

OPERATION UNIFIED RESPONSE: JAG CORPS IN HAITI
COMBATING PIRACY OFF THE HORN OF AFRICA

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Sea to Shore

Making a Difference Around the Globe

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ON THE FRONT COVER

Sailors assigned to USS Normandy (CG 60), unload humanitarian relief supplies to a village on the island of La Gonave, Haiti. Normandy conducted humanitarian and disaster relief operations as part of Operation Unified Response after a 7.0 magnitude earthquake Jan. 12. Find out more on page 6.

Update from JAG Magazine. In the first edition for 2010 we published an article on Physical Disability Evaluation System that stated "the 2008 Act (2008 National Defense Authorization Act) now requires that lawyers be available early in the process." To clarify, in Enclosure 8 to the DOD Memorandum on Implementing Disability-Related Provision of the Act of 2008, paragraph E8.2. Legal Advice and Representation: E8.2.1. "Government legal counsel shall be available to consult (by telephone or otherwise) with a Service member regarding the Service member's rights and elections following the Service member's receipt of the decision of an Informal Physical Evaluation Board (IPEB). Military Departments may make legal counsel available to respond to inquiries by Service members earlier than receipt of the IPEB decision." The JAG Magazine staff regrets the misstatement.

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JUDGE ADVOCATE GENERAL

Not Your Average Law Firm

The phrase “A Global Force For Good” is truly embodied in our Corps. Not many law firms can say that, but we can. From the legal assistance that we provide our Sailors and their families to the operational work overseas in places like Afghanistan, Iraq, and Horn of Africa; our professionalism and legal skills are in high demand. The unique services provided by our Corps are essential to the Navy’s mission across the globe. RADM DeRenzi and I are incredibly proud of the outstanding work done everyday to help fellow American citizens and citizens of the world.



In this issue we offer a series of articles from members of our Corps who have been essential members of joint and international operational and strategic commands across the globe. From deterring sea piracy to providing disaster relief, they have provided superb legal solutions to their clients.

Humanitarian Relief in Haiti

Within days of the earthquake that caused catastrophic damage in Haiti, Navy ships were off the coast of Haiti. Several members of our community participated in the humanitarian assistance and disaster relief. In this issue, LT Benjamin Sandel, LT Billy Holt, LT Stephen Rosenlund, and LT John Konst, and LN1 Rachel Allen share their stories of the relief effort.

Combating Piracy of the Horn of Africa

In January 2009, Combined Task Force (CTF) 151 was established with a specific mandate to deter, disrupt, and suppress piracy in the volatile Horn of Africa region. LT Janelle Kuroda provides a glimpse of life as the CTF 151 staff judge advocate, where she provided counter-piracy guidance to seven coalition navies in the Gulf of Aden and the Somali Basin.


Law and Order in Iraq

In Iraq, judge advocates provide legal advice and support on issues related to detainee operations, international law, law of armed conflict, and military justice. LT Jonathan Blazek shares his experience mentoring twenty-five Iraqi lawyers and their staff at Joint Security Station Shield, the home of the Law and Order Task Force in Iraq.

Peace and Security in Afghanistan

In Afghanistan, Active and Reserve Navy and Marine Corps judge advocates and legalmen work with NATO forces who are working to provide a safe and secure environment throughout the whole of Afghanistan and to help reconstruct the Afghan security and defense sectors. In this issue you will read about the contributions by our legal personnel assigned throughout Afghanistan to the counter-insurgency fight. In addition, CDR Kimberlie Young shares her work as the deputy gender advisor, responsible for the implementation of United Nations Security Council Resolution 1325.

I hope you enjoy reading about our JAG Corps Community and its work around the world. Thanks to all who have volunteered for these vital assignments - assignments that made a difference around the world. It is a tremendous privilege to lead such a talented and dedicated community.


JAMES W. HOUCK
VADM, JAGC, U.S. Navy

JAG MAGAZINE

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Life in the *Red* Zone

By *LT Jonathan Blazek*
Law and Order Task Force Iraq

Joint Security Station (JSS) Shield is the home of the Law and Order Task Force (LAOTF), my current command in Iraq. It is a stone's throw away from Sadr City, one of the most dangerous districts of Baghdad. All of JSS Shield's roads are gravel and most are lined by twelve-foot high concrete T-walls. JSS Shield does not have a USO and mail only comes once a week. But I would not trade my temporary home at the LAOTF for any other in Iraq.

Like all service members in Iraq, the majority of my time is spent at work. The typical work week is six-and-a-half days a week with one full day off a month. Working hours are generally from 0730 to 2030. As office demands ebb and flow, so do the working hours. I have spent many days pushing transfer requests and acquiring detention orders into the early hours of the morning. While this might sound intense, the work I do is so integral to the mission that it provides motivation. Having a great assignment certainly helps and I feel that mine is one of the most interesting among judge advocate assignments in Iraq. I have two primary roles at JSS Shield: advisor to the Defense Bar Initiative and Joint Investigative Committee (JIC) team coordinator. Both jobs can be frustrating at times, but both are also tremendously rewarding.

As advisor to the Defense Bar Initiative, I help manage and mentor twenty-five Iraqi lawyers and their staff who

comprise the Baghdad Legal Defense Clinic. This clinic was established in order to help Iraq's legal system process the thousands of detainees currently awaiting trial. Due to a lack of judicial capacity and a damaged legal infrastructure, the government of Iraq is challenged to process these detainees.

The mission of the Defense Bar Initiative can be difficult as legal and cultural differences abound and there is a lack of technological resources. For example, a relatively new law prohibits the use of a coerced confession in court. In the past, these confessions could be used under certain circumstances. When explaining this change to one of the defense attorneys at the clinic, he replied, "But how else are you going to get someone to confess to killing four people?" He had not heard of the new law, as there is no Iraqi equivalent of Westlaw or LexisNexis online. Even if there were similar electronic search engines, few attorneys or judges have computers that would enable them to utilize such resources. In a country still struggling to provide power to its entire people, high speed Internet takes a back seat to other issues.

Many of the cultural differences are ones I have grown to enjoy and may even take back with me to the states. For instance, every meeting begins with a cup of hot chai and small talk. At first, having just completed training at Fort Jackson where all activities were conducted at "combat speed," I felt that such down time could be better directed. I came to understand the importance

of such casual conversations in the Iraqi culture and I look forward to my daily cup of sugary tea.

In my other role as JIC team coordinator, I help support Special Forces in their prosecution of cases against alleged terrorists. JIC teams are responsible for bringing cases to trial and obtaining warrants for targets. A JIC team consists of one judge advocate, one master-at-arms chief petty officer (MAC), an interpreter, an Iraqi investigative judge, an Iraqi prosecutor, and Iraqi investigators. The judge advocate works with the MAC, interpreters, and investigators to put packets before the judge to obtain arrest warrants, detention orders, and, ultimately, orders from an investigative judge referring the case to trial.

Working with the JIC team has given me the opportunity to see the entire Iraqi



LT Jonathan Blazek is assigned to the Law and Order Task Force in Iraq.

legal process from the inside. The Iraqi civil law system is very different from the one to which we are accustomed. Their system is non-adversarial, with an investigative judge playing a more active role in the process than our judges. In fact, the prosecutor and defense attorney are generally silent during the entire investigative hearing as the judge questions the defendant. However, some things are the same in both Iraq and the U.S.; I now know that it is just as unpleasant getting yelled at by a judge in Arabic as it is in English.

The JIC Teams and the Legal Defense Clinic are responsible for two of the three primary missions of LAOTF. The third is performed by the Judicial Throughput Team. The Judicial Throughput Team officer is the LAOTF liaison to the Deputy General of the Rusafa Detention Center. The team officer works closely with that center's records office to ensure the efficient processing of detainees through the detention facility.

The Defense Clinic, Judicial Throughput, and the JIC teams share a common mission: to help build the capacity for transparent, impartial, and independent criminal investigation and trials in Iraq. Some days we make great strides, while others feel as if we are only inching towards our goal. But every inch brings us closer to a stronger, more stable Iraq.

The base amenities offer one thing that is almost unheard of for a junior lieutenant in Iraq - a wet Containerized Housing Unit (CHU). Our CHUs are the best in Iraq. Whereas on most bases junior officers often share a room and use a community bathroom/shower, I have my own room, shower, and latrine. There is also a 24-hour gym.

If you decide to do an individual augmentee, I strongly recommend you consider joining LAOTF. Nowhere else will you find a job that relies as heavily on daily interaction with Iraqi lawyers, judges, and government officials. I am sure that you will find this job as rewarding as I have. 🌟

LT Jonathan Blazek is a judge advocate assigned to Law and Order Task Force Iraq.

