths to get here, tonight is about the path forward."

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On Tuesday, Monique Farren, 36, a teacher who voted for Lightfoot in the Albany Park neighborhood, said she would have been fine with either candidate, saying: “I feel like they’re both on the same page.”

Others saw it as a contest pitting experience against change, the establishment versus someone viewed as outside it. Supporters of Lightfoot viewed her as a person who could push for reforms. For Preckwinkle’s backers, her policies and background made her the choice.

“She knows the issues and has worked on them for years,” Claire Terrell, 51, a teacher, said while voting for Preckwinkle in the Rogers Park neighborhood. “We’ve seen what happens when you elect someone who has never held political office before. Experience matters now more than ever, even in this city.”

Lightfoot’s inexperience in elected office gave no pause to Cesar Diaz, 36, who handed out literature urging people to vote for Lightfoot, whom he supports even though the electricians union of which he is a member endorsed Preckwinkle.

“Even though she hasn’t had a chance to make policy decisions, I want to give her a chance to show who she can be,” he said of Lightfoot.

Julie Potratz, 33, a Chicago Public Schools teacher, voted after work for Preckwinkle because of her education background, but she said the fact that a black woman would win regardless “is wonderful, it’s really refreshing.”

Mike Klonsky, a retired teacher who voted in Logan Square, picked Lightfoot, noting that she got into the race before Emanuel’s announcement, unlike Preckwinkle and others who jumped in only after Emanuel dropped out. Klonsky also viewed her as a candidate who could take aim at the city’s political machine.

“I want to get rid of the remnants of the old Chicago machine and open up the door to change in this city,” said Klonsky, 75.

After making the runoff, Lightfoot went on to secure [endorsements](#) from several of those defeated contenders and picked up support from labor unions, state lawmakers and the city’s two major daily newspapers. Preckwinkle’s major endorsement came from the Chicago Teachers Union, which had turned comments Lightfoot made about letting the police utilize empty public school buildings against her. Preckwinkle’s supporters used that suggestion to push the idea that Lightfoot cannot be trusted on police reform issues, a key topic for many residents.

The mayoral contest has played out [amid lingering tensions](#) over issues of violent crime and inequality. The next mayor will also have to deal with an ongoing effort to reform the police force, which in recent years was the subject of a Justice Department investigation that concluded with a scathing report saying officers [routinely violate the rights of residents, particularly blacks and Latinos](#).

That federal investigation began after the city released video footage in 2015 showing a white officer [shooting and killing Laquan McDonald](#), a black teenager, the previous year. The video set off intense protests and public anger. The officer, Jason Van Dyke, stood trial last year and was [convicted of second-degree murder](#).

For Emanuel, who ran for mayor after years spent working in the White House, the controversy over McDonald and the police department lingered [throughout his second term](#). Last fall, just a day before Van Dyke’s trial began, he made [the stunning declaration](#) that he would not seek another term.

Policing issues were prominent in the campaign to follow him. Lightfoot had been president of the Chicago Police Board, which rules on discipline cases, and chaired [a police task force](#) that Emanuel assembled after

https://www.washingtonpost.com/national/chicago-voters-set-to-make-history-with-mayoral-runoff-election/2019/04/01/af90f7f0-5230-11e9-a3f7-78b7525a8d5f_story.html

the McDonald video was released. The [task force's report](#) criticized both the police department and its oversight system.

But Rep. Bobby L. Rush (D-Ill.), who endorsed Preckwinkle, lashed out at Lightfoot recently by saying, “If any young black male or female is killed by a police officer under a Lightfoot administration, then the blood would be on those voters’ hands who elected her.”

Lightfoot said Rush’s words were hateful rhetoric and asked Preckwinkle to denounce them. Preckwinkle declined to do so, saying that Rush, who has served in Congress for more than a quarter-century, is “a pillar in the civil rights movement in this city and is more than capable of speaking on his beliefs.”

Speaking to voters outside a subway stop in Logan Square not far from her home while ballots were being cast during the day on Tuesday, Lightfoot said she was “grateful and very hopeful.” She also framed her possible election as momentous for what it would mean in a city with such entrenched political forces.

“The historic part of this election is if we win, we beat the machine,” Lightfoot said. “That’s the real historic possibility of today.”

Berman reported from Washington. Kari Lydersen in Chicago contributed to this report.

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SEE ALSO:

[LGBT progress seen in Lightfoot’s win, rise of ‘Mayor Pete’](#) [*The Associated Press*, 2019-04-03]

[Chicago's mayor election made history. But in a city weary of guns, poverty and corruption, does it matter?](#) [*USA TODAY*, 2019-04-03]

[Lori Lightfoot, Chicago’s Incoming Mayor, Ran on Outsider Appeal](#) [*The New York Times*, 2019-04-03]

[Newcomer Mayor Lori Lightfoot takes on Chicago establishment and 'political machine'](#) [*Reuters*, 2019-04-03]

[Lori Lightfoot made history in Chicago. Now she needs to make an impact.](#) [*The Washington Post*, 2019-04-03] [OPINION]

[Chicago makes history electing Lori Lightfoot as first black woman mayor](#) [*Reuters*, 2019-04-02]

[Historic election: 1 of 2 black women will be Chicago mayor](#) [*The Associated Press*, 2019-04-02]

Prisoners not entitled to gender reassignment surgery: U.S. appeals court

By Jonathan Stempel

Reuters, March 29, 2019

A federal appeals court on Friday said Texas prison officials do not violate transgender inmates' constitutional right against cruel and unusual punishment by refusing to provide them with gender reassignment surgery.

In a 2-1 decision, the 5th U.S. Circuit Court of Appeals in New Orleans ruled against Scott Lynn Gibson, who was born male, but has lived as a female since age 15 and goes by Vanessa.

Writing for the majority, Circuit Judge James Ho said only California had ever provided gender reassignment surgery to a prisoner, and that was part of a settlement of a lawsuit.

He said this meant the Texas Department of Criminal Justice's refusal to consider the surgery as a possible means to treat Gibson's diagnosed gender dysphoria, sometimes known as gender identity disorder, did not violate the Eighth Amendment.

"Under established precedent, it can be cruel and unusual punishment to deny essential medical care to an inmate," wrote Ho, an appointee of President Donald Trump. "But that does not mean prisons must provide whatever care an inmate wants."

Stephen Braga, a University of Virginia law professor who argued Gibson's appeal, did not immediately respond to requests for comment.

The office of Texas Attorney General Ken Paxton, representing prison officials, did not immediately respond to similar requests.

Gibson was originally imprisoned after being convicted of aggravated robbery, and while in prison, committed murder and assault. His sentence runs through May 2031 and he becomes eligible for parole in April 2021.

According to Braga's brief, Gibson was asking the court to hold that gender dysphoria was a serious medical need justifying treatment that could lead to gender reassignment surgery, not that the Constitution required Texas to pay for the surgery.

Ho, however, said medical experts "fiercely question" whether the surgery, rather than counseling or hormone therapy, was the best treatment for gender dysphoria.

He said the decision was consistent with the 2014 refusal by the federal appeals court in Boston to require Massachusetts to provide the surgery to inmate Michelle Kosilek.

Circuit Judge Rhesa Barksdale dissented, saying the record was too sparse to justify a lower court judge's dismissal of Gibson's case, which the appeals court upheld.

Barksdale was appointed by President George H.W. Bush. Circuit Judge Jerry Smith, who joined the majority, was appointed by President Ronald Reagan.

The case is Gibson v Collier, 5th U.S. Circuit Court of Appeals, No. 16-51148.

Reporting by Jonathan Stempel in New York, editing by G Crosse

To grow new, diverse generation of pilots, Air Force, lawmakers eye flight training for JROTC

By Stephen Losey

Air Force Times, April 4, 2019



Air Force Junior Reserve Officer Training Corps cadets attend the annual Women in Aviation conference March 16 in Long Beach, California. Each of the cadets had either recently earned their private pilot's license or nearly completed the requirements through Air Force JROTC's Flight Academy. (Senior Airman Alexa Culbert/Air Force)

The population of pilots in the aviation industry — including the Air Force — remains very white, and very male. And that lack of

[diversity](#) worries the Air Force.

But now the Air Force, and a bipartisan pair of senators, are hoping to sow the seeds of a future, [more diverse](#) generation of pilots by training young people in the Junior Reserve Officer Training Corps how to fly.

About 6 percent of the population of pilots in the [aviation industry are women](#), according to the Air Force, and about 10 percent are minorities. The Air Force's own cadre of [pilots is also about 6 percent female](#), and 7 percent are minorities.

Air Force Secretary Heather Wilson told the Senate Armed Services Committee Thursday that while it has no problem finding airmen who want to learn how to fly, there is a disproportionately low presence of women and minorities among those volunteering.

To try to turn this around, Sens. Tom Cotton, R-Arkansas, and Doug Jones, D-Alabama, this week introduced the Ceiling and Visibility Unlimited Act, which aims to make it easier for all branches of the military to create scholarships for JROTC members to get their private pilot's licenses.

This is what the Air Force did in 2018, when it created the JROTC Flight Academy's Chief of Staff Private Pilot Scholarship Program. That summer, about 120 high school students received scholarships — paid for with excess Air Force funds — to attend roughly seven-week flight schools, Wilson said.

About 90 percent of those young people succeeded in obtaining their pilot's licenses, Wilson told Jones. They made no commitment to join the Air Force, she said, but because they were in JROTC, they've at least shown some interest in the military.

And since about 58 percent of JROTC members are minorities, Wilson said, such a flying scholarship program could help reach those populations. Jones' office also said 40 percent of JROTC members are women.

The Air Force said in a recent release that 10 young women, who earned their pilot wings from the JROTC Flight Academy program last summer, attended the Women in Aviation International Conference in Long Beach, California, in March. Six of those 10 cadets said they want to become military pilots, and four of them received Air Force ROTC scholarships.

Lt. Col. Willie Allen, director of the Air Force Junior ROTC Flight Academy, said 25 percent of those who received flight school scholarships last year were women or minorities.

<https://www.airforcetimes.com/news/your-air-force/2019/04/04/to-grow-new-diverse-generation-of-pilots-air-force-lawmakers-eye-flight-training-for-jrotc/>

“Flying is incredible, and it should not be limited to just one gender or one ethnicity,” Maria Hall, a JROTC cadet and senior at Tivy High School, Texas, said in the March 25 release. “We see the challenge that, yes, it’s predominantly been a male-dominated industry, but there’s no reason why women or men can’t do it.”

The Air Force has focused for the last few years on closing a roughly 10 percent shortfall in its pilot ranks. Wilson said the service is on the right track, and expects to meet the goal of training 1,480 pilots in 2020.

But with the entire nation — not just the military, but also the private sector — facing shortages of pilots and aircrew, Wilson said the Air Force needs to think longer-term, to avoid similar problems re-emerging in the future.

“We’re trying to inspire the next generation of aviators,” Wilson said. And because so many JROTC members were successful, “we’re hoping we have sparked a dream.”



SEE ALSO:

[Brig. Gen. Leavitt, first female fighter pilot, among 23 nominated for second star](#) [*Air Force Times*, 2019-04-03]

USMC move to integrate boot camp more ends; future unclear

By Lolita C. Baldor

The Associated Press, March 29, 2019



In this Feb. 21, 2013, file photo, female recruits battle with pugil sticks during training at the Marine Corps Training Depot on Parris Island, S.C. The Marine Corps' brief experiment integrating female recruits into an all-male unit for their initial training at boot camp has come to an end. (AP Photo/Bruce Smith, File)

WASHINGTON (AP) — The Marine Corps' brief and limited experiment integrating female recruits into an all-male unit for their initial training at boot camp came to an end Friday.

And as the recruit class graduated at Parris Island, S.C., officials said they were undecided about whether the Corps, which has long refused to fully integrate its recruit training, will ever do it again.

This year for the first time, a platoon of female recruits was part of a company that included five all-male platoons. They were all housed in the same complex, but on different floors -- unlike the usual practice that has all female recruits living and doing some of their training on a separate part of the base.

Commanders and Marines in the course told The Associated Press they didn't notice any problems during the brief flirtation with increased integration. But the lack of disaster didn't appear to change minds in a Marine Corps that has steadfastly rejected congressional and other outside pressure to build combined platoons of female and male recruits at boot camp, like the other military services do.

For the recruits, just surviving the rigorous course was all-consuming.

"I showed up to train — everybody trains the same," said Pvt. 1st Class Harley Mesimore, 19, of Greensboro, N.C. "I was focused on myself and getting through the week and just getting out of here."

Top Marine leaders have argued for years that young, female Marines perform better if they do the bulk of their early training in a separate unit where they can build their strength and confidence.

Brig. Gen. James Glynn, commander of Marine Corps Recruit Depot Parris Island, said that this latest move, putting men and women in more frequent proximity, didn't look much different than usual.

He said the intense training needed to "make a Marine" stayed the same. But, because all six platoons in Company I — one all-female and five all-male — were located in the same building complex, they saw each other a bit more. They ate at the same chow hall and marched to meals together. When they got up for physical fitness in the morning, the platoons lined up together.

Could it happen again?

"The jury is still out on that," said Glynn. "As conditions permit in the future, we could pursue it." But, he added, "no one looked at this and said we don't want to do it again."

The decision to put the female unit with the others this winter was driven by logistics and money. There were fewer recruits in the class, so it made sense to move the roughly 50 females into the complex with the men, rather than bus them or make them march to the main campus for drills or classes.

"It always comes down to money," and whether or not there are the "right number of people and the infrastructure to accommodate it," said Glynn.

<https://www.apnews.com/f3b44e2e300f4f5193827095d0f9fee7>

He said that while it was hard to measure the benefits of the move, it did expose young, male recruits to female Marine leaders -- such as drill sergeants -- earlier in their career.

Under the regular system, women who enlist in the Marine Corps go to Parris Island for their initial three months of recruit training and are assigned to one battalion. Men are assigned to three other battalions. The groups get together for some training and exercises and are separate for others.

The Marine Corps says this gives women time to do early training and study with female drill instructors who can serve as role models, help them build confidence and develop the skills needed to progress. Marine leaders say the separation also minimizes distractions and harassment issues, and better prepares the women to compete as they move on.

Some lawmakers and others, however, say the segregation fuels a perception that female recruits are less able and less qualified than men. And they say it suggests that the females are held to lower standards and makes it more difficult for them to be accepted as equals.

Capt. Trenton Snody, commander of Company I, called the winter course a success. "There was more interaction between males and females, they saw each other a lot," said Snody, 31, of Seguin, Texas. "But there was no change to how we do business."

Staff Sgt. Brittany Aroha, 27, of Ironton, Ohio, has been a drill instructor for the female boot camp battalion for two and a half years. For her, the biggest change was convenience: Since they didn't have to spend as much time in buses or on foot to cross the base, there was more time for other training.

"They were seeing both males and females work together much more," Aroha said. "So the male and female recruits were able to see leadership of both genders."

Why are so many women leaving the Coast Guard?

By Julia Bergman

The Day (New London, Conn.), March 29, 2019

While there is no "silver bullet" solution, the Coast Guard should develop more equitable personnel policies to address the large number of women leaving the service, a new study says.

The Coast Guard wanted to find out why women are leaving at a much higher rate than men, so it hired the RAND Corporation to study the issue and come up with recommendations to better retain women. RAND released its findings in a [200-page study](#) on Friday. The last study of this kind was done in 1990.

The gender gap particularly emerges between five and 10 years of service for both officers and enlisted personnel.

At the five-year mark, nearly 83.9 percent of male officers in the Coast Guard stay, compared to 78.3 percent of female officers — a gap of 5.6 percent. At the 10-year mark, the gap widens to 12.6 percent.

Among enlisted personnel, 71.1 percent of men stay in the Coast Guard after four years of service compared to 62.4 percent of women — a gap of 8.7 percent. At the 10-year mark, the gap is 12.3 percent. The minimum active-duty enlistment period for the Coast Guard is four years.

While similar trends are observed in the other military services, the Coast Guard's retention rates are relatively high in comparison, the study says.

"Although the Coast Guard enjoys one of the highest retention rates among the five military branches, we must do better," Vice Command Adm. Charles W. Ray said Friday in a statement following the public release of the report.