DEPUTY JUDGE ADVOCATE GENERAL

We in the JAG Corps are focused on providing superb solutions and service to our clients wherever and whenever required. I consistently receive extremely positive feedback on the intellect, creativity, and dedication you bring to bear on your duties. You are flexible and adaptable, and you manifest the determination to overcome every challenge to get the job done. A primary responsibility VADM Houck and I share, is providing you training and opportunities for professional growth so that you may continue to serve our clients so very well.



Along those lines, we've initiated the Legalman Paralegal Education Program (LPEP) to provide our Legalmen the training and education they need to do the jobs we need them to do. In addition, the Naval Justice School developed a comprehensive 52-week Legalman proficiency training plan to maintain a baseline for professional development. This plan will provide training material to every LN fleet-wide on a weekly basis. It's vital to LPEP's success that we recognize the capabilities of our Legalmen and challenge them with paralegal work.

Our clients continue to benefit from our officer corps' post-graduate education. This specialized education allows our judge advocates to concentrate in areas of law vital to the Navy. We've expanded our post-graduate school agreements with several institutions, to include Harvard, Colombia, and the University of Pennsylvania.

As you will read in this issue, VADM Houck and I recently approved the charter for the Civilian Workforce Advisory Group (CWAG), comprised of 8-10 civilians from across our JAG Corps. The CWAG will meet quarterly to discuss issues of importance to our civilians and raise them with JAGC leadership. Look for more information on this in the coming months.

The JAG Corps also capitalized on several Navy initiatives designed to help you better integrate the needs of your work and your life. First, the telework policy has been expanded to all of OJAG and NLSC, allowing our people the flexibility to work from home. In addition, the Chief of Naval Personnel approved the Navy Total Force Domain Virtual Command Pilot Program, to include two OJAG billets - an O-6 billet located within NLSC and an O-5 billet in the Administrative Law Division (Code 13). Finally, we recently implemented a flex hour policy that allows commands to set core hours and then stagger support at other times to allow you to meet demands at home and at work.

I look forward to seeing you in the Fleet and hearing your feedback on these programs. Until then, thank you so very much for all that you do to support the Navy, our Sailors and their families. I couldn't be more proud of you.

A handwritten signature in black ink, appearing to read 'N. DeRenzi', written in a cursive style.

NANETTE M. DeRENZI
RADM, JAGC, U.S. Navy

OPERATION UNIFIED RESPONSE

Navy judge advocates assist in Haiti

On Jan. 12, a 7.0 magnitude earthquake occurred with an epicenter 14 miles southwest of Port-au-Prince, Haiti. It caused catastrophic damage and devastation to one of the poorest nations in the western hemisphere. The tragedy led to an international humanitarian relief response, called Operation Unified Response in the United States. Within hours, the U.S. Navy became a pivotal part of our nation's response, providing humanitarian assistance and disaster relief.

The U.S. response was coordinated through the State Department and involved the U.S. military, non-governmental organizations (NGOs) and international relief agencies. Within days of the earthquake, Navy ships, including the carrier *USS Carl Vinson* (CVN 70), the amphibious assault ship *USS Bataan* (LHD 5), and the hospital ship *USNS Comfort* (T-AH-20) were off the coast of Haiti. Several Navy JAG Corps members participated in the Operation Unified Response relief effort. These are a few of their stories.

LT Benjamin Sandel

***USS Carl Vinson* (CVN 70)**

The morning we arrived off the coast of Haiti, the first thing I noticed was how heavy and muggy the air was – my first physical evidence that we were, indeed, in the tropics. Walking out through the open doors of the ship's hangar bay, I could see only a distant, hazy, smoke-filled picture of Port-au-Prince. Throughout our stay in Haiti, this was the most common scene from the ship, haze and smoke. Occasionally it would clear enough to see the city in the distance.

I wouldn't venture to say there was "excitement" in the air. After all, we were diving head-first into extreme human tragedy. Perhaps it was more of an anxious energy. Why anxious? *USS Carl Vinson* and her crew had spent the last four years in the shipyards while the ship was refueled and refitted. Now, after four long years, *USS Carl Vinson's* Sailors were not training, drilling, practicing, or working on a perpetually stationary ship, but doing, and by order of the Commander in Chief, no less!

A general call went out for volunteers. Hundreds signed up. The strike group admiral took a helicopter into the city. Ship's department heads also went in to assess the situation. Immediately thereafter, helicopters laden with supplies, mostly crates of water, started leaving the deck of the ship.

Operation Unified Response continued on page 8





LCDR Jason Levy (far right), staff judge advocate for Carrier Strike Group ONE, interviews Sailors in Isle de la Gonave, Haiti during a foreign claims investigation.

Over the next few days, *USS Carl Vinson's* mission became clearer as information came in from the city. Machinists on board crafted large water jug-filling stations. Thousands and thousands of empty water jugs were flown in. Everyone pitched in wherever they could, filling water jugs, working late hours on aircraft and on the flight deck, volunteering to load or unload aircraft on shore, and so many other endless, unheralded, and often mundane tasks involved in such an operation.

The work quickly fell into a pattern. All through the night, Navy planes from Naval Station Guantanamo Bay, Cuba would fly supplies to the Port-au-Prince airport. Every morning, our contingent of helicopters would leave the ship, headed for the airport staging area loaded with water, supplies, and volunteer working parties. When the helicopters arrived at the airport, they would drop off working parties, reconfigure their loads, and fly to a designated landing zone. Once they dropped off those supplies, they would go back to the airport, load up again with supplies brought in by the planes, and head out to another landing zone. They repeated this process through most of the day. As evening approached, the planes from Cuba continued to fly in, while the choppers would head back to the ship. Once all aircraft were secure on board, the ship would leave the congested bay and head for less crowded open water. In the morning, steaming back into the bay, the process would start all over again.

My description of our time in Haiti is painted with a broad brush and very generalized. There were some people and departments on board that distinguished themselves greatly, such as the medical department and the supply department; but for the most part, Sailors on the *USS Carl Vinson* did the work of unsung heroes. Day after day, they worked extra hours, were tasked with extra duties, and even took on jobs that were outside of their areas of expertise.

USS Carl Vinson left Haiti in the beginning of February, leaving behind two amphibious readiness ships, each with its contingent of a few thousand Marines, landing craft, and extended flight decks. We also left behind the hospital ship *USNS Comfort*, with hundreds of beds and full medical staff, and numerous other U.S. Navy and Coast Guard vessels, not to mention those from other countries. By the time we pulled out of Haitian waters, *USS Carl Vinson* had delivered 161.5 tons of food, 18

tons of medical supplies, taken 60 patients into our medical ward, flown 2,200 sorties, delivered 87,200 gallons of water, and flown 435 medical evacuation missions.

LT Billy Holt

USS Bataan (LHD 5)

Upon immediate arrival off the coast of Haiti, Navy and Marine Corps helicopters began the seemingly endless task of delivering injured Haitians from improvised landing zones ashore to *USS Bataan* for medical treatment. At that point in our operations the commanders had not yet instituted the policy that no minor patients could be brought aboard without a parent or guardian. As a result, we were left with several children in our custody and little to no information available to assist us in returning them to their families.

Due to the human trafficking concerns that prevail in Haiti, the medical department requested my assistance. I wanted to ensure that the transfer of child custody follow proper legal procedure. It did not take long for me to real-

ize that the innocent sounding question of: "what is the legal procedure for repatriating these kids" actually meant: "will you take care of this for us?"

Our first child to be repatriated was a nine-year-old girl named Estephany. Estephany suffered injuries to her hip during the earthquake. As we prepared to bring her back to Haiti, we quickly realized reuniting her with her family would be difficult, if not impossible. She could not remember anything about her parents aside from their names. She knew she lived in Carrefour, a city of 400,000, but could



Judge Advocate LT Billy Holt (left) helped nine-year-old Robinson (center) find his family again after Robinson was treated onboard *USS Bataan*. Also pictured are Maj Tom Jasper, Robinson's father, and CDR Christine Johnson.

not provide more specifics as to her family's location. While Estephany informed that she saw her parents after the earthquake, we had no way to confirm whether they were still alive and in Carrefour two weeks later.

The guidance provided by the Joint Task Force in charge of U.S. operations in Haiti was to transfer custody of Estephany to the Government of Haiti. After considerable legwork tracking down the appropriate points of contact, we came up with a plan to transfer custody to the Police Commissioner for the Brigade for Protection of Minors (the Haitian equivalent of Child Protective Services). Unfortunately, the Government of Haiti was responsible for tens of thousands of recently orphaned and misplaced children and had just begun the enormous task of finding parents and reuniting separated families. After transferring custody of Estephany, I anxiously monitored her situation with the Government of Haiti. I was extremely disap-

pointed that its attempts to locate Estephany's family were unsuccessful. I felt as though we had let this child down.

When the second child was ready to be discharged, I was determined to find a different solution. Our second unaccompanied child was a nine-year-old boy named Robinson. Robinson suffered injuries to his shoulder and hand during the earthquake.