The Coast Guard's top officer, Adm. Karl Schultz, has directed a personnel task force, led by Ray, to "identify immediate opportunities" to implement the findings. The study recommends that the Coast Guard continue to monitor gender gaps in retention, and the effectiveness of policies and initiatives aimed at closing those gaps.

"This study is an important element in our broader effort to recruit and retain an inclusive and diverse workforce that reflects the American public we serve. It is every leader's responsibility to identify and eliminate elements of our culture that may inhibit equal participation and opportunity in our service," Ray said.

The Coast Guard, like the other military services, has long been dominated by white men. Women make up almost 15 percent of the Coast Guard's active-duty force while men make up 85 percent. The service also lacks racial diversity. Hispanics make up 13.7 percent of the active-duty force while African-Americans and Asians represent 5.9 percent and 2 percent, respectively. The Coast Guard will be carrying out a study, similar to the one released Friday, to examine how to better retain minorities.

RAND's study points out that since leaders are promoted from within the Coast Guard, the higher numbers of women leaving reduces "the supply of potential female leaders." A quick look at the Coast Guard's current senior leadership team shows that men hold 55 of the positions, including the top three, while women hold 13.

In addition to analyzing Coast Guard personnel data from the past 12 years, the authors of the RAND study held focus groups with 1,010 women and 127 men serving on active duty in the Coast Guard in locations across the country.

<https://www.theday.com/military-news/20190329/why-are-so-many-women-leaving-coast-guard>

Participants were asked broad questions about their career choices, retention factors and what the Coast Guard could do to better retain women. The questions purposefully were broad to allow participants to raise issues "organically," said Kirsten Keller, one of the authors of the study.

For female participants, career factors were not as important as work environment, while the reverse was true for male participants, the study says.

Despite not being specifically asked about gender bias and discrimination, more than 80 percent of the female focus groups brought that up as a reason women leave the Coast Guard.

"Participants expressed the belief that they were treated differently than male peers, had to work twice as hard as men to prove themselves, and felt that men often did not trust their opinions or value the quality of their work," the study says.

Female participants also consistently mentioned experiences with poor leadership, including "bad leaders" being retained and promoted, and "toxic commanders creating an 'old boys' club' environment." They also said some male leaders are reluctant to mentor women for fear it would be perceived as having an inappropriate relationship with the opposite sex.

Many of the focus group participants — both male and female — expressed frustration with inadequate leadership training, and leaders not having adequate qualifications or training to be in a management role.

A mid-grade female officer, who asked not to be identified because she still is serving in the Coast Guard and wanted to be able to speak candidly without fear of retaliation, said it's a daily question for her whether to stay in and address the barriers facing women or get out.

Some women said they wanted to stay in the Coast Guard to serve as role models for junior female personnel.

The study recommends expanding opportunities for leadership development with emphasis on creating an "inclusive environment" and on mentorship, including mentoring junior female members. It also recommends that all leaders be educated on female-specific policies, such as having adequate breastfeeding facilities.

"We've heard the voices of Coast Guard women committed to both their careers and their families," Schultz said during his [State of the Coast Guard address](#) on March 21.

He announced a new policy to use staffing from reserves to fill in for members on convalescent and caregiver leave, including new parents, a recommendation of the RAND study, and plans to ease restrictions on tattoos and revise "outdated weight standards," another recommendation from the RAND study.

Other consistent factors brought up by female participants include weight standards that they felt were "especially harsh" for them, such as taping methods used to assess body fat that don't take into account different female body types, sexual assault and harassment, and feelings of being understaffed and overworked, which men expressed, as well.

Female participants said personal factors — such as the influence of spouses or children, and difficulties dating and development of friendships — also influenced decisions to stay in versus get out. Many have found the assignment process to be unpredictable and frustrating, and said receiving assignments to undesired locations, such as those far from family or in remote places, can drive women out.

<https://www.theday.com/military-news/20190329/why-are-so-many-women-leaving-coast-guard>

Kerry Karwan, 43, who retired after serving 20 years in the Coast Guard at the rank of lieutenant commander, said multiple times during her career she was placed in jobs to fulfill the "needs of the service."

"But when it came my turn to ask for opportunities for job-enhancing and promotion purposes, they would say no," she said.

Karwan said she would've liked to participate in the focus groups, and noted that members of the reserves, civilians working for the Coast Guard and retirees were not surveyed.

"Why aren't they asking those of us who did get out why we got out? How can you make any good decisions when you didn't ask the right group?" Karwan, 43, who lives in California, said during a recent phone interview.

Kimberly Hall, one of the study's authors, said that's because the Coast Guard wanted to do a "deep dive" into active-duty personnel and identify the root causes surrounding that population leaving the service.

A retired female officer, who asked to remain anonymous for fear of retaliation, said she also felt a target demographic was missed. She said she left the Coast Guard because she was discriminated against, bullied and threatened for speaking out against a toxic workplace environment. When workplace climate issues arise, leaders are not held accountable to address them, she said, adding that there should be greater transparency around the responses to workplace climate surveys.

The Coast Guard recently came under fire after an [inspector general report](#) found that leadership at the Coast Guard Academy and at headquarters failed to protect a black, female officer, who works as an instructor at the academy, for reporting bullying by her superiors. Top Coast Guard officials, including the previous commandant, were aware of her allegations, yet the inspector general report indicates that no one was held accountable. One of her superiors later was [removed from his position](#) as department head in relation to a separate bullying case.

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SEE ALSO:

[Coast Guard Human Resources Chief: 'Totality of Events' Lead Women to Leave](#) [*Military.com*, 2019-04-04]

Miscellaneous

American Legion to Congress: Don't Replace POW/MIA flags with Transgender Banners

By Patricia Kime

Military.com, March 29, 2019



A POW/MIA flag stands outside a Senate office in the Russell building on Capitol Hill in Washington, Monday, Aug. 27, 2018. (AP Photo/J. Scott Applewhite)

The American Legion is spitting mad that some members of Congress have removed the black POW/MIA flags from their office entrances and replaced them with transgender equality flags.

The Legion issued a press release Friday expressing "extreme displeasure" with the swap. National Commander Brett Reistad said he takes no issue with members of Congress honoring additional groups but, he added, "it should be *in addition to*, rather than *instead of* our heroes."

"These servicemen and servicewomen went missing while defending all Americans. Their flags should not go missing as well," Reistad said in the release.

The National Center for Transgender Equality sent flags to all members of Congress to commemorate the International Transgender Day of Visibility on March 31. [According to media reports](#), Sen. Bernie Sanders, I-Vermont, and Speaker of the House Rep. Nancy Pelosi, D-California, swapped out their POW/MIA flags for the banners.

On Tuesday, a federal appeals court granted a government request to lift an injunction against a proposed ban on people with gender dysphoria serving in the U.S. military, a decision that will allow the policy to go into effect April 12.

Two days later, the House voted 238-185 on a nonbinding resolution opposing the policy. In a floor speech Thursday, Pelosi called the ban "an act of cruelty."

"There is no moral justification for this ban, which violates every value of our American democracy and betrays our fundamental belief in fairness, dignity and respect," she said.

Reistad said every member of Congress should honor POWs and those missing in action by showing the flag. Lawmakers should ensure, he said, that it is "properly and permanently displayed outside their offices."

-- Patricia Kime can be reached at Patricia.Kime@Military.com. Follow her on Twitter at [@patriciakime](https://twitter.com/patriciakime).

Are the military's housing problems fixed or just covered up for now?

By Leo Shane III

Military Times, April 4, 2019



Mold and mildew are shown on the ceiling of buildings at U.S. Army Garrison Fort Lee in Virginia. (Terrance Bell/Army)

House lawmakers are somewhat satisfied the Defense Department is moving to address complaints about [unsafe or substandard military housing](#). Now, they want assurances that those problems won't surface again.

After weeks of public scrutiny over [reports of mold, vermin and lead paint at privatized military housing](#) across the country, leaders from the Pentagon promised the House Armed Services Committee they are already implementing reforms to correct those problems.

Service officials have conducted tens of thousands of home visits in the last two months to better respond to lingering problems. Defense planners are developing [a new tenant bill of rights](#) to better explain how families and contractors should handle housing disputes, and establishing resident customer care advocates at sites at numerous bases.

Lawmakers praised those moves on Thursday, but also emphasized they still have concerns that military leaders haven't recognized why the problems surfaced in the first place. They worry that after a flurry of short-term fixes, the same systemic problems could arise again.

"We continue to receive large amounts of correspondence from families struggling today," said Rep. John Garamendi, D-Calif., and chairman of the committee's readiness panel. "We've heard that in some cases the very efforts headquarters put into place to try to improve the situation have led to counterproductive practices like closing maintenance work orders too quickly.

"It's obvious to me that the principle problem was a lack of (command) attention to this issue."

Defense leaders acknowledged as much.

"Early in the housing privatization program, we had comprehensive education programs and training," said Assistant Secretary of Defense for Sustainment Robert McMahon. "Over time, as we became comfortable with the program ... this is something that fell off the scope.

"The reality is that this is an issue we should not have dropped off."

A [December report by Reuters](#) found significant failings at multiple military housing projects across the country, including "shoddy workmanship, raw sewage, rotten wood and chronic leaks" that in some cases went unaddressed for months. The report was the latest in a series chronicling shortcomings in the military's housing privatization efforts.

The privatization initiative began in the 1990s as a result of the widespread deterioration of family housing, which had suffered from years of maintenance backlogs. Before that, the bulk of housing allowances for troops living on the installation went back to the services for the operation and maintenance of government housing.

<https://www.militarytimes.com/news/pentagon-congress/2019/04/04/are-the-militarys-housing-problems-fixed-or-just-covered-up-for-now/>

Today, most family housing — more than 200,000 units — on installations in the U.S. are maintained by private companies. As he has in past congressional appearances, McMahon defended the privatization effort as improving the overall quality of housing, despite the recent problems.

His comments Thursday also represented the latest in a series of apologies by the Defense Department for allowing the problems to go unaddressed for too long, and promising changes.

Service leaders said they do not anticipate any new legislative fixes but will request money for more staff and training in the coming months. Lawmakers pressed them for more specific timelines on when new initiatives like the tenant bill of rights and housing reviews will be completed, but received incomplete answers.

They also questioned whether promises that local commanders will provide better oversight in the future are sincere.

“You say they’re empowered to respond ... Were they not empowered before?” asked Rep. Tulsi Gabbard, D-Hawaii. “What will change?”

McMahon responded by saying that better training throughout the chain of command, and better education of military families of their rights and options for help, will produce better future results.

Lawmakers said they’ll monitor it closely. Garamendi vowed to have additional hearings on the issue this year, possibly sometime this summer or fall, to monitor progress. Senate leaders have promised similar oversight. And the issue is expected to be included in the House and Senate Armed Services Committee’s annual debate on the defense authorization bill.

SEE ALSO:

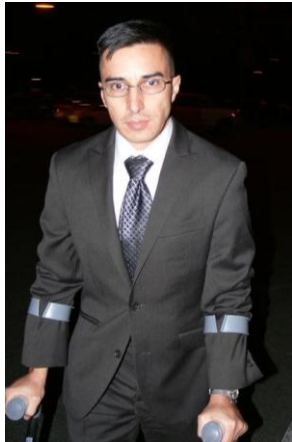
[Navy conducts survey of privatized housing in response to outcry over health and safety](#) [*Stars & Stripes*, 2019-04-03]

[The Bad Decisions that Led to Privatized Military Housing Woes](#) [*Military.com*, 2019-04-02] [OPINION]

Disabled veteran wins \$250,000 settlement after park rangers arrested him over handicapped spot

By Alex Horton

The Washington Post, April 2, 2019



Dominic Esquibel. (Butch Wagner)

Militants in southern Afghanistan had already salted the earth with bombs when Sgt. Dominic Esquibel led his Marines through Sangin. On his final patrol, the ground ruptured under his feet in an explosion of light and blood.

The blast tore at his right arm and shattered parts of his right leg and foot.

“I thank God it was me,” he [told](#) author Bing West from a hospital bed in 2011, “rather than one of my men.”

Doctors were barely able to salvage Esquibel’s foot. He wears a carbon-fiber exoskeleton brace to help him walk and run.

And that vulnerable spot is where Esquibel said a U.S. Park Ranger gave swift kicks during an arrest over a parking space for the disabled at Sequoia National Park in 2012, prompting a lawsuit claiming assault and false arrest.

The federal government settled for \$250,000 in March to avoid a trial scheduled for last week. A charge of failing to follow a lawful order was dropped in 2014.

“I’m grateful,” Esquibel said of the settlement — and of the whole ordeal being over — during an interview with The Washington Post. Esquibel said the alleged assault not only left him in “excruciating” pain, but also that the blows were so severe that his health problems cascaded to high blood pressure and sleepless nights. His foot is now a total loss, he said, which he attributes to the incident.

“I’m getting it amputated now because he didn’t stop,” Esquibel said.

All of the descriptions of the incident in this story are according to Esquibel’s account. He and his family took the trip to Sequoia National Park outside Fresno in December 2012. When they arrived, he flashed a free handicapped park admission pass to the entrance employee, who warned they could not venture all the way through the park without snow chains, or enter the park for a quick family photo until traffic cleared up.

So Esquibel pulled into a parking spot, put up his disability placard and left to find a restroom.

“You can’t park there; it’s a handicapped spot,” the employee yelled out to him.

He said he was disabled.

“I can see that you’re not,” she snapped back, threatening to call the police.

“Please do,” he replied.

She spoke into a radio and two rangers arrived, one of them identified as Ranger Parrack. They demanded that Esquibel produce a handicapped driver’s license. He said the special license wasn’t required because his car wasn’t adaptive, but that his placard should be enough.

<https://www.washingtonpost.com/national-security/2019/04/02/dominic-esquibel-disabled-veteran-wins-park-ranger-handicapped-parking/>

Parrack threatened to throw Esquibel to the ground and said he was under arrest. He contorted Esquibel's stiff and scarred arm — which had just been operated on a few months before the trip — as his wife watched.

Then Parrack kicked Esquibel's feet to separate his legs. Esquibel grimaced in agony, shouting about his war injury as his wife cried out. He couldn't spread his legs any farther, and trying to balance himself only prompted the ranger to kick him more, he said.

"I told my wife to remove herself and get in the car," he said, "so at least there would be a witness to hold him accountable."

When Esquibel said that to his wife, Parrack stopped to question what he meant. Esquibel reeled in pain.

"I'm combat wounded, and you're kicking my salvaged limb," Esquibel said he told Parrack, whose partner stood nearby.

Parrack pulled up Esquibel's jeans leg to reveal the brace. As he did so, his partner muttered an expletive, indicating they knew they had messed up, according to Esquibel.

Parrack stuffed Esquibel into a vehicle and issued a citation for "failure to follow a lawful order," documents show. He was later released. That charge was later dropped.



Dominic Esquibel's exoskeleton brace. (Butch Wagner)

In 2004, Esquibel rained hand grenades on insurgents in Fallujah and braved enemy fire to evacuate two wounded Marines and carry out the body of a third. He was [awarded](#) the Navy Cross, second only to the Medal of Honor, but declined to accept it.

"He didn't feel right about the award," said Butch Wagner, an attorney for Esquibel. "He said it was something fellow Marines would have done for him." Esquibel declined to discuss his time in uniform.

It is unclear whether Parrack or any other park staff were disciplined over the incident. The Sequoia and Kings Canyon national parks did not respond to a request for comment. The Interior Department, named

a party in the lawsuit, declined to comment and referred questions to the Justice Department. A spokeswoman there confirmed the settlement but declined to comment further.

Esquibel suggested that rangers could be better trained to recognize and accommodate visitors with disabilities. "It is my hope that this will prompt other law enforcement to think twice before repeating the same missteps and causing further misfortune for others with disabilities," he said.

That is a start, he said, and so is the money from a settlement. But his recovery is far from over; the amputation will come within the next couple months.

"Time to chop it off," he said.

SEE ALSO:

[Marine vet, disabled in Sangin explosion, wins \\$250,000 settlement after park ranger allegedly used excessive force over use of a handicapped parking spot](#) [*Marine Corps Times*, 2019-04-03]

[Disabled Vet Arrested at National Park Has Won Lawsuit with US Government](#) [*Military.com*, 2019-04-03]

The Dismal Career Opportunities for Military Spouses

For the partners of America's active-duty service members, finding a stable, well-paid job is often impossible.