I knew that I would need the assistance of many to succeed in my mission of reuniting Robinson with his family. With the help of Marine Corps Maj Thomas Jasper (my green counterpart aboard *USS Bataan* – the staff judge advocate for 22d Marine Expeditionary Unit), I interviewed Robinson extensively to gain as much information as I could about his home and his family. Combining the facts I gathered during the interview with photographs of Robinson, I assembled a flyer to distribute around Robinson's hometown. SSgt Pierre, a Marine Corps Creole translator who lived in Carrefour as a child, helped me locate Robinson's family. We took photos of the family and then brought them back to the ship to show to Robinson to confirm we had the right individuals. We were very confident that we did because his sisters and father looked just like him.

The next day we brought Robinson, armed with a huge bag full of gifts donated by the Sailors and Marines aboard *USS Bataan*, to the landing zone in Carrefour and reunited him with his father. It was deeply moving to see the relief and excitement on Robinson's father's face when he saw his son. He expressed tremendous gratitude for the medical treatment his son received aboard *USS Bataan*.

In an incredible twist of fate, when SSgt Pierre went to retrieve Robinson's family for the reunion, he was approached by a man who insisted the U.S. had taken his sister on a helicopter as well. He showed SSgt Pierre a picture of his sister. SSgt Pierre took a photograph of the man and the picture he was holding, and recorded his contact information. When I saw the picture I could not believe it – it was Estephany!

After the joyful reunion between Robinson and his family, I rushed back to the ship and immediately contacted the Government of Haiti. I sent them the photos and contact information for Estephany's brother and urged them to quickly confirm with Estephany that this was her brother. Upon Estephany's confirmation that we had, in fact, found her brother, we were able to reunite her with her family at long last.

I still cannot believe how well things worked out. I am truly grateful for the opportunity to be part of this mission and to see how many people our Sailors and Marines are helping everyday.

LT Stephen Rosenlund ***USS Nassau (LHA-4)***

I worked a variety of issues, including claims, disposition of medical patients, rules of engagement, international agreements, and immigration. Much of the work was preventative – researching the issues, briefing the commanders and Sailors and Marines going ashore, and making sure we were prepared for any challenges that might come our way.

In order to settle some claims that arose from damage caused by one of our aircraft, I went ashore. My Marine Corps counterpart and I flew via VH-22 Opsrey to Anse D' Hainault, a small town on the western edge of the southern claw of Haiti. We landed in a cow pasture and walked the 2km or so to the village, where we met with the mayor who took us to see the affected residents. After investigating the damages, we met individually with each claimant and reached an appropriate settlement to compensate for their losses. We were able to demonstrate to the whole community that America rights its wrongs and respects the people of Haiti.

Haiti is a very beautiful country. The people are full of life, despite their difficult circumstances, and were very friendly to us. The sound of Haiti I'll remember is that of women singing spontaneously, whether they were walking down the street or just sitting in their homes.

Everyone wanted to pitch in and help the people of Haiti in a tangible

way, and I was no different. We cared for several patients with a variety of injuries during our time in Haiti; but I will never forget the one-week-old infant who arrived in our medical ward in a cardboard box marked "Baby inside. Do not throw away." We cared for her, and ultimately, the child's mother was found. She was flown to the ship, and they were reunited. Having the patients onboard brought the suffering in Haiti close to home for us, quite literally, but it was rewarding to be able to help.

LT John Konst ***USNS Comfort (T-AH 20)***

This mission altered my perspective on many things. I have a greater respect for what military operations can accomplish in a short period of time. I have a greater appreciation for the capabilities of the military medical system. Where but in the military can you assemble a group of 900 plus individuals, most of whom are complete strangers to one another, and three days later create a fully functional floating hospital able to provide state-of-the-art medical care off the coast of any location in the world?

I helped assemble a five-person legal team to ensure everyone was mission-ready and operating within proper parameters. The legal team contained superstars who were willing and able to take on duties outside their normal legalman responsibilities including power of attorney/



LT Stephen Rosenlund traveled to Anse D'Hainault to conduct an investigation and settle of claims arising from damage by a U.S. aircraft.

LN1 Rachel Allen takes time out with some local children at an orphanage in Grand Cove, Haiti.

Mission Ashore:

Legalman Provides Aid in Haiti

By LN1 Rachel Allen
USS Bataan (LHD 5)

The moment I saw the evening news reporting the earthquake, I told my husband to prepare himself because I was probably going to Haiti. It didn't matter that *USS Bataan* (LHD 5) had returned from a seven-month deployment only 35 days before the earthquake hit. It also didn't matter that we were scheduled to enter the shipyards for a major overhaul. The only thing that mattered at that moment was the crisis in one of the world's poorest countries, the full impact of which wouldn't be known for several days.

The Navy is built to provide relief in exactly these circumstances. With the capacity to handle up to 600 medical evacuees and the ability to reach shore quickly via landing craft

air cushion (LCAC) or helicopter, our ship regularly trains for humanitarian assistance and disaster relief operations such as this. So as I expected, exactly 48 hours after the quake hit, *USS Bataan* and her crew set sail to provide aid.

A few days later, I was on watch on the bridge as the fire control officer when the first mass casualty was called away over the IMC. Confusion ensued when we were told that our first four patients were inbound, which became four helicopters full of patients. Within minutes, our medical triage unit was pushed to capacity. Patients were arriving constantly with injuries ranging from fractures and head injuries to amputations and severe dehydration. It was during that mass casualty when the crew started to realize and appreciate fully why we were in Haiti.

The following morning, I stirred briefly as reveille was called at 0600 before drifting back to sleep. At 0603, I woke again with a



Children from a local orphanage run to greet *USS Bataan* Sailors as they deliver toys.

jolt. The entire ship began to vibrate violently for about 15 seconds. I quickly jumped out of my rack, certain we had just run aground. I kept waiting for alarms to sound, but nothing came. Twenty minutes later, the commanding officer announced that preliminary reports indicated that the vibration was a magnitude 6.0 aftershock. Troops ashore reported feeling the aftershock, as did Sailors on the *USS Carl Vinson*, which was 36 miles away. The captain admitted that, even in his long career, he had never experienced anything quite like it. Feeling the impact of the aftershock on the ship is one of the most unnerving experiences I've had since entering the Navy. We continued to feel smaller aftershocks frequently over the next week.

The first Saturday after we arrived on station, we held our traditional "Saturday Night Alive" karaoke festivities on the messdecks. This had become a highlight for much of the crew during deployment and, with the high operational tempo and long working hours everyone had endured since leaving for Haiti, it was again a much-needed respite. Normally, medical evacuees are confined to the medical ward. But knowing they needed their spirits uplifted just as much as the crew, CAPT Samuel Howard, the commanding officer, authorized the ambulatory patients to join us. Most just watched, but a few shared a song or words of hope and encouragement. We closed the show with CAPT Howard, a few local nationals, and much of the crew dancing to the "Electric Slide." Watching the smiles light up their faces was the highlight of the evening.

After interacting with the local nationals that first Saturday night, one of my shipmates, a native of Haiti, asked me what more we could do to help. I was aware of the usual limits on fundraising, but I hoped there was an exception to the rule. I conferred with LT Billy Holt, the embarked judge advocate for Commander, Amphibious Squadron SIX, and he informed me that Operation Unified Response was granted an exception and fundraisers were authorized. With a group of other first class petty officers in my department, I organized the *USS Bataan* Operation Unified Response Fundraiser. In five days, we collected over \$5,700 from the crew in support of the relief effort.

Raising that amount of money in such a short time was remarkable, but I was still aching to do more. Finally, we were authorized to conduct Sailors Ashore Missions

(SAMs). This was our chance to finally get "boots on the ground." Our missions were primarily conducted in the town of Grand Goave, just south of Port-au-Prince. When we first started our SAMs, the town was in dire straits. It was difficult to even march into town due to the catastrophic damage. There was rubble everywhere, partially destroyed buildings, and people living in the streets for fear of their homes collapsing. After four short weeks, the crew of *USS Bataan* started making an impact. We removed 150 tons of rubble, built 65 shelters for 130 families, and passed out more than 500,000 meals.

The most rewarding part of the SAMs was the direct interaction with the people of Haiti. In the early days, most of the Haitians stood by and watched as we performed the work. Soon, they started gaining the courage and will to begin helping themselves. Each day as we marched through the town, we saw people cleaning the areas around their homes. While we were constructing shelters, the men and some of the children came to help us. Soon, they were building them on their own. Watching them gain their independence again was one of the most encouraging signs that things were getting better.

The last day I went into town, we delivered toys and clothes to the orphanages. This was the most emotional day of the deployment for me. During our time in town, the only "toys" we had seen

were makeshift ones the children had made out of trash. When we dumped two seabags full of stuffed animals onto a bed in the orphanage, the children just stood politely with their hands behind their backs. I could see the excitement in their eyes, but they waited for permission to take a toy. Once permission was granted, the orphanage was filled with sounds of laughter and joy, unlike anything I had heard since I arrived.

Ultimately, the thing I will take away from this experience is hope. I was able to see firsthand the devastation and destruction that these people lived with daily. But I also was struck by their resiliency and strength, unlike anything I have ever personally witnessed before. Even in the worst of times, the Haitian people embodied the true character of humanity. 🙏

LN1 Rachel Allen is a legalman attached to the *USS Bataan*. She joined the Navy in 2002 and was a finalist for the JAG Corps 2009 Legalman of the Year award.



LN1 Rachel Allen and other *USS Bataan* Sailors remove rubble from the Lifeline Mission in Grand Goave, Haiti.

Combating Piracy off the Horn of Africa

By LT Janelle Kuroda
Legal Assistance (Code 16)



Four bells ring out over the IMC. “Reveille, reveille, reveille. All hands heave out and trice up. Reveille.” Another day begins in the Gulf of Aden. I try to stretch my arms, but they hit the rack above me and I’m reminded that I’m at sea. The gentle rocking of the ship begs me to linger in my rack a little longer. However, I know we’re now at the most dangerous part of the day – the pirates normally strike in the early morning. I wash up and head to the Combat Information Center. Moments later, the Tactical Action Officer (TAO) makes an announcement over the IMC:

“*USS Anzio*, this is the TAO with a situational update: we’ve just received a distress call from a merchant vessel 80 nautical miles away, reporting two suspicious skiffs shadowing her. *Anzio* is coming to full power and closing the position. Now set: Counter-Piracy Condition Bravo.”

The engines rev up and the ship surges forward. My adrenaline rushes. I grab my cover and head up to the bridge.

On the bridge, I am briefed by the officer of the deck. It appears that pirates are about to attack a merchant vessel. The master is following instructions to deter the suspected pirates, but he is worried about the safety of his crew, who could be held hostage for months if his vessel is successfully captured. I discuss the legal implications with RDML Scott Sanders, the task force commander, and CAPT Frank Olmo, *USS Anzio*’s commanding officer. Another Combined Task Force (CTF) 151 warship, the Republic of Korea Ship (ROKS) Dae Jo Yeong, is closer to the merchant vessel than we are and can arrive on scene more quickly. CTF 151 is a multinational task force responsible for counter-piracy operations in and around the Gulf of Aden, Arabian Sea, Indian Ocean, and Red Sea.

RDML Sanders directs the ROKS Dae Jo Yeong to close in on the suspected pirates and I advise him on the rules of engagement. After a successful boarding of the pirate vessel by the ROKS Dae Jo Yeong, the suspected pirates are captured and their weapons are destroyed.

Fueled by instability in Somalia, piracy flourishes where the local economy offers little else. In response to a request for assistance from the Transitional Federal Government in Somalia, the United Nations (UN) issued several UN Security Council Resolutions that allow warships to suppress and deter piracy and armed robbery on the high seas as well as in Somali territorial waters. Once captured, suspected pirates can be prosecuted in the country of the victim merchant vessel, the capturing warship’s country, or in countries such as Kenya and the Seychelles who have agreed to prosecute suspected pirates in their courts.

As the CTF 151 staff judge advocate, I reviewed rules of engagement and provided

counsel on the implementation of counter-piracy guidance to seven coalition navies. In order to coordinate the safety of merchant vessels, face-to-face meetings are held between coalition vessels and vessels from independent nations to ensure the most effective use of patrol assets. In addition to CTF 151, warships from the European Union, the North Atlantic Treaty Organization, and a variety of other independent nations such as Japan, China, Russia, and India combat piracy in the 1.1 million square miles of water in the Gulf of Aden and the Somali Basin. This collaboration at sea has been successful, as less than .001 percent of transiting ships become victims of piracy. While the number of piracy attempts has increased over the past year, the number of successful attacks has decreased by 40 percent over the same time.

The final four bells of the day ring out over the IMC. “Taps, taps, lights out. All hands turn in to your racks and maintain silence about the deck. Taps.” Today was a successful day in the fight against piracy, but at sea the work never ceases and we’re back on patrol. I’m proud to be a part of an exciting mission, sailing the seas onboard the *USS Anzio*, dedicated to honoring the freedom won on the *Anzio* beachhead by preserving the freedom of merchant vessels and their crews to safely sail the seas.

In view of the threat to international security posed by piracy off the African coast, VADM Harry B. Harris, Jr., Commander, U.S. Sixth Fleet and Commander, Striking and Support Forces NATO, was asked for his perspective.

“Piracy,” he said, “is a threat to global maritime security. It is an international problem which demands an international solution built on partnership and collaboration. In January 2009, the Commander, U.S. Fifth Fleet in Bahrain, in his capacity as the commander of the Combined Maritime Forces, established CTF 151 with a specific man-

date to deter, disrupt, and suppress piracy in the volatile Horn of Africa region. CTF 151’s counter-piracy operations have had a significant impact.”

LT Janelle Kuroda served as the staff judge advocate for Combined Task Force 151 onboard the *USS Anzio* from August to October 2009.



USS Anzio’s “visit, board, search, and seizure” team during an inspection of a skiff that was smuggling four tons of hashish. LT Janelle Kuroda provided the team with rules of engagement.

Making a Difference

Navy judge advocates and legalmen excel in the counter-insurgency fight

By: CDR Scott Thompson

Military Personnel (Code 61)

Contributors: CAPT Greg Belanger, LCDR Mike Adams, LCDR Mike Lawrence, LCDR Sylvaine Wong, Maj. Elizabeth Harvey

Active and Reserve Navy and Marine Corps judge advocates and legalmen are assigned throughout Afghanistan, with opportunities to deploy expected to increase over the next six to twelve months. The versatility and initiative of these Sailors and Marines have allowed them to make significant contributions to the counter-insurgency fight, often in roles very different from traditional Navy work. COL Rich Gross, the staff judge advocate, for the International Security Assistance Force (ISAF), is a firm believer in the value of having lawyers and paralegals from each of the services on his team. "It's critical to have a joint legal team here in this complex combat environment -- judge advocates from the different services bring different perspectives, skill sets, and experiences to the fight, and it makes the joint legal team much more effective than one dominated by a single service."

In his December 2009 speech at West Point, President Obama announced a troop increase that, over the next year to eighteen months, will provide "the resources that we need to seize the initiative, while building the Afghan capacity that can allow for a responsible transition of our forces out of Afghanistan." Judge advocates and legalmen are actively and integrally engaged in every facet of this mission.

Tip of the spear: Navy lawyers on the cutting edge of NATO operations

Deputy Legal Advisor to ISAF Joint Command LCDR Mike Adams has plenty of experience in Afghanistan, having deployed here on five previous occasions with Naval Special Warfare units. However, his assignment to ISAF Joint Command (IJC) has added a new dimension to his operational law expertise. Led by LTG David "Rod" Rodriguez, IJC oversees the day-to-day operations of coalition forces in Afghanistan. As Deputy Legal Advisor, LCDR Adams helps lead a diverse group of eight coalition lawyers advising LTG Rodriguez, 17 ISAF/NATO general and flag officers, and the IJC staff. LCDR Adams focuses largely on operational law and the rule of law. He has contributed to the development of much of the guidance promulgated to ISAF and Operation

Enduring Freedom forces since September 2009 on rules of engagement, tactical directives, targeting guidance, and rule of law initiatives. Serving on a NATO staff provides unique opportunities to work with legal advisors from other nations, including training the incoming IJC headquarters staff during a two-week exercise in Stavanger, Norway.

LCDR Sylvaine Wong works with lawyers from Great Britain and the Netherlands to advise the British general commanding ISAF Regional Command South, headquartered in Kandahar. As an operational law attorney, she tackles the diverse issues that arise in a multinational environment, including those arising during the planning and execution of Operation Moshtarak, the largest offensive in Afghanistan to date. As the overall operational focus shifts from kinetic operations to population-centric counterinsurgency operations, LCDR Wong and her colleagues have had to tackle new legal questions arising in the areas of biometrics, counternarcotics, reintegration, humanitarian relief, and strategic communications.

Serving in a NATO mission is providing these operational lawyers with skills unique among U.S. judge advocates.

Navy Judge Advocates at the Forefront of Rule of Law Initiatives

As U.S. legal advisors to the Afghan Ministry of Interior Chief of Legal Affairs, CDR Scott Thompson, LCDR Dave Gonzalez, and their team of three Afghan attorneys provide Afghan National Police (ANP) legal advisors the knowledge and skill to begin training Afghan police in the law. Turning non-lawyers into capable legal advisors for the ANP and Afghan Ministry of Interior is a momentous challenge, but the hard work of the many Navy judge advocates that have served in Combined Security Transition Command Afghanistan (CSTC-A) is bearing fruit. As one Afghan police colonel commented, "the law is the soul of the police," and capable legal advisors are critical to building a police force that Afghan citizens can trust and respect.