By Julie Bogen

The Atlantic, March 28, 2019



(Sandy Huffaker/Getty)

During a Thanksgiving morning videoconference call with [military](#) personnel overseas, Donald Trump said: “I know I speak on behalf of all Americans when I say that we totally support you—in fact, we love you. We really do. We love you.” And data shows that he was speaking on behalf of most Americans. Nearly three-quarters of Americans [expressed confidence](#) in the United States armed forces in 2018, according to Gallup. A similar poll [found](#) that satisfaction with the military’s strength and preparedness is currently at a 15-year high, with 38 percent of respondents identifying as “very satisfied” and 40 percent as “somewhat satisfied.” Yet when it comes to supporting military families in the most tangible way—financially—the U.S. falls flat.

Despite a [military budget](#) that has been massive for years, a 2018 [report](#) from Blue Star Families revealed that nearly two-thirds of military families “experienced stress due to their current financial situation” and “37 percent feel insecure about their financial future.” Military families [report difficulty](#) making ends meet at twice the rate of civilian families, and [more than half](#) of the families in the report said the main reason for that difficulty is that the family’s nonmilitary partner had struggled with unemployment or underemployment (meaning she couldn’t find work in the field she was trained for).

A recent Department of Defense [survey](#) found that a quarter of military spouses are unemployed—a rate roughly six times the 2017 national average of about 4 percent ([according to the Bureau of Labor Statistics](#)) and [nearly two and a half times](#) the rate in the majority of the country’s most impoverished neighborhoods. I’ve lost track of how many fellow military spouses have told me they abandoned careers they loved and were proud of solely because of the obstacles the military life presented. I am lucky to work in an industry that can often accommodate remote work (since my husband is training to be a Navy doctor), but for so many people this isn’t the case. And, for that matter, I myself don’t know what I’ll do if we ever end up stationed in Japan or Hawaii, because the time difference makes being awake during continental–United States working hours essentially impossible.

The only other population with a similar rate of joblessness is the [Kusilvak Census Area in Alaska](#), where the unemployment rate is about three points lower. Of the military spouses who do work, more than half say they are working in positions that they are overqualified for. And many aren’t earning very much: According to a [White House report](#), military spouses earn on average 26.8 percent less than their nonmilitary peers, amounting to more than \$10,000 of lost income each year.

Military spouses are at a unique disadvantage when it comes to finding gainful employment. Frequent moves among duty stations are riddled with complications and expenses, ranging from the seemingly insignificant (such as [delivery errors and damaged personal belongings](#)) to the higher-stakes issues of finding new schools or nannies or daycare for a family’s children. Almost a third of military families [report](#) more than \$1,000 of unreimbursed expenses during their last move, and [72 percent](#) cannot obtain reliable access to child care.

<https://www.theatlantic.com/family/archive/2019/03/majority-military-spouses-are-underemployed/585586/>

Someone has to deal with these challenges, and it often ends up being the non-active-duty spouse. All this moving around can lead to gaps and inconsistencies on a resume and can scream to hiring managers, *This person could have to relocate at any second*, which might discourage companies from bringing military spouses on board. Roles on base for which spouses are qualified might already be occupied, due to there being more residents than job openings, or wildly outside of a spouse's line of work. For example, there might be cashier positions available at the on-base grocery store, but no jobs for an architect, banker, or chef. And when couples are stationed at a base abroad, military spouses might have trouble getting a work visa.

If a military spouse is a woman—and nine out of 10 active-duty [military spouses](#) are women—the problem is exacerbated. Women face [the motherhood penalty](#) already, and the Blue Star Families Military Family [Lifestyle Survey](#) revealed a not insignificant gap in the way male and female military spouses are employed and paid:

Almost half (49%) of male military spouse respondents reported working full-time, compared to just 27% of female military spouse respondents. Male and female military spouse respondents also differed substantially on the impact of family obligations on their career, with 50% of female spouses citing family obligations as a top career obstacle compared to 30% of male spouses. 44% of employed male military spouse respondents earned more than \$50,000 in 2016, while only 19% of females reported the same.

No matter their gender, nearly 35 percent of military spouses who [do work](#) require professional licenses to maintain their status as doctors, lawyers, or teachers, for example. Those licenses often don't transfer across state lines—a major issue considering military families are [10 times more likely](#) to have moved across state lines than nonmilitary families.

The trouble many military spouses have finding work isn't an issue of a lack of education. [Military spouses](#) are more educated on average than other civilian Americans of working age. For those who are trying to complete a degree or other certification, there are some educational resources available, targeted specifically to military spouses. LinkedIn has an entire [program](#) dedicated to education and professional support for military spouses and veterans. The [military also offers a few options](#) for immediate family members who are eager to expand their knowledge and experience, among them the Survivors' and Dependents' Educational Assistance program, as well as Military OneSource's career-advancement scholarship (MyCAA), which provides up to \$4,000 over a two-year period for spouses pursuing a professional license or degree. Unfortunately, one in five respondents in the aforementioned [DOD study](#) said that they were unable to take advantage of those services due to family and personal obligations. Plus, only spouses whose partners have reached a certain rank [qualify](#) specifically for MyCAA, and the Survivors' and Dependents' assistance is only for “eligible military spouses of certain veterans.”

Some companies—such as [Starbucks](#), [Hilton](#), and [Microsoft](#)—have made a public show of being military-family-friendly. They specifically seek to hire military spouses, and in many cases offer remote work opportunities, meaning that spouses can stay in their current role (or even get promoted) even after a permanent change of station. Others, however, take advantage of the precariousness of the community's financial situation. Multilevel-marketing corporations [are notorious](#) for targeting vulnerable women who are desperate for the income that traditional work won't give them, and as such, the military-spouse community has become [a major opportunity for](#) direct-sales businesses that aggressively pursue those who seek flexible hours, a salary, and human interaction outside the home. According to [a study](#) on the Federal Trade Commission's website, approximately 99 percent of employees lose money by joining these businesses, putting these families further in the hole financially than when they started.

<https://www.theatlantic.com/family/archive/2019/03/majority-military-spouses-are-underemployed/585586/>

Certain financial-services businesses also [take advantage](#) of military families' often precarious situations. Active-duty service members might be as much as three times more likely to [take payday loans](#) than civilians, and in 2014, Paul Kiel of ProPublica [reported that](#) USA Discounters, Freedom Furniture, and Electronics and Military Credit Services offered military members credit to pay for home goods and appliances. Kiel reported that in one month alone, "230 service members were involuntarily paying USA Discounters a portion of their pay," totaling more than \$1.4 million.

There are a few other things that might make military life so remarkably expensive and difficult to navigate. One is obvious: When half of a partnership deploys for anywhere from four to [15 months](#) at a time (depending on the year and the branch of the military), it automatically makes the remaining spouse a single parent if there are children in the picture. For many, it might be too difficult—or too expensive—to continue working and simultaneously balance home responsibilities.

Active-duty military members make enormous personal sacrifices and suffer emotional and physical hardship in the course of their service. Their readiness depends in part on the well-being of those around them—including, oftentimes, [the employment of their partners](#).

Ill-fitting gear could put female pilots' lives at risk—but a redesign is on the way

By Stephen Losey

Air Force Times, April 4, 2019



Capt. Valerie Vanderostyne with the South Dakota Air National Guard conducts a pre-flight check of the cockpit of an F-16 Fighting Falcon at Joe Foss Field in Sioux Falls, S.D. The Air Force is working on redesigning gear used by female aviators so it fits better, is more comfortable, and is safer. (Regina Garcia Cano/AP)

For decades, most [female pilots](#) in the Air Force have been forced to wear flight suits and other gear that was designed for men, and extensively altered to fit their bodies.

It's not an ideal situation, to say the least. Using ill-fitting [flight equipment](#) can be uncomfortable for women. It can make relieving themselves difficult. It could even lead to pilots [experiencing hypoxia](#) or suffering injuries when ejecting, putting their lives at risk.

But finally, the Air Force and Air Combat Command are working on redesigning the flight gear worn by [women](#).

AFWERX Vegas — the Air Force's nonprofit work space near the University of Nevada, Las Vegas, that was set up to foster collaboration between the military, academia and the private sector — has held several workshops with female aviators, aircrew flight equipment personnel, and experts to come up with solutions, the Air Force said in a Monday release.

The root of the problem, the Air Force said, is that most flight equipment used by pilots was built using body measurements and proportions taken in the 1960s — when only men were allowed to fly planes in the service.

This has created multiple issues with G-suits, flight suits, urinary devices and survival vests. There's not much variety in the sizes available. So air crew often have no choice but to order the wrong size and tailor it until it fits women.

Not only does this waste time and money that could otherwise go towards the mission, it often doesn't work all that well — and can be dangerous. For example, anti-gravity G-suits have bladders that fill with air and apply pressure to a pilot's body, to keep them from losing consciousness while accelerating. But if that G-suit doesn't fit right, the pilot could suffer hypoxia, and could even lose consciousness.

“All the bladders on my G-suit need to be modified,” Capt. Lauren Ellis, executive officer for the 57th Adversary Tactics Group, said in the release. “It's a lot of work for the aircrew flight equipment, or AFE, airmen. Even after they're modified, the proportions don't fit.”

Poorly-fitting life-saving gear such as harnesses and survival vests could also endanger women's lives. If a pilot has to eject, even when wearing gear that fits, the process is so powerful that they can be injured.

But the wrong size gear could get an ejecting pilot seriously injured, or even killed, Ellis said.

<https://www.airforcetimes.com/news/your-air-force/2019/04/04/ill-fitting-gear-could-put-female-pilots-lives-at-risk-but-a-redesign-is-on-the-way/>

There are also more practical problems with mismatched flight suits. The zippers on flight suits are designed for men, and don't unzip low enough for women to use their urinary devices in the right way. This means that even if a woman finds a flight suit that fits her, it still isn't completely right.

"There are flight suits that were designed with longer zippers for women, but they're almost never available," Ellis said. "It's common for females to have to wait months to receive the flight suit they've ordered, which causes them to have to wear the male one."

And it's not only women having problems with flight suits that don't fit, Ellis said. Both men and women who are either very tall or very short have a hard time finding the right suit.

Last year, Air Force Chief of Staff Gen. Dave Goldfein spoke about the need to provide women with gear that fits them properly.

"We have women performing in every combat mission, and we owe it to them to have gear that fits, is suited for a woman's frame, and [one] can be in for hours on end," Goldfein said at a breakfast with reporters in March 2018.

Aside from redesigning gear, the Air Force has also set up a centrally-managed equipment facility called the Battlefield Airmen Rapid Resource Replenishment System, or BARS, to ship necessary equipment directly to female air crew. The Air Force said this will allow women to get gear that fits them in a reasonable time period.

"BARS is a step in the right direction," Ellis said. "Everyone deserves to have equipment that fits them. There are certain things we have to adapt to, but as long as we're trying to improve and modernize our gear, we can be a more ready and lethal force."

SEE ALSO:

[The patriarchy loses again: female sailors are finally allowed to wear flats](#) [*Task & Purpose*, 2019-04-03]

Soldier's posthumous Medal of Honor highlights the Pentagon's struggles to fully recognize valor in combat

By Dan Lamothe

The Washington Post, March 27, 2019



President Trump presents the Medal of Honor to the family of Army Staff Sgt. Travis Atkins, who saved the lives of three other soldiers in the Iraq War. (Jabin Botsford/The Washington Post)

Army Sgt. Sand Aijo was in the gun turret of a Humvee in 2007 when he and his fellow soldiers rolled up on two suspicious men in Iraq's "Triangle of Death." They were in a place U.S. soldiers didn't expect to find them, and so glassy-eyed and fidgety that Aijo charged his machine gun, he recalled.

Staff Sgt. Travis Atkins, their gruff but revered squad leader, stepped out of the Humvee and walked toward the first stranger. Then an Army medic stepped out of the back seat, moving toward the second.

As Aijo tried to keep track of both soldiers, Atkins unexpectedly began grappling with the first Iraqi just a few feet away. Atkins grabbed him in a bear hug, slammed him to the ground and pinned him down.

"The thing that became confusing was that once they hit the ground, the way that Travis began positioning his body, it just seemed strange to me," Aijo said. "That's when the detonation happened."

On Wednesday, Atkins, of Bozeman, Mont., posthumously became the fifth U.S. service member to receive the nation's highest award for combat valor, the Medal of Honor, for actions during the Iraq War.

Atkins's son, Trevor Oliver, accepted the award on behalf of his late father from President Trump, who highlighted how Atkins, then 31, died June 1, 2007, saving the lives of the three other soldiers by choosing to smother a suicide vest with his own body.

"In his final moments on earth, Travis did not run. He didn't know what it was to run," Trump said. "He laid down his life to save the lives of his fellow warriors."

The case highlights the Pentagon's longtime struggles to fully recognize some of the U.S. military's most highly regarded modern-day heroes — and underscores the likelihood that the Pentagon may soon belatedly award other service members the nation's highest combat decoration.

To date, no living service member or veteran has received the Medal of Honor for actions in Iraq. Seventeen Americans have been awarded Medals of Honor for actions in Afghanistan, including four posthumous awards.

Doug Sterner, an Army veteran and historian who has testified before Congress on valor issues, said Wednesday that he is aware of at least one case in which a living Army veteran will soon be awarded the Medal of Honor for actions in Iraq. Sterner said he could not disclose whom, and Army officials declined to comment.

Atkins's award is the latest to surface since defense secretary Ash Carter launched a review in 2016 after years of U.S. troops and some members of Congress voicing frustration over how few recipients came from modern conflicts.

<https://www.washingtonpost.com/national-security/2019/03/27/travis-atkins-died-smothering-suicide-bombers-blast-iraq-now-hell-receive-medal-honor/>



Staff Sgt. Travis Atkins, second to right. (Photo released by the U.S. Army)

The Pentagon [set out to review more than 1,300 cases](#) in which U.S. troops had received the nation's second- and third-highest valor awards to make sure the recipients were not worthy of a more prestigious medal.

In Atkins's case, his battalion commander in the 10th Mountain Division, now-retired Army Col. John Valledor, nominated him for the Medal of Honor. The Army downgraded the award to the Distinguished Service Cross, the service's second-highest award, and presented it to his family in 2008.

Valledor said Tuesday he was "pretty satisfied" when Atkins received the Distinguished Service Cross. But he acknowledged being surprised the higher award was not approved. He nominated Atkins for the Medal of Honor after researching earlier cases in which recipients had smothered grenades, he said, and concluded that the only difference was that in Atkins's case, "it was a living grenade."

"I had a lengthy discussion with my chain of command, and I think the consensus was that we were too close to it," he said. "That we were too emotionally tied to the narrative."

Similar stories linger.

In August, Trump posthumously awarded Air Force Tech Sgt. John Chapman the Medal of Honor for his actions in March 2002 on a snowy Afghan mountaintop. Chapman, 36, received the Air Force Cross, his service's second-highest award, in 2003 for fighting to his death and fending off the ambush of a helicopter filled with Army Rangers, but the Pentagon determined he deserved the higher decoration.

Last May, Trump also awarded Navy Command Master Chief Britt Slabinski, 49, the Medal of Honor for valor in the same battle in which Chapman was killed. The Navy SEAL had received the Navy Cross, but the medal was upgraded after the Pentagon's review.

Potentially unresolved cases include that of Army Sgt. 1st Class Alwyn Cashe, 35. He posthumously received the Silver Star after pulling six wounded soldiers from a burning Bradley Fighting Vehicle in a fuel-soaked uniform in Iraq on Oct. 17, 2005, suffering burns over more than 70 percent of his body.

His battalion commander at the time, now-Maj. Gen. Gary Brito, [told the Los Angeles Times in 2014](#) that he wishes he had submitted Cashe for the Medal of Honor.

"If Cashe doesn't get a Medal of Honor, I'm just going to be totally disappointed," Sterner said. "It's the most striking example of a Medal of Honor that I have ever accounted."

The dearth of modern Medals of Honor has been attributed to the inexperience U.S. commanders had with recommending and processing the award early in the Iraq and Afghanistan wars. The United States had not been in a major conflict in years, and few Vietnam veterans remained in the ranks.

Dwight Mears, a retired Army officer and historian who published a book about the Medal of Honor, said that there was "a cultural problem with the military not knowing what the appropriate gallantry thresholds were."

"I think it is largely resolved at this point, but there was some naiveté early in those conflicts," he said.

U.S. military officials said Wednesday that the Pentagon also has approved recent upgrades for 12 soldiers to receive Distinguished Service Crosses, three Marines and 12 sailors to receive Navy Crosses, and five

<https://www.washingtonpost.com/national-security/2019/03/27/travis-atkins-died-smothering-suicide-bombers-blast-iraq-now-hell-receive-medal-honor/>

airmen to receive Air Force Crosses. The medals were upgraded from the Silver Star, the third-highest valor award.

The Marine Corps also upgraded nine additional awards to Silver Star, and the Navy upgraded 18. The Air Force upgraded four additional awards to Silver Star and two to Distinguished Flying Cross with V device.

Members of the Atkins family told reporters Tuesday that they were appreciative of the Distinguished Service Cross and did not believe that Atkins's award would be elevated when the White House reached out to them.

In fact, Oliver and Atkins's father, Jack, said with a chuckle that they initially thought the calls from Washington were part of a scam. In reality, it was administration staff members trying to connect them with Trump.

"I thought there was some elaborate plan going on and they were just trying to fool me. I immediately was not very nice to people on the phone, and I was being rather rude," said Oliver, who was 11 when his father died. "My girlfriend was in the room, and she said my jaw was on the floor and I was beet red. It was a liberating experience. It's such an incredible, incredible honor."

Aijo said he was "speechless" when he found out about the upgrade for his former mentor.

"You don't think about things like this that often, so it brought back a lot of emotion for me," he said.

"Once I had time to kind of settle and bring back my thoughts, I was extremely overjoyed. It was nice to know that a grateful nation would be equally thankful for this sacrifice as I was."

Vets in Congress Introduce Bill to Protect Gold Star Spouse Benefits

By Patricia Kime

Military.com, March 30, 2019



Rep. Seth Moulton, D-Mass., asks a question of Budget Director Mick Mulvaney during a the House Budget Committee hearing, Feb. 14, 2018, on Capitol Hill in Washington. (Jacquelyn Martin/AP Photo)

When Sgt. 1st Class Ofren Arrechaga was killed in Afghanistan in 2011, his wife Seana vowed to follow the plan the couple had for their family: She would remain a stay-at-home mom to raise their son, now 11.

She continues to do that, thanks to the compensation and health benefits provided to widows and widowers of service members who die in the line of duty.

Seana Arrechaga was 22 when her soldier died, and she continues to grieve. She doesn't date. But not simply out of respect for Ofren. She doesn't see the point, she says, because dating could lead to marriage. And if she remarries before she turns 55, she would lose thousands of dollars a month because of a law that would stop her annuity payments when she tied the knot.

"A lot of people assume that we are well taken care of," said Arrechaga of Gold Star spouses. "And we are, to a point. But to not be able to remarry, to lose benefits, seems unfair."

Three combat veterans in the House of Representatives want to change the law and allow military widows and widowers to retain their survivor benefit payments if they remarry – a proposal spouses say would let them raise their families and retain a connection they want to the military.

The bill, H.R. 1911, or the Sgt. First Class Brian Woods Gold Star and Military Survivors Act, would also extend child care assistance to surviving spouses and give continued access to base facilities such commissaries, exchanges and fitness centers to those with dependent children who remarry .

And it includes a provision to cover the cost of transporting the bodies of those killed in combat to their hometowns for services and later, to a national cemetery, if the family requests it.

Currently, the government pays for one trip.

The legislation is needed, said co-sponsor Michael Waltz, R-Florida, because it would ensure that "Gold Star families of our fallen are cared for by giving their children and spouses the lifelong benefits they deserve."

"The knock on the door that initiates a family into the Gold Star community is the most dreaded moment in a military family's life," Waltz said in a release. "From that moment forward, these families deserve our best and most meaningful commitment in honor of their loved one's sacrifice for our freedom and security."

"Gold Star families should have the peace of mind that comes with knowing child care and funeral expenses are taken care of and that they will receive the nation's lifelong financial support," said Rep. Seth Moulton, a Massachusetts Democrat and co-sponsor.

<https://www.military.com/daily-news/2019/03/30/vets-congress-introduce-bill-protect-gold-star-spouse-benefits.html>

The bill is named for Woods, a Special Forces senior medical sergeant and former Marine who served with Waltz. He died Aug. 16, 2009, from wounds received during a patrol in Ghazni province, Afghanistan, and was survived by his wife Elizabeth and two young daughters, one aged 5 and the other 8 months at his death.

Retired Army Chief Warrant Officer 3 Joe Kent lost his wife, Navy Senior Chief Cryptologic Technician (Interpretive) [Shannon Kent](#), in a suicide bomb attack in Manbij, Syria, in January. As a military retiree, he will retain access to military bases and health care for life.

But he was stunned to learn during the course of his casualty assistance communications that he – and all surviving spouses – lose monthly income if they remarry. He said the law itself reads like something "straight out of the 1950s."

"If a woman remarries, the guy she marries is now responsible for her. It's that kind of mentality," Kent said. "If you look at the stats, most are women widowed in their 20s, so you are telling a young lady, with maybe with a kid or two, she will be financially penalized."

For Gold Star spouses who have found new loves, some have gotten married and forfeited their annuities. But many are opting to live with new partners without exchanging vows to ensure they will continue to receive benefits.

Arrechaga said if the bill becomes law, it would show survivors that the country continues to want to care for them. "I just don't even think most people know that this is an issue," she said.

Similar legislation was proposed in both the Senate and the House in 2017 but never made it out of the chambers' respective Armed Services Committees.

In 2016, a measure was defeated largely based on the price tag, estimated at \$1 billion over 10 years.

H.R. 1911 has yet to be assessed for cost. It would provide annuity payments to those surviving spouses who have remarried starting with the month the legislation was signed.

"At the end of the day, is the government really saving money by taking away that stipend? There's not a ton of survivors," Kent said.

Co-sponsor Rep. Don Bacon, R-Nebraska, said he is committed to ensuring that the legislation passes this year. It builds, he said, "on important progress made last year."

"Our Gold Star and surviving family members deserve a commitment for life," Bacon said.

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Misconduct

2 major cases add up to big doubts about Chicago prosecutor

By Don Babwin

The Associated Press, April 2, 2019



In this Dec. 2, 2015, file photo, Kim Foxx, then a candidate for Cook County state's attorney, speaks at a news conference in Chicago. Foxx, who became the state's attorney, removed herself from the Smollett case before he was charged, saying she had discussed the case with a Smollett family member. The case was handed to First Assistant State's Attorney Joseph Magats. Foxx defended the decision by her staff to drop charges, saying the matter was handled properly. She pointed to Smollett forfeiting his \$10,000 bond and doing community service. (AP Photo/M. Spencer Green)

CHICAGO (AP) — Cook County State's Attorney Kim Foxx was elected in 2016 mainly because of anger that the prosecutor she ousted had waited a year to charge a Chicago police officer in the killing of black teenager Laquan McDonald. Then Foxx, who is a survivor of sexual assault as a child, grabbed national attention by charging singer R. Kelly with aggravated sexual abuse.

But in the course of just a few days, her reputation as rising political star and legal crusader was badly tarnished by her office's handling of two celebrity cases involving "Empire" actor Jussie Smollett and Kelly.

[The dismissal of all charges against Smollett](#) enraged many, from President Donald Trump to Chicago's mayor and the city's police union. They accuse her of allowing Smollett to walk away from faking a hate crime attack and lying about it to police without so much as an apology or admission of guilt.

And adding to her woes, Kelly's attorney Steve Greenberg on Monday accused Foxx of caving in to [pressure from celebrity attorney Michael Avenatti](#) to charge Kelly. Avenatti, who is accused by federal prosecutors in a separate case of trying to shake down shoe company Nike, said he had provided Foxx with a video of Kelly having sex with a 14-year-old girl.

David Erickson, a former state appellate judge who teaches at Chicago-Kent College of Law, said you'd have to go back 50 years to find a Chicago prosecutor so embroiled in controversy. Edward Hanrahan was charged with conspiracy in the deaths of two Black Panther members in a raid by agents from Hanrahan's office in 1969. He was acquitted, but ultimately ousted by voters.

"Looking back, that's the only thing that comes close to this," said Erickson, pointing out that Foxx's troubles may be far from over.

Retired Illinois Appellate Justice Sheila O'Brien vowed on Monday, in an opinion piece posted on the Chicago Tribune's website, to file a petition to the courts asking that a special prosecutor be appointed to investigate Foxx and her office.

"This is exhausting, but it has to be done," O'Brien [wrote](#).

Foxx declined to comment for this article. Her fate was literally debated in the streets of Chicago Monday at dueling protests — one organized by civil rights leader Jesse Jackson in support of Foxx and another by the police union where demonstrators chanted "Foxx must go."

<https://www.apnews.com/7559f14bcec846ac9d4fc9f3ea3f42d8>

The praise she received for opening up about being raped as a small child, and then taking on R. Kelly — a Chicago native who had beaten child pornography charges in 2008 — has been drowned out. Her office has been severely criticized by two major legal groups for what they called ethical lapses in the Smollett case.

Kelly's attorney on Monday asked a judge to order all of Foxx's communications with Avenatti preserved and suggested that Foxx fed clients to Avenatti.

"They got in bed with Avenatti and Avenatti is toxic," Kelly attorney Greenberg said in reference to Avenatti's cooperation with Foxx's office in the Kelly investigation.

Even Foxx's decision to recuse herself from the Smollett case is being questioned. Former judge O'Brien said a special prosecutor should answer whether Foxx really stepped back from the Smollett case after she said she was removing herself because of communications with a relative of the actor.

"I can say without any reservation that her reputation has been damaged among people who work in the criminal justice system," said Terry Ekl, a local defense attorney.

How it plays out politically is anyone's guess. Voters may have to wait until next year's primary election to do anything about Foxx.

Dick Simpson, a University of Illinois at Chicago political scientist, said the only way he knows of to remove Foxx from office before an election would be to impeach her.

"But she hasn't done anything impeachable," he said, citing her recusal from the case.

.....
SEE ALSO:

[Chicago police call for state's attorney to resign in Smollett controversy](#) [Reuters, 2019-04-01]

First jail terms issued in Penn State fraternity hazing death of Timothy Piazza

By John Bacon

USA TODAY, April 3, 2019



Jim and Evelyn Piazza stand by as Centre County District Attorney Stacy Parks Miller, left, announces the results of an investigation into the death of their son Timothy Piazza, seen in photo at right, a Penn State University fraternity pledge. (Photo: Abby Drey, AP)

Jail sentences issued to three former Penn State fraternity members for hazing mark "a significant step forward in the long road to justice" for the family of a pledge who died more than two years ago, the family's lawyer says.

Michael Bonatucci, Luke Visser and Joshua Kurczewski on Tuesday became the [first defendants to receive jail time](#) for roles related to the death of Timothy Piazza, a sophomore from New Jersey. All previously had pleaded guilty to hazing charges.

Piazza's parents have been [outspoken in their efforts to curb fraternity hazing](#).

"Jim and Evelyn, in the courtroom for the sentencing, remain committed to the cause of eradicating hazing and the beneficial deterrent effect of the enforcement of anti-hazing laws throughout the country," family lawyer Thomas Kline said.

Piazza, 19, died at a hospital Feb. 4, 2017, two days after a party at the Beta Theta Pi fraternity house. A grand jury report issued a few months later concluded that fraternity members were indifferent to clear signs that Piazza was struggling, then engaged in a vigorous effort to conceal evidence of hazing and underage drinking.

Security cameras recorded Piazza drinking vodka and beer, struggling throughout the night and falling multiple times. At one point, while he was on a couch, members put a backpack full of books on his back to keep him from rolling over and choking on his vomit, the report said.

A doctor calculated that Piazza's blood-alcohol content when he fell down a flight of stairs was .28 to .36 percent – about four times the legal limit for driving – the report said. Doctors concluded Piazza suffered multiple traumatic brain injuries, including a fractured skull and a lacerated spleen.

Piazza died as a direct result of "extremely reckless conduct" of members of the Beta fraternity, aided by the permissive atmosphere fostered by Penn State's Interfraternity Council, the grand jury found.

Ryan Burke, a Penn State fraternity member who plied a pledge with vodka the night he was fatally injured in a series of falls avoided jail time Tuesday when a judge sentenced him to three months of house arrest. (July 31) AP

More than a dozen students were initially charged, [some with involuntary manslaughter](#). Some of the most serious charges were dropped and others thrown out by judges.

Kurczewski was sentenced to three to nine months on one count of hazing, one count of furnishing liquor to a minor and one conspiracy count.

<https://www.usatoday.com/story/news/nation/2019/04/03/penn-state-timothy-piazza-first-jail-terms-issued-hazing-death/3353467002/>

Bonatucci was sentenced to 30 days to six months in jail on three counts of hazing and one count of conspiracy.

Visser was sentenced to two to six months and fined \$2,500 on six counts of hazing and one count of conspiracy.

Each was also ordered to pay a \$1,000 fine and complete 100 hours of community service

The fraternity's Penn State chapter was dissolved after Piazza's death. The school adopted a series of changes aimed at monitoring and disciplining fraternities and sororities. It also put limits on social events and tightened regulations for parties where alcohol is served.

Contributing: The Associated Press

<https://www.usatoday.com/story/news/nation/2019/04/02/failing-register-draft-women-court-consequences-men/3205425002/>

For a million U.S. men, failing to register for the draft has serious, long-term consequences

By Gregory Korte

USA TODAY, April 3, 2019



Brandon Prudhomme works on a yard in Beaumont, Texas March 27. Prudhomme, who works as a landscaper and dishwasher, can't get student loans to go back to school because he didn't register for Selective Service before he turned 26. (Photo: Scott Dalton for USA TODAY)

For 39 years, it's been a rite of passage for American men. Within 30 days of his 18th birthday, every male citizen and legal resident is required to register for Selective Service, either by filling out a postcard-size form [or going online](#).

What's less well known is what happens on a man's 26th birthday.

Men who fail to register for the draft by then can no longer do so – forever closing the door to government benefits like student aid, a government job or even U.S. citizenship.

Men under 26 can get those benefits by taking advantage of what has effectively become an eight-year grace period, signing up for Selective Service on the spot.

After that, an appeal can be costly and time-consuming. Selective Service statistics suggest that more than 1 million men have been denied some government benefit because they weren't registered for the draft.

With the current [male-only draft requirement declared unconstitutional](#), Congress will have to decide whether to eliminate Selective Service registration or expand it to women.

Unable to decide that question for decades, Congress created the National Commission on Military, National and Public Service in 2016. It's [studying the future of the draft with a report due next year](#).

Among the issues it's examining: Should draft registration be mandatory? If so, what's fairest way to enforce it? Should the same consequences that have followed men for nearly four decades also apply to women?

"We're taking a look at all of these questions," says Vice Chairwoman Debra Wada, a former assistant secretary of the Army. "And that means looking at whether the current system is both fair and equitable – but also transparent."

Men who have been caught in the over-26 trap say the system is anything but.

Since 1993, more than 1 million American men have requested a formal copy of their draft status from the Selective Service System, [according to data](#) obtained by USA TODAY under the Freedom of Information Act. Those status-information letters are the first step in trying to appeal the denial of benefits, and are the best indication of how many men have been impacted by legal consequences of failing to register.

On paper, it's a crime to "knowingly fail or neglect or refuse" to register for the draft. The penalty is [up to five years in prison and a \\$250,000 fine](#).

Last year, Selective Service referred 112,051 names and addresses of suspected violators to the Justice Department for possible prosecution.

<https://www.usatoday.com/story/news/nation/2019/04/02/failing-register-draft-women-court-consequences-men/3205425002/>

Still, only 20 men have been criminally charged with refusing to register for the draft since President Jimmy Carter [reinstated](#) it in 1980 in response to the Soviet invasion of Afghanistan. Only 14 were convicted. The last indictment, in 1986, was dismissed before it went to trial.

So now the system relies largely on voluntary compliance, a patchwork of state laws, and the risk of losing federal benefits.

Congress passed two provisions to tighten enforcement in the 1980s. The Solomon amendment in 1982 made Selective Service registration a requirement for federal student aid. The Thurmond Amendment in 1985 did the same for federal employment.

Federal student aid is the most common problem for men who haven't registered for the draft, according to [Selective Service data](#) obtained by USA TODAY.