When LCDR Gonzalez arrived at NATO Training Mission (NTM-A)/CSTC-A last May, the ANP had recently added seven legal offices throughout the country. All seven offices required training and equipment to become fully operational. Building on the excellent foundation set down by their Navy predecessors, CDR Caren McCurdy and CDR Tracy Clark, LCDR Gonzalez and CDR

in Afghanistan



LT John Butler, visiting from Kandahar, prepares for a convoy with CDR Scott Thompson and LCDR Dave Gonzalez in Kabul, Afghanistan.

Thompson launched an aggressive development program that will extend the reach of the ANP legal corps by adding 51 new offices this year.

COL Rick Rousseau, staff judge advocate for NTM-A/CSTC-A, observed that, “as a combined joint office, as well as a NATO legal office, the Navy judge advocates bring skills and a perspective on the rule of law that is often different from an Army or Air Force judge advocate. The adaptability and flexibility of the Navy judge advocates to become a part of the legal team has been seamless.”

In addition, working closely with the U.S. Marshals Service and the U.S. Embassy, LCDR Gonzalez has

spearheaded the expansion of a police unit that provides security to judges in key courts. The judges are better able to render decisions without fear of threats to themselves and their families. Navy judge advocates have been a driving force in bringing this important element of the U.S. Rule of Law Strategy for Afghanistan to life.

Opportunities for judge advocates to contribute to the rule of law in Afghanistan are growing. The Navy was recently asked to lead the development of the Afghan National Army (ANA) Legal School. CDR Trevor Rush will soon report to NTM-A/CSTC-A as the Chief of ANA Legal Training, joined shortly thereafter

by LT Bill Geraty and colleagues from the Army and Air Force JAG Corps. LT Ryan Forbes, LT Mark Rasmussen, LT Jasmine Scott, and LT Rob Singer will arrive in Afghanistan this summer as the first Navy judge advocates assigned to Combined Joint Task Force 82 (CJTF-82) to work with Afghan judges, prosecutors, and other justice officials in Regional Command East. There is no more exciting or interesting job for a young judge advocate right now than helping to build rule of law in the heart of Afghanistan.

Judge advocates are also in high demand at Task Force 435 (TF-435), the new task force responsible for U.S. detention operations in Afghanistan.

Making a Difference continued on page 16

In addition to the care and custody of detainees, TF-435 oversees detainee review processes, programs for the peaceful reintegration of detainees into society, and coordination with other agencies and partners for the promotion of the rule of law in Afghanistan. CAPT Pat McCarthy, staff judge advocate for TF-435, headquartered in Kabul, provides legal advice to the TF-435 commander on the full spectrum of legal issues at the operational and strategic level.

CAPT Greg Belanger is the director of legal operations in Bagram and reports to the TF-435 commander on detainee review board processes. CAPT Belanger and his sixty-three person legal team execute the new detainee review boards under new guidance that provides for a fully informed administrative hearing in every detention case. Under the new rules, detainees have confrontation rights, the right to reasonably available evidence, and representation at the hearings, unprecedented under the law of war. The detainee review boards are on pace to complete more than 2,000 hearings this year. At the same time, TF-435 is partnered with Afghan judges, attorneys general and security directorate investigators to transition national security detentions to Afghanistan under Afghan law. This is a fascinating and exciting opportunity for litigation attorneys and legalmen that want to participate in high profile terrorism and law of war cases involving forensic evidence and live

testimony in a fast paced environment. Serving in TF-435 provides judge advocates an opportunity to participate in a strategic mission that is building rule of law capacity in Afghanistan within an organization that is having a direct and substantial impact every day. In order to be fully staffed, TF-435 needs more volunteers of the highest caliber.

Flexibility and initiative key to mission accomplishment

LCDR Michael Lawrence is paving new ground as the first legal and policy advisor to the Armed Contractor Oversight Directorate at U.S. Forces Afghanistan. When he arrived in Afghanistan, LCDR Lawrence had the advantage, and challenge, of reporting to a position that never existed prior to his arrival. He has literally written the book on legal issues associated with armed contractor oversight in Afghanistan. These contractors are increasingly under scrutiny by the U.S. Congress as well as the Afghan Government. LCDR Lawrence is a key contributor in developing new procedures to gain better oversight over about 24,000 armed contractors operating throughout Afghanistan. Within 24 hours of arriving in country, LCDR Lawrence met with the Committee on Wartime Contracting and days later participated in two days of discussions with the U.S. Government Accountability Office. He engages regularly with officials from the U.S. Department of State, U.S. Agency for International Development (USAID), and the Afghan Government. His important contributions



LCDR Dave Gonzalez, deputy chief of police legal development, and LTC David Flannigan meet with Afghan police legal advisors in their office at Kabul City Police Command. As a result of LCDR Gonzalez and his team of Afghan attorney-trainers' efforts, the Afghan National Police legal advisors in Kabul are now able to train local police in the law without assistance from the international community.

have helped ensure the ability of U.S. and ISAF forces to provide security for supply convoys and bases, even as the Government of Afghanistan seeks to reduce, and eventually eliminate, private security companies.

Other legal professionals from the sea services are providing similarly important service throughout Afghanistan. Marine Corps Maj Elizabeth Harvey is the staff judge advocate for U.S. Forces Afghanistan – South. She advises not only the Deputy Commander but also subordinate commands that lack a legal staff. Maj Harvey explains that to be an effective legal counsel in a joint environment, “I have had to use both my background in Navy and Marine Corps military justice and investigations as well as what I learned at the Army Judge Advocate General Legal Center and School in this job.”

Navy legalmen are having impact in Afghanistan too. LNI Rowena Tolentino is the sole legalman for the 22nd Naval Mobile Construction Battalion (NMCB), but she has also lent her expertise to the 649th Joint Sustainment Command and helped provide legal assistance to the Army garrison on Kandahar Air Field. LNI Tolentino said the difference between Navy and Army paralegals was really highlighted when her Army colleagues commented that Navy legalmen have more responsibility and independence entrusted to them in overseeing the nonjudicial punishment process.

LCDR Kevin Yusman, a mobilized reservist, was assigned to the DoD Criminal Investigation Task Force (CITF) for a period of 12 months. Shortly after reporting to CITF, LCDR Yusman was deployed forward to the detachment in Afghanistan. CITF is responsible for conducting worldwide criminal investigations to substantiate or refute terrorist acts committed against the United States, its people, or its interests. In Afghanistan, CITF focuses on the high-level terrorists, insurgents, and corrupt officials operating within the country’s border. CITF investigations have involved Taliban, Al-Qaeda financiers, other terrorist organizations, narcotic traffickers, and corrupt Afghan government officials. As the Staff Judge Advocate, LCDR Yusman is involved in all levels of the investigations including inception, targeting, and the legal review of the investigation packages. CITF is also heavily involved in the detainee operations process. This aspect allowed LCDR Yusman to witness the transformation of the detainee review board process at internment facilities. In February, in addition to his duties as staff judge advocate, LCDR Yusman assumed the duties as the officer-in-charge of the newly created Detainee Criminal Investigations Detachment (DCID) for TF- 435. Composed of Army, Navy, Air Force, and civilian law enforcement professionals, the DCID is diverse. Located at the new detention facility in Parwan the DCID is responsible for conducting investigations of all detainees and the preparation of investigation reports for the board hearings on each detainee.



LCDR Dave Gonzalez and NTM-A/CSTC-A interpreter Haroon Zeya visit the National Police Academy of Afghanistan.

LCDR Rob Monahan serves as the chief of operational law at NTM-A/CSTC-A. Another example of a Navy judge advocate breaking new ground, LCDR Monahan has helped expand the role of CSTC-A’s operational lawyer beyond just detainee operations. He provides direct support to the command’s operations and intelligence directorates on matters such as international law, the law of armed conflict, rules of engagement, intelligence/information law, and anti-corruption initiatives. He is a key member of a combined interagency working group focused on increasing the effectiveness of Afghan national security prosecutions. LCDR Monahan, reflecting on his experience, believes that Navy attorneys are well-suited to serving on joint staffs. “Navy judge advocates are expected to be versatile and adaptable. They are able to quickly assimilate into the battle rhythm and meet the demands of the mission.”

The high regard for the Navy and Marine Corps legal team is expressed by COL Gross, the senior legal advisor in Afghanistan. “Navy and Marine judge advocates are fully integrated throughout our legal offices, and as I’ve told the Navy JAG, I’ll take as many as he is willing to send -- they’re invaluable to the fight.”

Women, Peace and Security

Implementing the United Nations Security Council Resolution 1325 in Afghanistan

*By CDR Kimberlie Young
NATO Headquarters, Supreme Allied Commander Transformation*

After years of conflict in Afghanistan, International Security Assistance Force (ISAF) and U.S. Forces-Afghanistan (USFOR-A) military authorities are realizing that the security of Afghanistan is linked to the security of its women. And they are doing something about it.