Forty states and the District of Columbia link Selective Service to a driver's license. But some of those allow men to opt out of registration, and about a [quarter of Americans in their early 20s](#) don't have a driver's license.

Thirty-one states have legislation mirroring federal laws on student aid and employment, applying those bans to state-funded student aid programs and state employment.

Some states go even further:

- ▶ In eight states, men are not allowed to register at a state college or university – even without financial aid – if they aren't registered for Selective Service. Those states are Alabama, Arkansas, Colorado, Idaho, Louisiana, New Hampshire, South Dakota and Tennessee.
- ▶ In Ohio, men who live in the state but don't register for Selective Service must pay out-of-state tuition rates.
- ▶ In Alaska, men who fail to register for the draft can't receive an annual dividend from the Alaska Permanent Fund, which gave Alaska residents \$1,600 from state oil revenue in 2018.

As a result, registration rates vary from 100 percent in New Hampshire to 63 percent in North Dakota – and just 51 percent in the District of Columbia, [according to Selective Service data](#).

"It's very uneven across the country," said Shawn Skelly, a former Navy commander and member of the 11-member commission studying the draft.

"How people register is predominately passively. Most men who register, register though secondary means when they apply for student aid or get a driver's license. There isn't a real deliberate education of people about the law."

Like the Vietnam War draft that helped fuel the social upheaval of the 1960s and '70s, today's draft registration requirement puts a disproportionate burden on lower-class Americans. They're more likely to put off college until later in life – and to need student aid when they do go to school.

In [comments to the national service commission](#), critics of the policy called that policy "exceptionally cruel."

'It was an honest mistake'

Depending on how you look at it, Brandon Prudhomme either had a very good or very bad reason for failing to register for the draft: He was in prison for most of the time between the ages of 18 and 25.

His arrest record includes assault, drug possession and resisting arrest.

<https://www.usatoday.com/story/news/nation/2019/04/02/failing-register-draft-women-court-consequences-men/3205425002/>

"It was an honest mistake," he said. "I was on my own since I was 14 years old. I got involved in gang-type stuff."

But now he's 39 and trying to turn his life around. While living in a homeless shelter, he started his own landscaping company "with two rakes and four lawn bags," he said.

He'd like to go back to school for business. But since Prudhomme didn't register for Selective Service, he can't get student loans. "The financial aid people called me and said, 'Sir, do you know anything about Selective Service?' I said no. They said my application had been red-flagged," he said.

"If it was mandatory, how was there not the opportunity for me to sign those papers?" Prudhomme asked. "He said that was my responsibility."

The law has also snagged federal information technology workers, Forest Service firefighters, Veterans Administration doctors and even federal contractors.

Richard Henry, a contractor for the Internal Revenue Service, lost his access to IRS facilities because he failed to register for Selective Service. They found out because Henry told them, repeatedly, beginning in 2001. But in 2011, the IRS changed the rules to make Selective Service a requirement. He was over 26, so he couldn't register.

So he sued, and lost in 2017.

"If they're going to enforce this law, you should know about the law and you should know about the consequences," said Henry's lawyer, Rachel L.T. Rodriguez. "The problem here is, you don't know the consequences that follow you forever like this."

But officials say that for draft registration to work, the law has to have teeth.

"If there were no penalties for failing to register, the rates would plummet, and fairness and equity would go out the window," said Matthew Tittman, a spokesman for the Selective Service System, a civilian agency that administers draft registration.

Men who are over 26 and denied benefits can appeal the decision if they can prove that their failure to register [was not "knowing and willful."](#)

It's unclear how many men succeed. The Office of Personnel Management says it got 160 requests for waivers in the last fiscal year. The Department of Education would not release data or discuss its process on the record.

And proving that someone didn't intentionally evade the draft can be costly and time consuming, taking as long as 18 months to decide.

Marc J. Smith, a Rockville, Maryland, federal employment lawyer who handles such cases, says the process can cost \$3,500 to \$4,000 in legal fees.

An appeal can involve researching when and where the Selective Service sent reminder letters, and gathering sworn statements from parents, childhood friends and school officials.

The cases rarely make it to court. [The Supreme Court ruled in 2012](#) that the courts didn't have jurisdiction over federal employment cases because there was an administrative process to handle those claims.

Even if Congress eliminates the draft, Smith said, it's unclear whether those old penalties will go away.

"People will still have this issue," he said. "And I guess that means a much larger pool of potential clients for me."

‘It Just Went Poof’: The Strange Aftermath of Virginia’s Cascade of Political Scandals

By Campbell Robertson

The New York Times, April 2, 2019



Gov. Ralph Northam and Lt. Gov. Justin Fairfax of Virginia walking together to an event in Richmond on March 24. Both men cut back on public appearances for a time after scandals involving each of them erupted in quick succession in February. (Credit: Parker Michels-Boyce for The New York Times)

RICHMOND, Va. — More than a dozen state lawmakers filed onto the stage, summoned by the smiling leader of their state: Ralph S. Northam, the governor of Virginia.

On the governor’s right were a handful of House Democrats, who as a group in February said they were “no longer confident in the governor’s representation of Virginians,” after learning of a shocking racist photo on Mr. Northam’s medical-school yearbook page.

On his left were mostly Republicans, including the speaker of the House, Delegate Kirk Cox, who’d declared that Mr. Northam’s “ability to lead and govern is permanently impaired.”

Some on stage were members of the legislative black caucus, which called the yearbook photo “disgusting, reprehensible, and offensive” and “a complete betrayal.”

Even so, as Mr. Northam took out a pen at the event last week and signed bills to overhaul the state’s foster care system, the lawmakers of both parties stood behind him, grinning and clapping.

This is the strange, suspended state of Virginia politics, just two months after scandal after scandal seemed to be devouring the state’s government from the top down.

In the space of a week in early February, the public was stunned by revelations about each of the three highest statewide elected officials, all Democrats: the racist photo in the governor’s yearbook; accusations of sexual assault against the lieutenant governor; and the attorney general’s appearance in blackface at a party in college. Protesters and news crews swarmed the Statehouse. Calls for resignations came from fellow Virginia Democrats, Republicans and even 2020 presidential candidates.

And then? “It just went poof,” said Natalie Draper, a librarian sitting in the back of a coffeehouse last week in Richmond. “It’s like it never happened.”

Virginians have various theories as to how this surreal normalcy set in.

Some say the whole mess was so exhausting and embarrassing that by the time the legislature adjourned on Feb. 24, the outrage had burned itself out. Others point to [polls](#) that showed Virginia voters were considerably less hungry for resignations than their representatives were. Some political observers mused about more fundamental changes to the life span of scandal, describing President Trump’s approach to bad press as if it were a revolutionary medical breakthrough.

“Don’t apologize, move on, and everybody will talk about something else next week,” is how Ben Tribbett, a Democratic strategist, described it. “Maybe we’ve been doing it wrong over the last 100 years.”

For the Democrats, perhaps above all, there are the blunt political realities. Whatever may happen in the 2021 election for governor, every seat in the Republican-controlled Virginia General Assembly will be up

<https://www.nytimes.com/2019/04/02/us/virginia-scandal-northam-fairfax.html>

this November, and Democrats have a chance to take back power in at least one chamber of the legislature. That will be hard enough now, given the bales of fodder Republicans now have for attack ads. But the idea of trying to raise money and hold rallies while spurning the three highest officeholders in the state came to be seen by many Democrats as just a needless handicap.

Betsy Carr, a Democratic delegate, said shortly after stepping off the stage last week with Mr. Northam that voters “want to move on.” “They want positive things to happen, they’re concerned about the elections,” she said.

That sort of hard pragmatism is common among Democratic figures these days. But it is not unanimous. Many younger people in the party, in particular, are frustrated by what they see as the leadership’s hurry to move on from the scandals rather than come to grips with them.



Gov. Ralph Northam and his wife, Pam Northam, third from left, posing for photos after the dedication of a historical marker for the civil rights leader Dr. Dorothy Height at a library in Richmond. (Credit: Parker Michels-Boyce for The New York Times)

“Winning is important,” said Taikein Cooper, the 30-year-old chairman of the Prince Edward County Democratic Party, “but we also have to have some morals.”

In the immediate wake of the scandals, the governor all but disappeared, either avoiding public events or being [explicitly disinvented](#) from them.

The gears of state government kept turning — bills were signed or vetoed, cabinet secretaries did their work — but Mr. Northam’s public resurfacing was slow, beginning with an appearance in early March at the third annual Public Safety Unmanned Aircraft Systems Conference.

Still, it is only in recent days that his public schedule has approached normal — or at least, something that looks normal from the outside.

“I think groups are struggling with, ‘What do we do? What do we do about inviting him? Do we want him the centerpiece of an announcement?’” said Mr. Cox, the House speaker, who spoke with Mr. Northam at the bill-signing for the first time since February. “It’s going to be pretty hard to say we’re just going to have a normal governorship for the next three years,” Mr. Cox said.

Lt. Gov. Justin Fairfax, too, has been showing up at public events more often. But rather than trying to change the subject from the allegations against him, he dives right into them, even unprompted, as he did on the last day of the legislative session in a surprise speech comparing himself to a victim of lynching.

Mark Herring, the attorney general, has taken questions from the public on a few occasions since his own blackface scandal broke. But when he talked recently with reporters in Washington, after a Supreme Court hearing on gerrymandering, no one asked him about the episode.

Democrats fully acknowledge that there is unfinished business in all this. But they cite the lack of resolution as a reason to slow down on those immediate calls for resignations.

“Most people wanted to give the governor time to sort out what had happened,” said State Senator Scott A. Surovell. “I think a lot of people question whether he’s in that picture, and they’re waiting for more information about who’s actually in it.”

Initially, Mr. Northam apologized for appearing in the yearbook photo, which shows a man in blackface makeup standing next to someone wearing a Klan robe and hood. But since then, he has insisted that he is

<https://www.nytimes.com/2019/04/02/us/virginia-scandal-northam-fairfax.html>

actually not either of the people in the picture, and he has pledged to get to the bottom of the matter. The mechanism for that appears to be an inquiry that began last month, conducted on behalf of Eastern Virginia Medical School by the law firm McGuireWoods.

That investigation into the role of racism in the past and present culture of the school was also examining the circumstances of the infamous photo. No findings have been announced yet, and the investigation is expected to wrap up in the next few weeks.

Still, Mr. Northam made another pledge around the time he announced that he was staying put: to focus for the rest of his term on addressing racial inequities in American life, a theme he now repeatedly emphasizes in speeches.

The governor “welcomes the opportunity for future conversations” on improving racial equity, said a spokeswoman, Ofirah Yheskel, who pointed out various measures the governor has supported in recent weeks that reflect “his focus on the equity issues.”

One of the chief barometers of Mr. Northam’s success on this front has become the opinion of the legislative black caucus, to which other Democrats have readily deferred since the scandals broke. Members of the caucus have laid out their priorities in meetings and conversations with the governor, and they say he has mostly abided.



At a memorial service for Dr. Dorothy Height at a church in South Richmond, Lt. Gov. Justin Fairfax spoke about Dr. Height’s advocacy against lynching, false accusations and denial of due process, themes he has hit repeatedly since the scandals erupted. (Credit: Parker Michels-Boyce for The New York Times)

“He’s been trying hard, from what I can see,” said Delegate Lamont Bagby, the chairman of the caucus. “He’s stumbled on his own feet a couple times, I think he would agree to that.” But Mr. Bagby gave his approval to the governor’s choice of bills to veto and amendments to propose over the past few weeks, and he said he believed that long-delayed but badly needed conversations about race had begun.

At a Baptist church in Richmond on a recent Sunday afternoon, Mr. Northam delivered brief remarks referring to lingering inequities at a ceremony in honor of Dorothy Height, a grande dame of the civil rights movement. He was followed at the pulpit by Mr. Fairfax — the first time they appeared in public together since the scandals erupted.

The contrast was stark.

Mr. Fairfax began with praise for Ms. Height’s “oratory around the issue of anti-lynching,” but it quickly became clear he was also talking about other matters.

“She saw what was happening in this country, where people were being falsely accused,” Mr. Fairfax said. “They were not given due process. They were having their lives in so many ways impacted negatively, in some ways taken away, because people wanted not to get to the truth but ultimately wanted things changed in a negative way for nefarious reasons.”

It was barely subtext, and he would revisit these themes more forthrightly two nights later at a Women’s History Month mixer in Hampton, Va., an event sponsored by the local chapter of the N.A.A.C.P. After the lieutenant governor gave a short speech on his fight against “fabricated claims and false allegations,” the crowd erupted in cheers of support.

<https://www.nytimes.com/2019/04/02/us/virginia-scandal-northam-fairfax.html>

Like Mr. Northam, Mr. Fairfax has insisted on an investigation into the accusations against him. He contends that he is being accused of sexual assault and rape for encounters that were consensual.

His demands for an investigation are echoed by fellow Democrats, as Mr. Northam's are. But it remains unclear where exactly such an investigation is to come from.

"If it's proved in a court of law, something needs to be done, but we're not there yet," Ms. Carr, the lawmaker, said.

Prosecutors in North Carolina and Massachusetts have been in contact with the two women who accused Mr. Fairfax — Vanessa Tyson and Meredith Watson — but there has been no public indication yet that a criminal investigation has been formally opened. Republican lawmakers announced plans for an investigative hearing, and both accusers have said repeatedly that they are willing to testify publicly as part of a bipartisan process, but Democratic lawmakers have balked, seeing such a hearing as a fruitless exercise prone to partisan grandstanding. At this point, there are few other obvious options.

"We are actually engaged in initiating processes that will make the truth known," Mr. Fairfax said at the event in Hampton, speaking over the live jazz music and pleas for him to join in group photos. He declined to elaborate further.

On Sunday, a lawyer for Mr. Fairfax issued a news release saying that Mr. Fairfax had undergone polygraph examinations administered by a former F.B.I. agent, and that the results "demonstrated that Lt. Gov. Fairfax was telling the truth" in denying the allegations. A spokeswoman said these exams were separate from the "processes" that Mr. Fairfax had spoken of earlier.

And so life goes on in Virginia, with the legislature coming back this week for a quick session and with the political jockeying getting underway before the primaries in June. Democratic lawmakers who are asked what may come next on the scandal front have no concrete answer; most say their constituents would rather hear about roadwork, school financing and health care.

Those, after all, are matters that state politicians can actually change, as opposed to the things that apparently they cannot.

"The calls for resignation have not been rescinded," Delegate Jeff Bourne, a member of the legislative black caucus, said a few days before appearing with the governor at a bill-signing ceremony. "But I think it's one of those things where we are operating in the current state of affairs. And the current state of affairs is that the governor and lieutenant governor are still there."

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SEE ALSO:

[Vanessa Tyson relays sexual assault allegations against Fairfax in first TV interview](#) [*The Washington Post*, 2019-04-01]

[Second Fairfax accuser speaks out about alleged assault](#) [*The Hill*, 2019-04-02]

[After Va. scandals, Democratic donor says women and people of color should lead](#) [*The Washington Post*, 2019-04-01]

[How Blackface Feeds White Supremacy](#) [*The New York Times*, 2019-03-31] [OPINION]

Military's Top Lawyers Push to Keep Prosecution Decisions with Commanders

By Patricia Kime

Military.com, April 3, 2019

The military services' top attorneys are holding the line against a renewed push by lawmakers to remove commanders from the process of deciding to prosecute sexual-assault cases.

Speaking at a House Armed Services Personnel Subcommittee hearing on the role of commanders in sexual-assault cases, the service attorneys said Tuesday that an 18-month review of the Pentagon's handling of sex crimes and subsequent "Report of the Response Systems to Sexual Assault Crimes Panel," completed in 2014, concluded that Congress should not "further limit the authority of the [commanders] under the Uniform Code of Military Justice to refer charges for sexual-assault crimes to trial by court-martial."

Although Congress ordered the Pentagon to form the panel to study the issue in 2013, several Senate and House Democrats have revived the issue. They say they're concerned that the number of assaults remains high while reporting rates are still low.

"A culture of endemic retaliation and doubt persists" in the military, said Rep. Jackie Speier, a California Democrat who leads the subcommittee. "Too many of our service members live and work in toxic cultures characterized by pervasive, unrelenting harassment and assault."