In February 2010, I was appointed as the deputy gender advisor for the Supreme Allied Commander Transformation (SACT), Headquarters (HQ), one of the two NATO Strategic Commanders. The joint force trainer at SACT HQ, LTG Karl Heinz Viereck of the German Army, decided that a legal advisor should be involved in NATO's implementation of United Nations Security Council Resolution (UNSCR) 1325 on "Women, Peace and Security" as the resolution calls for better protection of, and increased awareness of, the rights of women and children under international law. So, in addition to my normal duties as legal advisor, I have spent three months immersed in the implementation of UNSCR 1325, particularly in Afghanistan.

UNSCR 1325 was adopted by the Security Council on Oct. 31, 2000. In essence, it stresses the need to ramp up the involvement of women in peace and security issues. The two themes are security and participation; increase the number and participation of women at decision-making levels in all institutions involved in preventing and resolving conflicts, expand the number and role of women in field operations, and train on the protection, rights and needs of women and children under international law.

Some examples include: increasing the number of women in executive positions in government and military positions, increasing the number of female troops and police officers in Afghanistan, using ISAF/ U.S. female military to engage the women of Afghanistan, and training our male troops on ways to educate Afghanistan men on legal rights of women. The bottom line is that improvement in integrating gender issues equals improvement in operational effectiveness.

Gender advisors focus on all gender-related issues. Under the NATO policy, gender refers to the social differences and social relations between women and men. It goes beyond merely the sex of the individual. A person's gender is learned through socialization and is heavily influenced by the culture of the society. The gender of a person may result in different roles, responsibilities, opportunities, needs and constraints for women, men, boys and girls. The term "gender mainstreaming" describes the process of integrating gender-related issues into all actions so that men and women benefit equally and inequality is

not perpetuated. Although gender mainstreaming does not focus solely on women, women are usually the targets and beneficiaries of mainstreaming practices due to their disadvantaged position in many communities.

As the 10th anniversary of UNSCR 1325 approaches, a flurry of gender-related policies and activities has emerged. Both NATO Strategic Commanders, SACT and Supreme Allied Commander Europe, signed Bi-Strategic Command Directive 40-1 in September 2009. The SACT HQ gender advisor, LTC Nadja Merdaci of the French Army, and I created a UNSCR 1325 action plan for Allied Command Transformation, which has the lead for transforming NATO's military structures, forces, capabilities and doctrines to improve military effectiveness. The ISAF issued a tactical directive on the establishment of Female Engagement Teams – a powerful tool in our counterinsurgency strategy. ISAF HQ, the ISAF Joint Command (JC), the ISAF regional commands (RC), and the provincial reconstruction teams (PRTs) have, or will soon have, gender advisors, gender field advisors and gender focal points in place.

My training began in January 2010 at the European Union (EU) and NATO Meeting of Gender Experts in Brussels. The Vice President of the EU Margot Wallstrom, the NATO Secretary General Andres Fogh Rasmussen, the Spanish Vice President of the Government Maria Teresa Fernandez De La Vega, and the former U.S. Secretary of State Madeleine Albright, stressed the importance of including women in the peace and security equation. One theme stood out: the issues raised in UNSCR 1325 are not cultural issues, nor are they women's issues – they are human rights issues with which everyone should be concerned. In separate meetings, LTC Merdaci and I met with EU representatives and groups at NATO HQ working on gender issues. In February, we went to the Civil-Military Co-operation Centre of Excellence in Enschede, the Netherlands, where we learned about the use of female troops on the ground, and the role of gender advisors at the tactical level.

In April 2010, LTC Merdaci and I went to Afghanistan on a mission to determine how to best implement the new policies within ISAF, in particular how to best train our troops on gender-related issues prior to and during deployment.

First stop, the Meymaneh PRT in Faryab Province, ISAF RC North – home of the Norwegian PRT. We were accompanied by the ISAF HQ gender advisor and the ISAF JC gender advisor. We met with the PRT gender focal point, the PRT Commander, COL Knut Fredheim of the Norwegian Army, and female members of the EU Police Mission. The EU Police Mission uses law enforcement and justice experts to improve the criminal justice system. The team at Meymaneh explained their success training females



Female members of the Afghan National Police learn self defense training. These women stand side-by-side their male counterparts on the force.

members of the Afghan National Police (ANP). The PRT commander reiterated the need for a “gender tool box” to engage the other half of the Afghan population.

Onto Mazar-e-Sharif, we met with staff from ISAF RC-North and the Swedish gender focal points for the PRT. ISAF RC North staff stressed the need for nations to train troops on gender issues as pre-deployment training is the responsibility of the nations. The gender focal point said the goal is to have gender focal points in all units within the PRT from platoons to squads. One thing she mentioned has stuck with me though: to Afghans, female soldiers are like a third sex because they are not men and they are not like Afghan women. Female soldiers don’t wear helmets when they meet with Afghan women and they don’t wear veils. This indicates to me the importance of integrating gender perspectives in our operations.

In Kabul, we met with members of the Afghan Women’s Network to discuss their work to reduce violence against women and incorporate gender protection into the law. The fact that I cannot mention the names or include the pictures of these ladies at work out of concern for their safety is an indicator of the current climate in Afghanistan. Women who work on these issues and go against Taliban norms are often targeted and killed. At the Rule of Law Conference at ISAF HQ, we discussed the “Elimination of Violence Against Women” law that was signed by President Karzai in August 2009 and the efforts to enforce that law in a country of high illiteracy and an 80% rural population. CAPT Kevin Brew discussed his work as the senior counsel at ANP

Legal Affairs. We met with the ISAF HQ staff members to highlight the successes of the U.S. Marine Corps Female Engagement Teams in Helmand Province and discuss how to implement ISAF’s tactical directive on establishment of Female Engagement Teams throughout ISAF, including what legal advisors can do to assist their counterparts with gender “rules of engagement” and other legal issues.

Finally, we met with Professor Sayeda Mojgan Mostafavi, the technical and policy deputy at the Ministry of Women’s Affairs (MoWA). Our goal here was to establish contacts with Afghan women in the provinces to facilitate the training of troops on engaging the female population. This was the first time that MoWA has been asked to help train international forces - a big step for these women!

Now that I am back in Norfolk at SACT HQ, the work continues. There are so many issues, legal and otherwise. One thing is certain though – the legal advisor is a valuable member of the “gender” team and should make efforts to assist the gender advisors and those in operations with integrating gender issues. As one gender proponent astutely observed: UNSCR 1325 issues are human rights issues with which everyone has a stake. 🌍

For more information, visit
http://www.nato.int/cps/en/natolive/topics_56984.htm or
to learn more about how to implement UNSCR 1325 in
your organization, contact kimberlie.young@act.nato.int.

Impacting Diversity with Tradition



Spelman College midshipmen Ashley Howard, Chief of Naval Operations ADM Gary Roughead, Judge Advocate LT Tashinda Glover, Spelman College President Dr. Beverly Daniel Tatum, and Spelman College midshipmen Kyrrin Wharton at a breakfast at Spelman College organized by LT Glover.

By LT Tashinda Glover
Region Legal Service Office Southwest

During my short time in the U.S. Navy, I have come to know that tradition is essential to our organization. When I think of organizations that value tradition as much as the Navy, I think of Spelman College, my alma mater. This historically black college, which was founded by anti-slavery activists in 1881 to educate African American women, evolved into a prestigious institution that churns out the largest number of black, female professionals in the nation.

I met CAPT Cynthia Macri, the Special Assistant to the Chief of Naval Operations (CNO) for Diversity, at the

National Bar Association Conference in San Diego, Calif., where we both spoke on a panel titled, “Women in the Military.” She approached me afterwards and asked that I organize an event for the CNO, ADM Gary Roughead, at Spelman College where he would meet with the President, Dr. Beverly Daniel Tatum.

For three and a half months I worked with Dr. Tatum’s staff to organize a breakfast at Spelman College, which was the kick-off event to the CNO’s tour of Spelman and Morehouse Colleges.

From its homogeneous outward appearance, “diverse” is probably the last word that would come to one’s mind to describe Spelman. To the contrary, within the gates of this

institution are some of the most unique perspectives I have encountered in my life. From the background, opinions, and intellect of the students to the desires, goals, and even the dialect, one would find a vast amount of diversity. As “freshwomen” we entered the gates with varying contributions to the institution. Yet, during our four-year matriculation, we were shaped by rich traditions. Wearing skirts every day and reciting the history of the college instilled purpose in our journey, which all made sense in the end when we graduated wearing white dresses and black shoes (the uniform of the first graduating class). We were armed with the knowledge of our history and empowered by the expectations from our ancestors

who came before us. It was my introduction to tradition at Spelman College that made my transition into the traditions of the Navy an easy one.