"I'm incredibly disappointed that after years of fighting this problem, after so many incremental changes in the law, that we're still in the exact same place," said Sen. Kirsten Gillibrand, D-New York, during a hearing on the same subject March 7. "Sexual assault in the military is still pervasive. It's still hurting our military readiness. It's still causing thousands of our service members to suffer. ... We need a fundamentally different approach to how these crimes are being prosecuted."

Testifying Tuesday, the attorneys insisted that the system works as-is, with commanders involved in decisions on whether to prosecute.

Army Lt. Gen. Charles Pede said that while there is much to do to address sexual assaults in the ranks, commanders must be the "fulcrum to any solution." He pointed to the recent military housing scandal caused by the Pentagon hiring private companies to manage base housing, effectively allowing commanders to relinquish oversight of the program.

"Who do our families look [to] for solutions? Who do you look [to] to drive change? Soldiers look to their commanders ... the notion that stripping commanders of authority over serious crimes will reduce crimes, result in more prosecutions or higher conviction rates is not supported by empirical evidence," Pede said.

The Response Systems to Sexual Assault Crimes Panel was comprised of nine members, including five appointed by the Pentagon and four named by Congress. The group included retired military officers, legal experts and a former member of Congress.

The panel concluded that changes previously made by Congress, including restricting a commander's ability to grant clemency to perpetrators and changes to Article 32 hearings, were sufficient. The members concluded that removing convening authority from commanders would not reduce sexual-assault incidence rates or increase reporting.

<https://www.military.com/daily-news/2019/04/03/militarys-top-lawyers-push-keep-prosecution-decisions-commanders.html>

The panel made the decision, with two members dissenting, after a review that involved 65 meetings, 14 public hearings, site visits to military bases, hundreds of interviews and thousands of documents.

Navy Vice Adm. John Hannink said that his service's Victims Legal Counsel Program members agree with the panel's recommendations. "Based on their work, they don't think that the removal of convening authority is a significant barrier to reporting," Hannink said.

Military personnel filed 6,769 reports of sexual assault in 2017, and personnel surveys show that nearly 15,000 active-duty troops experienced a sexual assault the previous year. But in 2006, the estimated number of troops who were sexually assaulted was 34,000.

While the attorneys all said that one sexual assault is one too many, they said recent changes to the UCMJ are improvements that will help increase prosecution rates and reporting.

"The military justice system might be the most studied criminal justice system in the past decade. We welcome this scrutiny," Hannink said.

According to retired Air Force Col. Don Christensen, president of the Protect Our Defenders advocacy group, conviction rates for prosecutions have declined significantly. Citing data provided by the Defense Advisory Committee on Investigations, Prosecution and Defense of Sexual Assault in the Armed Forces, Christensen said less than a quarter of "penetrative offenses" that went before a judge in fiscal 2017 resulted in a conviction. And just 3.6% of contact offenses, which include unwanted touching, groping or kissing, were convicted before a judge.

Christensen said the services need to improve their investigative teams that respond to sexual assaults.

"This needs to be something that is a career track," he said. "Let investigators be investigators for their entire career."

Rep. Trent Kelly of Mississippi, the subcommittee's ranking Republican, said much "remains to ensure that every sexual-assault perpetrator [in the military] is held accountable." But he warned against making changes to the UCMJ before reforms that went into effect Jan. 1 take root.

"I would caution against additional major changes to the commander-centric justice system when we have not even seen results from the reforms instituted just 90 days ago," said Kelly, who also serves in the Army National Guard.

The Defense Department Inspector General in March found that one of the reforms of the past five years -- a provision in the fiscal 2015 defense law that required DoD officials to ask sexual-assault victims about whether they would prefer the offense to be prosecuted by court-martial or in a civilian court -- was not being followed.

In 77 of 82 cases the IG reviewed, officials did not ask about or did not document that they asked about preference. Of the 77 cases, 21 victims weren't asked about preference, and in 56 cases, if victims were asked, their preference was not documented.

Christensen's group, Protect Our Defenders, called the UCMJ in sexual-assault cases "a broken military justice system exemplified by the obvious failure to hold offenders accountable."

Speier said she favors leaving convening authority within the military system, but would prefer the decisions be made by an independent prosecuting authority rather than the commander.

"Something here is fundamentally broken. We need to act," she said.

SEALs lawyered up during war crimes case, then prosecutors went after their lawyer

By Carl Prine

Navy Times, April 4, 2019



Special Warfare Operator Chief Edward "Eddie" Gallagher in Iraq in 2017. (Courtesy photo)

On the eve of twin war crimes court-martial trials targeting a SEAL and his platoon leader, prosecutors moved Tuesday to rip a trio of holdout witnesses away from a Texas attorney who has been jockeying to win them immunity from future charges.

In a motion filed Tuesday in San Diego, chief prosecutor Cmdr. Christopher W. Czaplak asked a military judge to investigate "conflict of interest" problems involving Brian Ferguson, an Air Force Reserve attorney, and the three SEAL petty officers he represents.

Prosecutors believe that the trio of special warfare operators have information that can be used against both Special Warfare Operator Chief Edward "Eddie" Gallagher and his platoon leader, Lt. [Jacob X. "Jake" Portier](#), stemming from Alpha Platoon, SEAL Team 7's deployment to Iraq in 2017.

Authorities accuse Gallagher of stabbing to death an unarmed Islamic State prisoner of war who was receiving medical attention, wielding a sniper rifle to gun down innocent civilians and terrorizing junior SEALs with threats in an ongoing effort to intimidate potential witnesses and obstruct justice.

Portier has been charged with covering up Gallagher's misconduct, but both men have denied their guilt and demanded a trial to clear their names.

Ferguson initially represented Portier but withdrew from the lieutenant's case after Portier was charged and the case was transferred to Jeremiah J. Sullivan III, a well known civilian attorney who specializes in military criminal justice cases.

In November and December, the trio of SEALs sought Ferguson's assistance and he has continued to represent them pro bono while trying to broker immunity deals in exchange for their testimony.

Ferguson also is the attorney of record for five other SEALs and two explosive ordnance disposal technicians tied to the probe, court filings indicate.

In his filing, Czaplak argues that three SEALs are "essential" witnesses to Gallagher's alleged misdeeds "including the murder of an ISIS prisoner and shooting an old man."

Two SEALs — first class and second class petty officers — "are eye-witnesses to the stabbing," Czaplak wrote, and the other special warfare operator saw "Gallagher shooting an elderly noncombatant male."

Because of the clandestine nature of their work overseas, Navy Times has agreed not to identify any witnesses until they appear in a courtroom.

Reams of Naval Criminal Investigative Service documents and messages obtained by Navy Times indicate that the first class petty officer who allegedly saw the stabbing is a particularly valuable witness to the prosecution.

He reportedly had taken the pulse of the teenager who was being treated for battlefield wounds and could testify if he was alive and stable or dead when Gallagher allegedly knifed him.

<https://www.navytimes.com/news/your-navy/2019/04/04/seals-lawyered-up-during-war-crimes-case-then-prosecutors-went-after-their-lawyer/>

The second class petty officer is a more challenging witness for the prosecution because his statements appear to indicate that he now believes Gallagher stabbed a corpse, which would remove the murder charge.

One of the potential witnesses also is problematic for prosecutors because he was convicted at a non-judicial punishment proceeding on Sept. 20 for allegedly lying to investigators to cover up his own misconduct in a separate case, according to legal filings obtained by Navy Times.

Prosecutors believe they can hurdle these legal challenges, but Ferguson has continued to stand in their way, consistently demanding for his clients' immunity from prosecution in federal and California courts, plus the International Criminal Court and any potential proceedings in Iraq.

Without those deals, Ferguson has said, they won't talk further to investigators.

Last year in the early stages of the probe into Gallagher and Portier, the SEAL's represented by Ferguson gave preliminary statements to federal law enforcement agents but they have refused to cooperate ever since, despite being granted testimonial immunity by both Navy Region Southwest and the U.S. Department of Justice.

That means that anything they say on the stand can't be used against them, but statements by other defendants potentially could become evidence in their prosecution, attorneys have argued.

That's why Ferguson has held out, telegraphing that his clients will invoke their Fifth Amendment right to avoid self-incrimination by not testifying at either trial.

Czaplak argues in his motion that Ferguson "has assumed a collective bargaining position with respect to immunity," at times "leveraging some clients to get every client immunity."

He called that a "precarious position to be in for an attorney who has a duty to advise the individual on what is in that individual's best interest."

"The quantity of clients Mr. Ferguson has accumulated in this case, not to mention the speed at which he has accumulated them, should give the Court pause when debating whether to accept any waiver of the conflicts present," Czaplak wrote.

Reached in London, Ferguson declined comment. But Portier's attorney, Sullivan, lit into the prosecution.

"The prosecutors are now unjustly attacking defense lawyers for zealously representing their clients," Sullivan told Navy Times. "Brian Ferguson and I have been steadfast in our representation of our clients and protecting them from false allegations."

In San Diego, Czaplak referred questions from Navy Times to Navy Region Southwest, the command that convened the court-martial trials against Gallagher and Portier.

But Navy Region Southwest spokesman Brian O'Rourke said that he could only speak on behalf of the prosecution, not the convening authority, in this case.

"This is an issue that our rules of professional conduct indicate must be brought to the attention of the court by prosecutors," said O'Rourke. "This protects both the rights of the witnesses and the accused, Lt. Portier.

"Lt. Portier is due the loyalty of any attorney who has advocated for him."

O'Rourke said that the Navy will provide free legal counsel to Ferguson's clients before they testify in court.

<https://www.navytimes.com/news/your-navy/2019/04/04/seals-lawyered-up-during-war-crimes-case-then-prosecutors-went-after-their-lawyer/>

But Czaplak's motion hints at deeper issues that must be addressed by the court. If Portier is sentenced to a dismissal from the service, for example, there's the possibility that he would point to conflicted counsel in his appeal.

O'Rourke declined comment.

Ferguson isn't Czaplak's only worry.

The prosecution has suffered recent headaches caused by President Donald J. Trump, the California-based SEAL Team 7 and an emerging theory by Gallagher's defense team that he was rendering aid to the detainee, not killing him.

On March 30, [a tweeting Trump](#) ordered the Pentagon to modify Gallagher's pretrial incarceration. Later that night, Gallagher was released from San Diego's Naval Consolidated Brig Miramar.

He temporarily has been lodged in barracks at Marine Corps Air Station Miramar, something prosecutors had opposed before the White House intervened.

Four days earlier, Cmdr. E.J. Mason, an attorney assigned to SEAL Team 7, filed an affidavit with the judge in Gallagher's case, who is expected to hear motions on April 11 at Naval Base San Diego.

SEAL Team 7 is deployed through September, Mason cautioned, and the three SEALs who are represented by Ferguson hold key billets in the same platoon, including jumpmaster, sniper, dive supervisor, range safety officer and communications expert.

Losing the three for the month to six weeks slated for Gallagher's upcoming court-martial trial would be "devastating" but could "be mitigated for a short time," Mason wrote.

But losing all three out of a 32-man unit "for two to three months for both the SOC Gallagher trial and the LT Portier trial will severely degrade their platoon's operational capability beyond an acceptable limit," Mason continued.

"This will put an extraordinary load on the remaining members of the platoon and will put lives at risk.

"Shuffling members from different platoons to backfill the SEALs introduces risk across any impacted platoons and is strongly not recommended. Every platoon trains for 18 months to prepare for deployment, building standard operating procedures, developing specific qualifications, and cementing unit cohesion," he wrote.

Ferguson's SEALs aren't the only witnesses who have balked at helping the prosecution, according to a March 22 filing by attorney Sullivan on behalf of Portier, the former commanding officer of Alpha Platoon, SEAL Team 7.

Although he's been charged with covering up Gallagher's alleged war crimes, Portier apparently sought help during the investigation from Cmdr. Kevin Golden, the judge advocate general assigned to California-based Naval Special Warfare Group 1.

And Golden is prepared to testify that when Portier brought the allegations to him "he didn't believe the rumors reported were sufficient facts to start an investigation," Sullivan wrote.

That would throw into doubt the government's charge that the lieutenant failed to report war crimes and, instead, will show "that steps were being made to report concerns up the chain of command," according to Sullivan's filing.

<https://www.navytimes.com/news/your-navy/2019/04/04/seals-lawyered-up-during-war-crimes-case-then-prosecutors-went-after-their-lawyer/>



President Donald Trump waved as he boarded Air Force One at Palm Beach International Airport on Sunday before making his way back to the White House. (Manuel Balce Ceneta/AP)

Prosecutors, however, dispute that characterization of Golden's potential testimony and believe he won't help Portier's case at trial.

But it's not just Golden.

Another SEAL Team 7 member who became the lead petty officer of Alpha Platoon when a key witness against Gallagher and Portier rotated home on leave also will testify that he "arrived on the scene after the ISIS fighter had died" and "did not see any blood on SOC Gallagher," Sullivan revealed.

One of Ferguson's three witnesses also is prepared to offer under oath that he saw Gallagher stab the detainee on the left side of his body, testimony that will provide "exculpatory conflicting evidence of the alleged murder," Sullivan wrote.

Sullivan also indicated that the Ground Force Commander for Alpha Platoon in Iraq will testify that "nothing concrete" was ever reported about Gallagher's involvement in the death of the Islamic State prisoner and Portier later "reported the issue up to ST7-A leadership."

Another EOD lieutenant and a SEAL second class petty officer will point out inconsistencies in testimony from the platoon's assistant officer in charge, who has leveled cover up allegations against Portier, Sullivan wrote.

And Cmdr. Ron Malloy, the commanding officer of SEAL Team 7 in 2017, will testify that he had no reservations deploying Gallagher to Iraq and should explain "about why SEALs may have different opinion(s) on whether a 'shot' was appropriate" in several sniper actions and "why civilian casualties occur in Mosul, Iraq, and are not considered war crimes."

On Wednesday, Timothy C. Parlatore, one of the civilian attorneys on the Gallagher legal team, fired off a letter to the new commander of Navy Region Southwest, Rear Adm. Bette Bolivar.

Parlatore urged her to grant total immunity from prosecution to two of the key witnesses Ferguson represents because "without the requested immunity, there is a substantial risk that they will be forced to commit perjury to potentially convict an innocent man."

In his letter, Parlatore directly challenges the prosecution's theory in the case — that Gallagher stabbed the teenage Islamic State fighter to death after rendering medical aid.

Instead, he wrote, Gallagher "attempted to perform lifesaving measures on the mortally wounded ISIS fighter. However, his internal injuries were so severe that he succumbed to these wounds."

Gallagher, Parlatore wrote, "denies ever stabbing the ISIS fighter in the neck or causing his death."

Parlatore believes the two SEALs represented by Ferguson otherwise lied in their initial statements to investigators "based on a conspiracy with some other members of the platoon to falsely incriminate" their platoon chief.

Parlatore wrote that one of the SEALs "has already begun backtracking his initial statement, telling investigators that SOC Gallagher didn't kill the ISIS fighter, but rather stabbed him in the torso, not the neck, and only after he was already dead."

<https://www.navytimes.com/news/your-navy/2019/04/04/seals-lawyered-up-during-war-crimes-case-then-prosecutors-went-after-their-lawyer/>

Now if they refuse to testify, they risk being charged with disobeying a lawful order. If they repeat allegedly false testimony under oath in court, they risk perjury charges. And if they testify truthfully, they risk being prosecuted for initially making a false statement to investigators, Parlatore added.

“Of all people, SOC Gallagher has a personal interest in seeing those who caused him to be wrongfully charged and imprisoned be held accountable,” Parlatore wrote. “The fact that SOC Gallagher is asking for them to be granted immunity speaks volumes to the fact that he is prioritizing the possibility of truthful testimony over any desire for retribution.”

Navy Region Southwest officials have not announced Bolivar’s decision on granting immunity to the two SEALs.

SEE ALSO:

[Navy SEAL released from brig after Trump tweet on his behalf](#) [*The San Diego Union-Tribune*, 2019-03-30]

[Tweeting Trump injects White House into SEAL war crimes case](#) [*Navy Times*, 2019-03-30]

Two 354th Fighter Wing squadron commanders fired over hazing culture

By Stephen Losey

Air Force Times, March 30, 2019

Two air support operations squadron commanders were fired this week after investigations found “a culture of hazing” in their units, the Air Force said in a Friday release.