I believe it is this common value of tradition that leads the Navy to seek the perspective of Spelman College in its mission to increase diversity amongst the officer ranks. Spelman has endlessly combated negative stereotypes with respect to increased diversity in the workforce by continuously producing qualified, diverse candidates who provide a unique perspective. Since Dr. Tatum is a renowned race relations expert and author, it only made sense that the CNO would seek an opportunity to meet with her and her staff to discuss the role of black women in the Navy and how Spelman College can help to increase diversity in our organization.

The breakfast was very interesting. The CNO discussed the value of diversity in the Navy and how a partnership with historically black institutions such as Spelman and Morehouse Colleges is a great start. ADM Roughead and Dr. Tatum were joined at breakfast by Dr. Johnella Butler (the Provost), Dr. Desiree Pedescleaux (the Dean of Academic Affairs), Mr. Harold Bell (the Director of Career Development), CAPT Macri, CAPT Stephen Kirby (Commanding Officer of the NROTC Unit at Spelman, Morehouse, and Georgia Tech), two Spelman College midshipmen, and me.

In the 21st century, the Navy, Spelman College, and Morehouse College face the same challenges of rapidly changing U.S. demographics, demands for talent to drive a knowledge-based society, and the impact of a global economy. Each has a strong interest in, and commitment to, maintaining our nation's security and economic interests where technology has transformed geographically distant threats to impending realities. During the breakfast event, ADM Roughead and Dr. Tatum exchanged ideas and discussed opportunities to address these challenges and increase diversity in the Navy.

I had the unique opportunity during the event to speak with the Spelman College leadership about the Navy Staff Corps and my experience that led me to the JAG Corps. They were amazed to hear about the various opportunities for candidates with professional degrees.

Currently, I am working with CAPT Macri and Spelman College on the "Spelman Women Empowered Through Professional Training" event, which will take place in fall 2010 and will feature a "JAG Corps Day" hosted by a leader from our judge advocate community. The Navy's partnership will provide opportunities for the Spelman and Morehouse College students and faculty to learn about the various career paths and opportunities in the Navy. 🌟

LT Tashinda Glover is a member of the Navy JAG Corps and attended Spelman College from 2000 to 2004. She is currently assigned to Region Legal Service Office Southwest.

Operation Unified Response continued from page 9
notary services, legal research and case preparation for military justice. LN1 Raysa Turner from Navy Munitions Command Jacksonville volunteered to serve as a member of combat cargo and was later identified as leading petty officer for food service attendants onboard. LN1 Robyn Carr from Naval Medical Center Portsmouth volunteered during the early surge to work in casualty receiving and assisted several times with shore-based discharge. She also donned "Toothie," the *USNS Comfort* mascot costume, and entertained children in the wards. My third superstar was LN2 Sundae Lewis from Naval Legal Service Office Mid-Atlantic. In addition to volunteering in casualty receiving during the surge, she volunteered in the scullery and food preparation with the food service attendants. At every opportunity, LN2 Lewis went ashore to assist with patient discharge. She helped collect and compile all medical information for the central patient-tracking system.

LT E. Ashleigh Schuller was the other judge advocate onboard and was a great teammate who provided fantastic insight and perspective for each of the unusual legal issues we faced. She also volunteered from Naval Medical Center Portsmouth for this mission. The legal issues were incredibly interesting and I am thankful to brainstorm with an insightful teammate. Whether tasked with immigration, ethics, fiscal law, memorandums of understanding, or military justice, LT Schuller always provided astute advice on implementation. LT Schuller also volunteered to assist with discharges ashore and visited the pediatric intensive care unit and pediatric wards regularly to hold some of the newborns and bring a smile to the children's faces. From what I observed, her compassion is her strongest asset.

I seized on every opportunity to help or observe the medical providers in action. I too assisted with discharges ashore and witnessed the joy of reuniting a patient with family and friends. Onboard, I observed many amazing individuals performing only what I can describe as miracles. A majority of the surgical cases were orthopedic ranging from maxillofacial to femur fractures. I split my remaining free-time observing patient care in the intensive care units and casualty receiving. Time is an adversary and seconds and minutes often separate success and failure.

The most rewarding experience was when I was able to help patients and family members receive permission for medical evacuation to the contiguous U.S. for specialized treatment, after connecting those seeking immigration assistance with U.S. Citizens and Immigrations Services and American Embassy agents. 🌟

Legalman Education Initiative

Navy to send legalmen to college

By Jen Zeldis
Public Affairs Officer

The legalman rate is the first enlisted rating to call for a government-funded, full-time education program for every Navy legalman to ensure they have the skills and competencies necessary to operate in today's dynamic environment.

Beginning in September 2010, the Navy will begin to send legalmen to Roger Williams University, in accordance with the Legalman Education Initiative (LEI), to earn an Associate's Degree in Paralegal Studies or its equivalent. The LEI is designed to develop paralegal competencies in enlisted legalmen to provide a standardized education across the community, which will allow enhanced legal support to the Navy.

"Legalmen are required to operate with a broad base of legal knowledge to provide legal solutions across an array of issues facing military commanders, senior leaders and service members," said VADM James Houck, Judge Advocate General of the Navy. "For our legalmen to meet the demands of increased responsibility and changing mission areas, we must provide them with the necessary skills and competencies which can only be acquired through paralegal education."

The JAG Corps will send legalmen through either a resident program at Roger Williams University (RWU) or a distance learning program to complete courses from their home duty station as part of their official duties. The goal is have all legalmen acquire an Asso-



^ LN1 Patrice Williams, LN2 Brandon Wilson, LN2 Amanda LeGault, and LN2 Brandon Mann in the Roger Williams University Law Library.



< The statue of Roger Williams and the clock tower of the University Library on the Roger Williams University campus.

ciate's Degree in Paralegal Studies or its equivalent within the next four to five years. To minimize the impact on current mission readiness, the LEI will be implemented in a phased approach and the JAG Corps will limit the number of legalmen concurrently enrolled in either program.

"With this initiative, we empower legalmen to perform many functions and tasks currently performed by judge advocates, such as drafting trial motions, interviewing witnesses and preparing legal correspondence, increasing the avail-

ability of attorneys to meet similar fleet demands in emerging mission areas," said LNCM Chris Browning, the senior enlisted advisor to the judge advocate general. "With their new paralegal skills, we also anticipate legalmen will handle more fleet legal issues which will free up commanding officers, executive officers, and legal officers who spend time on these matters."

The LEI was developed under JAG Corps 2020, the JAG Corps strategic plan for the future.

"We look forward to the first graduation and to seeing the work of our legalmen in the Fleet evolve in scope and complexity, consistent with their paralegal training," said RADM Nan DeRenzi, Deputy Judge Advocate General of the Navy.

Task Force Life/Work Balance

By CDR Jean Kilker,
Task Force Life/Work Balance

After a year of tangible success, Task Force Life/Work has a new focus – strengthening ties and improving communication with Navy JAG Corps families. Why? Because, according to Pulse of the JAG Corps Survey results, the impact of military life on our families is the number one reason individuals consider leaving the JAG Corps. Bottom line, retention of talent is a reflection of not only professional fulfillment, but to a heightened degree, individuals' ability to merge professional growth with personal responsibilities and the needs of their families.

There are a host of new programs and initiatives sponsored by the Department of Defense and other entities designed to lessen the impact of military life on families. For the first time, there are educational benefits and employment initiatives designed specifically for military spouses. Navy school liaison officers were hired at major installations to liaise with commanding officers, school officials and parents ensuring a smooth transition for military children between school systems. There is free on-line tutoring, free SAT Prep materials, free summer camps and scholarships available to our JAG Corps family community.

As a task force, it is our job to ensure programs and initiatives are effectively and clearly communicated. Our goal is to establish a clear line of communication to families to augment information passed through service members. We're trying to avoid scenarios akin to finding the wrinkled flyer in your kids' backpack about the teacher conference scheduled the week before.

How will we achieve this goal? First, you need to be aware of resources and programs. We've established an NKO web page devoted exclusively to resources and information designed for military spouses and families. Anyone with a valid military ID can access NKO, and find the Task Force

Life/Work JAG Corps Family Resources page listed under *JAG Corps 2020*. There, we've listed "hot links" to a multitude of programs, benefits and scholarships available to military spouses and family members. Our hope is to move this site onto the public JAG Corps page in the future to ease accessibility for family members.

We also established a Facebook page, Navy JAG Corps Family Resource Discussion Page, accessible from the link on NKO or directly from Facebook. Here, JAG Corps family members can share information, discuss issues and find pertinent information regarding employment, scholarships and childcare resources. The Hoelz family, LCDR Joe Hoelz (Task Force Life/Work member) and his wife Nicole, offered to monitor the Facebook page answering questions and adding pertinent information. It's important to note various life/work efforts, whether it's the Career Intermission Pilot Program, expanded childcare resources or new initiatives targeting children and spouses, are leadership tools. They may not apply to you now, or ever, but they may be exactly what one of your Sailors needs to overcome a barrier to continued service. As leaders, each one of us, enlisted and officer a like, is charged with the responsibility of being informed about the resources available to our people.