Lt. Col. Robb Fiechtner, commander of the 3rd Air Support Operations Squadron at Joint Base Elmendorf-Richardson in Alaska, and Lt. Col. Joshua Cates, commander of the 5th ASOS at Joint Base Lewis-McChord in Washington, were relieved of command, the 354th Fighter Wing at Eielson said in the release. The two squadrons are part of the 1st Air Support Operations Group, which falls under the 354th Fighter Wing. “We’re better than this,” Col. Benjamin Bishop, the 354th commander who removed Fiechtner and Cates, said in the release. “Every airman has an obligation to prevent and stop any harmful or demeaning conduct toward fellow airmen. This is especially true for commanders.”

Command-directed investigations found airmen at those two squadrons commonly took part in, and encouraged, a practice called “rolling up.” That practice involved tackling or restraining an airman, binding the airman’s hands or feet using duct tape, and allowing the airman to struggle before being released.

The CDI found that many airmen in those squadrons thought “rolling up” was based on camaraderie and bonding. But those who participated were taking part more out of peer pressure than on enjoyment of the actions, according to the investigations.

“There are traditions that promote the health of the unit and link us to the long blue line of airmen that have preceded us,” Bishop said in the release. “When airmen, however, attempt to equate hazing actions as tradition, they do an absolute disservice to our Air Force culture and also undermine our mission effectiveness.”

Bishop denounced hazing in the release, and reminded squadron commanders that they are responsible for the airmen they oversee.

“I hold the duty of squadron commanders in the utmost esteem, and expect our commanders to train and strengthen our airmen, while also caring for their morale and well-being,” Bishop said. “I hope we can all agree that hazing in any form has no place in our service, and that we can emerge more committed to our core values of integrity, service and excellence as we move forward in pioneering airpower’s frontier.”

Col. Kenneth Boillot, commander of the 1st ASOG, has named Lt. Col. James Marlow as the acting squadron commander of the 3rd ASOS and Lt. Col. Todd Davis as acting commander of the 5th ASOS, according to the release.

SEE ALSO:

[Behind the Hazing Practice That Just Got 2 Air Force Commanders Fired](#) [*Military.com*, 2019-04-04]

Racism

'White power' graffiti defaces historic Tennessee civil rights site

By Rich McKay

Reuters, April 3, 2019

Racist graffiti was painted in the parking lot of a Tennessee social justice center that hosted giants of the 1960s U.S. civil rights movement, such as Martin Luther King, Jr. and Rosa Parks, it said on Tuesday.

The Highlander Research and Education Center, whose main office burned down last week, was home to innumerable documents, recorded speeches and artifacts from the movement that were lost in the fire, it said on its website.

It described the graffiti only as a “white power” symbol painted on the parking lot.

“While we do not know the names of the culprits, we know that the white power movement has been increasing and consolidating power across the south,” the center said in a statement on Tuesday. “Now is the time to be vigilant.”

Friday’s fire was less than a week after another fire police say was race-driven arson at a Southern California mosque, where racist graffiti was left in the parking lot.

No one was injured in either fire.

The Jefferson county sheriff’s office is investigating the Highlander Center fire as a possible crime, broadcaster NBC and other media have said.

A sheriff’s spokesperson was not immediately available to comment to Reuters early on Wednesday.

The Highlander Center helped organize the Montgomery, Alabama, bus boycotts of 1955 that were among the first major civil rights protests of the movement in the United States.

Protesters, mostly black residents, refused to ride city buses in a bid to defy racial segregation, after Parks was arrested for refusing to give up her seat to a white person.

The center also helped found the Student Nonviolent Coordinating Committee, a youth movement that worked with Martin Luther King Jr.’s efforts to ensure voting rights and social justice for minorities, it said on its website.

Reporting by Rich McKay in Atlanta; Editing by Clarence Fernandez

SEE ALSO:

[Mosque massacre suspect to face 89 charges in court Friday](#) [*The Associated Press*, 2019-04-04]

[Australia could jail social media execs for showing violence](#) [*The Associated Press*, 2019-04-04]

[The Latest: 50 murder counts filed on mosque attack suspect](#) [*The Associated Press*, 2019-04-04]

[UNC memorial to enslaved people vandalized with ‘racist and other deplorable language’](#) [*The Washington Post*, 2019-04-03]

[New Zealand mosque shooting suspect faces 50 murder charges, 39 attempted murder charges](#) [*USA TODAY*, 2019-04-03]

[New Zealand white supremacist carried a racist mark; same symbol found after civil rights center fire](#) [*USA TODAY*, 2019-04-03]

[New Zealand white supremacist carried a racist mark; same symbol found after civil rights center fire](#) [*USA TODAY*, 2019-04-03]

Religion

Muslim soldier demoted, planning to sue the Army after hijab controversy

By Meghann Myers

Army Times, April 3, 2019



Spc. Cesilia Valdovinos was demoted this week after an Article 15 investigation apparently unrelated to her religious discrimination complaint against her leadership. (Military Religious Freedom Foundation)

Following a rejected equal opportunity complaint and a demotion in rank, [a Muslim soldier](#) who has accused her [Fort Carson](#), Colorado, leadership of [religious discrimination](#) is contemplating a federal lawsuit, her attorney confirmed to Army Times on Wednesday.

Spc. Cesilia Valdovinos, who was demoted this week following an unrelated Article 15 investigation, will file a complaint alleging violation of her civil rights either in northern Virginia or Denver, according to Mikey Weinstein, founder of the Military Religious Freedom Foundation.

“This is a pattern and practice of anti-Muslim bigotry, prejudice and harassment,” he said.

The 26-year-old culinary specialist’s story first went viral in mid-March, after she filed an EO complaint with her command based on an incident with her command sergeant major at the 704th Transportation Battalion.

The senior noncommissioned officer, believing that Valdovinos was wearing her hair down underneath her hijab — rather than in a bun, [per regulation](#) — demanded the soldier remove the head covering,

Her hair fell to her shoulders, Valdovinos told Army Times, because she uses the extra fabric in the cap to secure her bun. When she removes it, the bun falls out.

A week later, as the EO investigation was finishing, Command Sgt. Maj. Kerstin Montoya approached the soldier again, demanding that she go to the bathroom and fix her hair.

“I don’t have long, thick hair,” Valdovinos said. “My hair is thin and short, so because she doesn’t see a full bun sticking out of my hijab doesn’t mean I don’t have it in a bun.”

Her command has denied any discrimination.

“The findings of our commander’s inquiry determined the senior non-commissioned officer acted appropriately by enforcing the proper wear of the hijab, in compliance with Army regulations,” Col. David Zinn, who commands the 2nd Infantry Brigade Combat Team, 4th Infantry Division, said in a statement to Army Times on Wednesday. “We take pride in the diversity of our soldier teams who work together as professionals regardless of race, gender, ethnicity, religion, or sexual orientation.”

Valdovinos’ demotion stems from another matter, according to her lawyer, though he believes that her newfound notoriety contributed to the punishment.

“There was another issue that was going on with her, where she was accused of something downrange,” Weinstein said. “A quote, ‘inappropriate relationship.’”

Valdovinos said she had been assigned to take a soldier back to his barracks after wisdom teeth surgery, but soldiers who saw them together suspected more.

<https://www.armytimes.com/news/your-army/2019/04/03/muslim-soldier-demoted-planning-to-sue-the-army-after-hijab-controversy/>

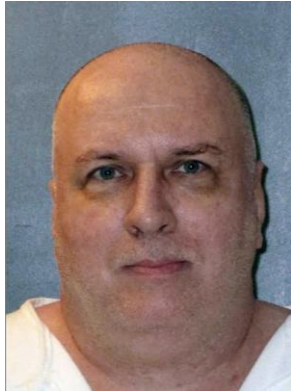
“That was supposed to be — at worst — a letter of reprimand,” Weinstein said. “But then this story hits and it went viral. We don’t find it a coincidence that, all of the sudden, what was supposed to be a letter of reprimand turned into an Article 15.”

In addition to the federal lawsuit, he added, Valdovinos’ legal team is contemplating an additional complaint with the U.S. Commission on Civil Rights.

Texas bans clergy from executions after Supreme Court ruling

By Jake Bleiberg

The Associated Press, April 4, 2019



This undated file photo provided by the Texas Department of Criminal Justice shows Patrick Murphy. Texas prisons will no longer allow clergy in the death chamber after the U.S. Supreme Court blocked the scheduled execution of Murphy who argued his religious freedom would be violated if his Buddhist spiritual adviser couldn't accompany him. The Texas Department of Criminal Justice says Wednesday, April 3, 2019, effective immediately it will only permit security staff into the death chamber because of the high court's ruling staying the execution of Murphy, a member of the "Texas 7" gang of escaped prisoners. (Texas Department of Criminal Justice via AP, File)

DALLAS (AP) — Texas prisons will no longer allow clergy in the death chamber after the U.S. Supreme Court blocked the scheduled execution of a man who argued his religious freedom would be violated if his Buddhist spiritual adviser couldn't accompany him.

Effective immediately, the Texas Department of Criminal Justice will only permit prison security staff into the execution chamber, a spokesman said Wednesday. The policy change comes in response to the high court's ruling staying the execution of [Patrick Murphy](#), a member of the "Texas 7" gang of escaped prisoners.

Texas previously allowed state-employed clergy to accompany inmates into the room where they'd be executed, but its prison staff included only Christian and Muslim clerics.

In light of this policy, the Supreme Court ruled Thursday that Texas couldn't move forward with Murphy's punishment unless his Buddhist adviser or another Buddhist reverend of the state's choosing accompanied him.

One of Murphy's lawyers, David Dow, said the policy change does not address their full legal argument and mistakes the main thrust of the court's decision.

"Their arbitrary and, at least for now, hostile response to all religion reveals a real need for close judicial oversight of the execution protocol," Dow said

Murphy's attorneys told the high court that executing him without his spiritual adviser in the room would violate the First Amendment right to freedom of religion. The 57-year-old — who was among a group of inmates who escaped from a Texas prison in 2000 and then committed numerous robberies, including one where a police officer was fatally shot — became a Buddhist while in prison nearly a decade ago.

In his concurring opinion, the court's newest justice, Brett Kavanaugh, wrote that Texas had two options going forward: allow all inmates to have a religious adviser of their religion in the execution room, or allow religious advisers only in the viewing room, not the execution room.

"The government may not discriminate against religion generally or against particular religious denominations," Kavanaugh wrote.

Kristin Houlié, executive director of the Texas Coalition to Abolish the Death Penalty, called the new policy "cruel and unusual," and urged the department to reconsider.

<https://www.apnews.com/2e871ee78aeb425385a7fda17d9423ab>

Prison chaplains will still be able to observe executions from a witness room and meet with inmates on death row beforehand, said Texas Department of Criminal Justice spokesman Jeremy Desel. He declined to elaborate on the reasoning behind the policy change.

The change brings Texas in line with most other death penalty states, which do not allow clergy into the execution chamber, according to Robert Dunham, a lawyer and executive director of the Death Penalty Information Center. But it is also likely to open new legal fights for America's busiest execution state, he said.

The policy change could be challenged as generally discriminating against religion and as retroactively targeting Murphy despite having a general formulation, Dunham said. If these arguments are presented to the high court, a ruling could have implications for how executions are conducted around the country, he said.

The Supreme Court's decision in Murphy's case followed a similar appeal in February, when the court ruled Alabama could execute [a Muslim inmate](#) without his Islamic spiritual adviser present in the execution chamber. The court decision that allowed Dominique Ray to be executed [attracted public criticism](#), and Dunham said the ruling staying Murphy's execution might have been an effort by the justices to avoid further blowback.

"When you look at the court's order, they were hoping that Texas would give them a way out by accommodating Patrick Murphy's request," he said. "Texas has chosen not to do that, so it's likely that the ball will be back in the proverbial judicial court."

SEE ALSO:

[Texas prisons ban all chaplains from execution chamber after Supreme Court ruling](#) [*USA TODAY*, 2019-04-04]

[Supreme Court stays Texas execution to allow for Buddhist adviser](#) [*Reuters*, 2019-03-28]

Sexual Assault / Harassment

Fugitive priest accused of abusing boy faces trial

By Mary Hudetz

The Associated Press, March 30, 2019



In this Nov. 29, 2018, file photo, the sun sets on a sign in front of the Archdiocese of Santa Fe offices in Albuquerque, N.M. A priest who fled the United States decades ago faces a federal trial on charges that he sexually abused a New Mexico boy in the early 1990s at an Air Force base and veterans' cemetery. Arthur Perrault, a one-time pastor in Albuquerque, has been charged with aggravated sexual abuse and others counts. (AP Photo/Susan Montoya Bryan, File)

ALBUQUERQUE, N.M. (AP) — A priest who was captured in Morocco after fleeing the U.S. decades ago is facing a federal trial on charges that he sexually abused a New Mexico boy in the early 1990s at an Air Force base and veterans' cemetery.

The trial of 80-year-old Arthur Perrault is set to begin Monday in Santa Fe with jury selection. Prosecutors are expected to call dozens of witnesses, including a former deacon, parents and former military members who knew Perrault in the early 1990s.

Federal authorities have said in court documents that Perrault may have had as many as eight other victims. But the charges against him only involve an 11-year-old altar boy.

The church sent Perrault to New Mexico in the 1960s for treatment at a center for pedophile priests. He was arrested in 2017 in Tangier, where authorities say he had been teaching at an English-language school for children.

Perrault's case marks a rare federal criminal prosecution of a former Catholic priest in the state where dozens of clergy abuse victims have won more than \$50 million in settlements from the Santa Fe Archdiocese, which has filed for bankruptcy protection as a result of the lawsuits.

"It's great he's finally being held accountable for what he did," Michael Norris, a spokesman for the group Survivors Network of Those Abused by Priests, said about Perrault. "But I'm also disappointed that some of the bishops that allowed him to be shuffled around aren't being held accountable."

Perrault returned to the U.S. in September to face charges of aggravated sexual abuse and abusive sexual contact. He has pleaded not guilty.

Prosecutors say he abused the boy in 1991 and 1992 at Kirtland Air Force Base in Albuquerque and Santa Fe National Cemetery. Both sites are military properties that fall under federal jurisdiction.

The Santa Fe Archdiocese and Perrault's attorney did not respond to requests for comment. In response to a civil case filed against him, Perrault said in a 2016 letter to a New Mexico judge that he denied the abuse allegations.

Church officials in Connecticut sent Perrault to the treatment facility in the secluded mountain town of Jemez Springs north of Albuquerque after he was accused of inappropriately touching young males. The facility was operated by the religious order Servants of the Paraclete.

The facility had treated priests from around the country for decades, many of whom remained in New Mexico after spending time at the center.

<https://www.apnews.com/74dbe3e2d72f4de38f821dc4c836b3db>

In 2016, the Santa Fe Archdiocese published a list of 74 clergy members, including Perrault, who had been credibly accused of sexually abusing children in New Mexico. The list was made public after decades of pressure from victims and their family members.

Perrault moved to Albuquerque for a teaching post at St. Pius X High School on a recommendation from a psychologist under contract with Servants of the Paraclete.

Federal court documents filed in September contain accounts of Perrault showering boys with gifts and meals before abusing them.

In Albuquerque, he had been a pastor at St. Bernadette parish and an Air Force chaplain. He vanished in 1992, days before an attorney filed two lawsuits against the archdiocese alleging Perrault had sexually assaulted seven children at his parish.

Since September, Perrault has remained in custody despite arguments from his attorney that his health is fragile and he cannot flee the country because he has no passport, family or means of leaving.

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SEE ALSO:

[New Mexico man describes abuse in trial against ex-priest](#) [*The Associated Press*, 2019-04-04]

[Sex-abuse trial of fugitive priest tests federal reach](#) [*The Associated Press*, 2019-04-03]

[Officials: Sailor killed himself the day before his child porn court-martial began](#) [*Navy Times*, 2019-04-03]

Investigations underway into sexual misconduct allegations at Florida National Guard

One of those named is the guard's deputy commander, who is eligible to take over when the current leader retires April 6. Gov. Ron DeSantis hasn't announced a replacement yet.

By Howard Altman

Tampa Bay (Fla.) Times, March 29, 2019

Maj. Gen. Michael Calhoun retires April 6 as commander of the Florida National Guard and Gov. Ron DeSantis will name a replacement.

But the search comes while the guard — some 12,000 soldiers and airmen who deploy to combat zones and help at home in natural disasters — is facing ongoing investigations into allegations of sexual misconduct and coverups that date back a decade, the *Tampa Bay Times* has learned.

Among the allegations: that an officer joked he would hang a sign-up sheet outside the office of a female contractor so people could sign up for sexual favors from her in 15-minute increments.

Some of the allegations are spelled out in an email to a state lawmaker written by Maj. Elliot Potter, a Tampa-based officer in the Florida National Guard's Judge Advocate General Corps. Potter researched the allegations and forwarded them to his superiors. A copy of his email was obtained by the *Times*.

One man Potter accuses in a coverup is the guard's No. 2 in command, Brig. Gen. Mike Canzoneri, who is among a group of officers eligible to replace Calhoun.

According to Potter, Canzoneri and another officer “have actively concealed evidence of sexual misconduct and other violence committed against soldiers of the Florida National Guard.”

DeSantis, a former attorney with the Navy Judge Advocate General, said through a spokeswoman that he could not comment on an ongoing investigation. Canzoneri also declined to comment.

As of this week, DeSantis had not announced Calhoun's replacement.

Potter sent his email to state Sen. Lauren Book, a Broward County Democrat. Book told the governor in a Jan. 16 letter that she was “inclined to believe” Potter. Investigations are underway at both the state and federal level, said Book spokeswoman Claire VanSusteren.

In a statement to the *Times* earlier this month, Calhoun, the Florida National Guard leader, declined comment on specifics of any investigation, but said, “we are deeply troubled by these allegations.”

“We expect all of our members to demonstrate our values,” Calhoun said, “including honor, integrity and respect for self and others — and will continue to take necessary steps to ensure we are held to the highest standards so that we are worthy of the faith and trust the public places in us.”

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Among the people whose complaints fueled the investigations is Shira Callahan, a 46-year-old former civilian contractor for the guard who has filed sworn statements with the guard's Inspector General's Office. Callahan alleges a pattern of sexual misconduct and other wrongdoing by guard soldiers and leaders.

<https://www.tampabay.com/news/military/investigations-underway-into-sexual-misconduct-allegations-at-florida-national-guard-20190329/>

She said in an October 2017 sworn statement that Canzoneri came up to her during a break in a 2011 conference and “slowly ran his hand from one side of my bare shoulder to the other.”

She also said Canzoneri made sexual gestures to a female bartender during the same conference and ended a two-year affair he had with a female soldier then transferred the soldier after she refused to have sex with his friends.

What’s more, Callahan accused Canzoneri of covering up for another officer she named in her complaints — Lt. Col. Scott L. Taylor.

As a result of Callahan’s allegations, Taylor was found to have “created an intimidating, hostile, or offensive work environment” for her, according to a September 2017 letter from Army Col. Leslie F. Caballero, inspector general with the Florida National Guard.

Caballero called it “conduct that brings discredit to the Florida National Guard.”

Those findings, signed off on by Calhoun, also included recommendations for changes in guard policies. They include ensuring that everyone considered for key positions is thoroughly screened and that personnel pass along information to commanders about “problem soldiers.”

Six months after Caballero’s letter, on May 1, Taylor was named division chief at the Florida National Guard Joint Force Headquarters — the latest in a series of rank and job promotions despite complaints against him from Callahan and others.

In another of those complaints, former Sgt. Maj. Alan Rizzo — who acknowledged he and Taylor had a history of “bad blood” — said he was “extremely concerned about the close personal relationship between” Taylor and Canzoneri.

Callahan said she cannot understand Taylor’s rise in the ranks.

She sees parallels between allegations against the Florida National Guard and the fear of coming forward expressed earlier this month by Arizona Sen. Martha McSally. A pioneering combat pilot, McSally told a Senate hearing that she never reported she was raped by a superior officer when she served in the Air Force because she didn't trust the system.

Said Callahan, “Had she reported her assault, I have no doubt she would have been re-victimized all over again. Leadership may say what is expected in broad strokes ... but their day-to-day actions and attitudes demonstrate a reluctance to bring about real change towards a systemic problem.”

Taylor, in a phone interview, denied the allegations against him and said he does not have a close relationship with Canzoneri.

He said he has been targeted by a small group of former guard personnel whom he had disciplined. They’re out to ruin his reputation through the military’s complaints process, he said, filing more than 200 complaints against him.

“These individuals,” Taylor said, “have weaponized the process.”

He said he has statements from 10 witnesses rebutting the allegations against him but did not provide the statements. He later stopped returning messages from the *Times*.

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It was in his role as a judge advocate general attorney that Potter received complaints against Canzoneri.

<https://www.tampabay.com/news/military/investigations-underway-into-sexual-misconduct-allegations-at-florida-national-guard-20190329/>

He undertook a review and later learned that it overlapped with allegations against Taylor. The allegations come from people who all are friends, Callahan said. They include her, two former Florida Army National Guard soldiers, and the wife of one of the soldiers.

Callahan described the incident involving the sexual sign-up sheet during a recorded interview in June with Army Lt. Col. Adam Calderon. Calderon had been directed by Maj. Gen. Calhoun to investigate Taylor.

As Taylor stood outside Callahan's office one day, she said, he told a group of soldiers that he planned to post the sheet on her door "with 15-minute increments so that the entire battalion" could get sexual favors from her.

"But it came with the caveat that he couldn't just stop it there," she said during the interview, "that the number one spot was reserved for him ..."

She told Calderon about her communications with Potter regarding Potter's research into Canzoneri, saying the lawyer "was not interested in anything having to deal with Taylor at first until he realized that you could not have one issue without the other."

Potter, she said, submitted the results of his review "up the chain" to the Defense Department's Office of Inspector General.

Potter declined to comment for this story. Calderon confirmed the conversation with Callahan but declined to comment on its specifics or the results of his findings.

A Florida National Guard chaplain with whom Callahan also spoke, Army Col. Glenn Finch, said in a phone interview that he found Callahan credible.

"I believe her to be truthful," Finch said. "She has no reason to lie, she has nothing to gain. I have a lot of respect for her and her courage."

Callahan's first request for action was to the guard's inspector general, filed in March 2015. She said Taylor sexually harassed her in June 2011, and she reported incidents alleged to have involved Taylor with other people, among them: reports from two female soldiers that Taylor solicited sex from them via email in August 2012; sexual harassment of a male soldier in a shower in September 2012; and a physical assault against a female Army non-commissioned officer.

Callahan said in an interview that the complaints about email solicitations came to her in role as family support assistant to the guard. The male soldier filed a separate action request over the shower incident. The non-commissioned officer denied in an interview with the *Times* that Taylor assaulted her, saying they were just horsing around.

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The status of investigations into the Florida National Guard has been unclear during the first months of 2019.

On Feb. 7, the state Department of Military Affairs told Sen. Book that a three-week review had turned up no evidence of wrongdoing by Canzoneri or by a second officer accused of a coverup — Maj. Terrence Gorman. Gorman is the department's deputy general counsel. The department provides management oversight of the guard.

About two weeks later, Callahan filed a sworn statement with Potter.

<https://www.tampabay.com/news/military/investigations-underway-into-sexual-misconduct-allegations-at-florida-national-guard-20190329/>

She reiterated her earlier complaints that Taylor had sexually harassed her and “generally harassed” others in her unit — and added that Gorman had advised her not to record or report the harassment “as it would ‘blackball’ me (Callahan) within the battalion.”

Asked by Potter if she believed Gorman was attempting to “protect the alleged perpetrator,” Callahan answered, “Yes. Absolutely.”

Gorman declined to comment for this story.

Meantime, unsatisfied with the response from the Department of Military Affairs, Book asked how the department had reached its conclusions clearing Canzoneri and Gorman. The answer she received: An investigation is still ongoing.

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[*Tampa Bay (Fla.) Times*, 2019-04-02]

Is the Pentagon breaking a law designed to help sexual assault victims?

By Geoff Ziezulewicz

Military Times, March 29, 2019



An official Air Force photo that aims to remind service members that "victims don't wear name tags." (Senior Airman Marc I. Lane/Air Force) Victims don't wear name tags. (U.S. Air Force photo illustration/Senior Airman Marc I. Lane)

The armed forces is failing to ensure that sexual assault victims are asked where they want their cases to be prosecuted, according to the results of a [Defense Department Inspector General audit](#) released last week.

Investigators reviewed 82 cases at the Army's [Fort Hood](#), Naval Station Norfolk, the Air Force's Joint Base San Antonio and Marine Corps Base Camp Pendleton, which recorded the highest number of unrestricted sexual assault reports in fiscal 2016.

Nearly all of those cases involved officials failing to ask the victims or document if they would prefer their assailant tried by court-martial or in the civilian criminal justice system, something they are supposed to have been doing since the 2015 National Defense Authorization Act, according to the IG.

"It's really disappointing when Congress is trying to get the military to a better place with sexual assault and the military leadership doesn't take it seriously," said Don Christensen, a retired Air Force colonel, military attorney and president of [Protect Our Defenders](#), a nonprofit group that helped get the victim preference regulation passed into law.

The audit was mandated as part of the 2019 defense policy bill.

In 77 of 82 cases reviewed from the four bases, officials either did not ask the victims for their preference or did not document that sexual assault victims had been asked about their preference, according to the audit.

For 56 of those 77 cases, officials said the victims were asked but could provide no evidence of the victim's preference, according to the IG.

"DoD officials should consider what the victim wants when deciding whether to prosecute by court-martial or in civilian court, although they are not required to comply with the victim's preference," the report states.

Oftentimes, victims have a better shot at justice in a civilian courtroom than in a military setting, Christensen said.

Sentencing is more consistent and there are restitution opportunities, he said.

Unlike their civilian counterparts, military judges can't order assailants into treatment or force them to surrender weapons, he said.

Some military victims may also prefer to have such a case tried in a civilian setting simply because it is away from the base and fellow service members, Christensen added.

<https://www.militarytimes.com/news/your-navy/2019/03/29/is-the-pentagon-breaking-a-law-designed-to-help-sexual-assault-victims-5/>

“Your work and entire life is on that installation and now this is all being brought out too,” Christensen said.

Christensen said many of the group’s clients report that they were never asked about their preference, or that “the military talked them out of going civilian.”

He also said the government has stymied his group’s efforts to obtain data tracking the policy’s implementation.

The IG ascribes this failure to the DoD not establishing a system-wide process to ensure that victims are asked their preference, and the Sexual Assault Prevention and Response Office doesn’t track whether victims are asked.

The services issued guidance that required the preference question but never mandated that the victim’s choice be documented, according to the IG.

The IG recommended that the undersecretary of defense for personnel and readiness develop requirements that such questions be asked and documented.

Officials agreed with the IG’s recommendation and changes are pending.

Christensen said he hopes the issue is brought up Tuesday at a [House Armed Services Committee hearing](#) on the role of the commander in sexual assault.

“Some heads should roll on this,” he said. “This has been in effect for almost four years now.”

Sen. McSally has ideas about preventing sexual assaults at service academies

By Meghann Myers

Army Times, April 4, 2019



The military creates an environment that can lead to sexual assault, Sen. Martha McSally, R-Ariz., said at a leaders' event focused on preventing sexual misconduct. Here, the former Air Force pilot is shown in December. (Matt York/AP)

There are a handful of reasons that [Sen. Martha McSally](#), R-Ariz., joined the Air Force. A debt-free college education, to make her late father proud, to channel her “feistiness,” she said — but also, to put the sexual advances by a high school track coach behind her.

Now, since she publicly shared it in a March Senate Armed Services Committee hearing, we know that America’s first female fighter pilot to fly in combat and the first female squadron commander also faced [sexual misconduct while serving](#).

“For me, little did I know as I went off to the military that I would have similar experiences there,” she said Thursday at the Naval Academy, in a speech at the inaugural [National Discussion on Sexual Assault and Sexual Harassment](#) at America’s College, Universities and Services Academies.

“I didn’t plan to do this, but I certainly didn’t plan to be raped, either,” she added.

McSally addressed superintendents from the three service academies, as well as service chiefs and their top enlisted advisers, representatives from more than 100 colleges and universities and more from research, academia and the non-profit world.

“While I’m excited to be here ... I’m not happy to be here,” Navy Secretary Richard Spencer told the audience. “I’m frustrated to be here. And I’m concerned about the ongoing scourge of sexual assault and sexual harassment.”

A recent study of service academies found that cadets and midshipmen are overall trusting in their leadership to address and hold accountable instances of [sexual harassment](#), Army Secretary Mark Esper said in his remarks.

“While leadership is necessary, it is not sufficient,” he added. “That same study found that cadets lack confidence that their peers are doing enough to prevent this problem.”

“Lord of the Flies”

Sexual harassment and assault are not only pervasive in the military and on college campuses, experts said in panels throughout the day, but in American communities at large.

“But we expect the military to be better, right?” McSally said. “What can we do to not have an environment that becomes a petri dish for things like this to happen?”

An alumna of the Air Force Academy, McSally offered that the power dynamic of early military training can pose a problem, where young people are taught to unquestioningly follow the commands of the men and women in charge of them — a ripe opportunity for abuse.

Student leadership at service academies is a prime example, she said.

<https://www.armytimes.com/news/your-army/2019/04/04/sen-mcsally-has-ideas-about-preventing-sexual-assaults-at-service-academies>

“But then we put 19-year-olds in charge of 18-year-olds, and then the adults leave for the weekend,” she said. “It’s like the ‘Lord of the Flies!’ ”

Her suggestion would be to leave the power with officers and noncommissioned officers, she said.

“I take her point,” Air Force Secretary Heather Wilson told reporters. “We are developing young leaders. Those leaders need supervision themselves.”

Teenagers will continue to lead teenagers, Spencer said.

“That being said, there’s a lot that we can do to make sure that they have the tools that they need to do this properly,” he said.

And that approach, Esper added, can be applied in enhanced sexual assault prevention and response training for peer leaders, on top of the mandatory training everyone receives.

“If you can empower those peer leaders, that will give you a lot better return on investment, rather than trying to spread peanut butter across the entire student body,” he said.

“Taking it seriously”

Soon after taking the helm at the University of Alaska, James Johnsen was faced with a public relations dilemma: The Education Department’s civil rights office was auditing their 16 campuses, and the findings were not stellar.

He chose to get ahead of any announcement of their conclusions, he said, bringing in a crisis communications team to come up with a strategy to share the findings with the public.

To brush up on campus sexual assault, he watched “The Hunting Ground,” a 2015 documentary on just that.

“There were interviews of maybe a dozen or so university presidents, and they were all in their finery, in their offices, talking about how they take this issue ‘very seriously,’ ” Johnsen said. “Then after one, it would say — I’m going to make up a number — of 190 cases, no expulsions.”

And then the same one after the other, he added — dozens, hundreds of cases, but no expulsions.

“I learned not to say the following sentence: We take this issue very, very seriously,” he said.

It’s the same language that military leaders use when an issue arises, and those same statements have been given countless times in response to a sexual assault allegation or study findings.

Still, leaders are hoping that by teaming up with universities and other experts to share data and best practices, they can produce more concrete results.

“I would tell you, something new? It’s making sure we all understand this. Stewardship is an important part of this,” Lt. Gen. Darryl Williams, superintendent of the United States Military Academy, told Military Times. “I’ll speak for West Point — the cadets have to own this.”

Cadets from the Air Force Academy and West Point, as well as Naval Academy midshipmen, were also in attendance, Naval Academy superintendent Vice Adm. Ted Carter confirmed.

“Being responsible and being good to each other, being good teammates, and treating each other like brothers and sisters is very important,” Williams said.

The service secretaries are also taking back lessons from the conference, they said.

<https://www.armytimes.com/news/your-army/2019/04/04/sen-mcsally-has-ideas-about-preventing-sexual-assaults-at-service-academies>

“Something, I think, to take home was Jackson Katz,” Spencer said. “He hit something — I had a brilliant light over my head — I went, ‘Oh my god, it sounds so simple,’ but that is a root cause fix right there.”

Katz, creator of a gender violence prevention and education program called Mentors in Violence Prevention, presented a challenge to men to become leading voices in sexual assault and harassment prevention.

He also called for a frank discussion about the fact that men are the leading perpetrators of sexual violence, both against women and other men.

“It’s time for male leadership, men, to stand up and address this, also,” Spencer said. “It was — I won’t say a brilliant flash of the obvious — but something that we can look at and take back.”