To that end, the Naval Justice School committed a block of training in legalmen and judge advocate training pipelines focusing on life/work programs and resources. The Justice School's recognition of these programs as vital management tools underscores their importance in the development of our enlisted and officer leaders.

Task Force Life/Work encourages you to add to your leadership "toolbox" by logging on to NKO and learning about the programs designed to assist your Sailors. Go to *JAG Corps 2020* and use the drop-down menu to find the Life/Work webpages and contact us with your ideas and feedback!



WEB & SOCIAL MEDIA PRESENCE

SOCIAL NETWORKING SITES	NAVY RECRUITING SITES
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www.facebook.com/navyrecruiting	www.navy.com/healthcare
www.facebook.com/usnavylife	www.navy.com/nuclear
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www.facebook.com/womenredefinednavy	www.cnrc.navy.mil
www.facebook.com/navycryptologyandtechnology	
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New Series: What's in an OJAG Code? Criminal Law - Code 20

*By LT Jaimica M. Giarraputo
Criminal Law (Code 20)*

Most everyone knows Code 20 as the Office of the Judge Advocate General (OJAG) division that sends out the military justice newsmailers. If you're in a military justice billet, you may also think of us as the office that provides trial and defense counsel assistance. What you may be surprised to learn, however, is that those things are a relatively small – though fun – part of what we do.

In a nutshell, Code 20 is responsible for overseeing all aspects of military justice policy within the Department of the Navy. We draft military justice policy advice, action memos, military justice instructions, and correspondence for the JAG. Code 20 officers also represent the Navy in meetings of the Joint Services Committee on Military Justice and serve as a JAG representative to the Naval Clemency and Parole Board. Although we are located at the Washington Navy Yard, our work often requires our presence at the Pentagon.

There are three junior officers in Code 20 who serve as action officers in specific areas of concentration. For example, a Code 20 action officer may oversee the processing of FOIA requests relating to military justice, monitor the processing of Article 69 appeals or administer the Code 20 NKO website,

which requires keeping it well-stocked with appellate case law updates, training gouge, sample pleadings and charges, etc.

On a more periodic basis, Code 20 assists with obtaining approval for grants of immunity, warrants of attachment, and orders recalling members to active duty for trial. This involves coordination with offices outside of OJAG, including offices within the Department of Justice, the Secretary of the Navy, and the Department of Defense. Since Code 20 facilitates the processing of applications for presidential pardons, we also interact with the Office of the Pardon Attorney; and, of course, we interface with our Marine Corps, Army and Air Force counterparts, whether working together on the Joint Services Committee or on a military justice issue of common concern. A current issue of concern is regulation on designer drugs to include “Spice”.

At Code 20, there is no typical day. You may find yourself spending an entire day focused on one urgent issue with a short deadline, or you may skip across the wave-tops and touch a number of issues in a single day. One thing is certain you will be working in a great office surrounded by great people who care a lot about the Navy's military justice practice and, especially, about its practitioners. 🌟

LT Jaimica M. Giarraputo is a judge advocate assigned to Code 20 located on the Washington Navy Yard.

Expanding Horizons

JAG Hosts Thurgood Marshall Academy at the Washington Navy Yard

By LTJG David Dziengowski
NLSO North Central

Naval Legal Service Office (NLSO) North Central welcomed sixty ninth graders from Thurgood Marshall Academy onboard the Washington Navy Yard in April. Billed as “Law Day,” NLSO North Central judge advocates, legalmen, and civilian personnel introduced these students to the Navy and its legal system. Codes 45, 46, 51, and RLSO Naval District Washington were among the other commands that joined this important outreach mission.

Named after the first African-American Supreme Court Justice, Thurgood Marshall Academy is Washington D.C.’s first law-themed public charter high school. It sits within an earshot of the Navy Yard, just across the Anacostia River. Reaching out to the school seemed only natural to CAPT Rob Sanders, Commanding Officer of NLSO North Central. “Thurgood Marshall Academy combines a standards-based curriculum with education about law, democracy, and human rights in its program. Everyday our JAG Corps professionals support the Navy in these same areas; this makes Thurgood Marshall Academy a natural place for Navy lawyers, enlisted and civilian paralegals to reach out, offer our help and exercise our collective community responsibility for our children’s development,” said CAPT Sanders. And reach out they did.

After a welcome by CAPT Sanders, a team of judge advocates, legalmen, and civilian personnel escorted groups of students to briefings on legal assistance, military justice, and the wounded-warrior disability process. Students then observed a mock appellate oral argument in the newly remodeled Navy and Marine Corps Court of Criminal Appeals (NMCCA) courtroom. This argument, performed by LT Brian Burgtorf and Maj. Sean Patton of Codes 45 and 46, respectively, was heard by an NMCCA panel composed of CAPT Christian Reismeier, CDR John Maksym, and CDR

Joseph Stolasz. The facts originated from the students’ curriculum-based mock trial program.

Seniors at the school annually participate in a mock trial competition held at the Superior Court for the District of Columbia. In the weeks leading up to Law Day, JAGs from NLSO North Central tutored these competitors along side local area law students. LT Mishonda Baldwin, the Action Officer on the tutoring sessions and Law Day event, said, “It was rewarding to have another opportunity to interact with students. It is refreshing to see and hear from the next generation of leaders. It keeps me inspired that our world will be left in capable hands.”

After an extended Q and A, the students finished their day with a Navy-themed scavenger hunt at the Navy Museum and a tour onboard the Display Ship Barry (DD-933). “I really liked the ship,” said Elcid Johnson, a student from Thurgood Marshall, “It was fun because I’ve never been there before.” Those students who asked the most questions were given special grab bags filled with naval memorabilia. Due to the overwhelmingly positive feedback from the students and their teachers, NLSO North Central intends to host another event with the school in the future.



NLSO North Central Commanding Officer CAPT Rob Sanders answers questions from students from Thurgood Marshall Academy during a tour of the Washington Navy Yard. NLSO North Central hosted a “Law Day” for 50 Thurgood Marshall Academy ninth graders interested in the legal system.



Supreme Court Bar Admission

By Natalie Morehouse
Deputy Public Affairs Officer

On April 28, Navy and Marine Corps Court of Criminal Appeals (NMCCA) clerks, LT Daniel Napier, LT Ritesh Srivastava, LT Michael Torrisi, LT Jentso Hwang, LT Ryan Santicola, and LT Michael Hanzel, were admitted to the Supreme Court Bar.

“The judges and clerks of the United States Navy-Marine Corps Court of Criminal Appeals shared a memorable day that will stand out as one of significance in their professional careers as military officers and attorneys,” said Chief Judge of the U.S. Navy, CAPT Daniel O’Toole.

Attorneys seeking to file documents or argue before the Supreme Court must first be admitted to practice before the Court. To qualify for admission to the Bar of the Supreme Court, an applicant must have been admitted to practice law in the highest court of a state for a period of at least three years, must not have been the subject of any adverse disciplinary action, and must appear to the Court to be of good moral and professional character. Along with the application and certificate of good standing with the state bar, each applicant files with the Clerk of the Supreme Court the statement of two sponsors, stating that the applicant possesses all the qualifications required for admission, and affirming that the applicant is of good moral and professional character. The clerks were

sponsored by CAPT O’Toole and NMCCA Senior Judge CDR John Maksym.

The day began with a breakfast in the East Room of the Supreme Court, where the NMCCA clerks met the Clerk of the Supreme Court and former U.S. Army Assistant Judge Advocate General, MG (Ret.) William Suter. We then entered the courtroom for the admissions ceremony. Chief Justice Roberts asked if there were any motions, CAPT O’Toole stood before the Supreme Court, requested that we be admitted to the Supreme Court Bar, and attested to the character and qualifications of the applicants. The clerks were then sworn in and admitted to the Supreme Court Bar by Chief Justice John Roberts.

The Supreme Court then heard oral argument in the case of *Doe v. Reed*, a historic event as it marked the final oral argument of Justice John Paul Stevens’ nearly 35-year career as a Justice of the U.S. Supreme Court.

Following the argument, Justice Sonia Sotomayor and Chief Justice John Roberts met with the NMCCA clerks. Justice Sotomayor shared some of her feelings and memories about being sworn in as a Supreme Court Justice and took several photographs with the group.

“It was certainly a great honor and privilege to meet the two Justices and be admitted to the Supreme Court Bar. Arguing before the Supreme Court at some point in my career has been a dream of mine,” said LT Napier.

Wounded Warrior Update: Reservist

By LNI Harrold Henck,
OJAG Reserve Public Affairs

In the past, service members had to go through the disability evaluation process, up through the point of deciding whether to accept their informal review results, without being detailed military counsel. Congress changed this by placing a provision in the 2008 National Defense Authorization Act requiring that all wounded and ill service members have access to free military counsel prior to deciding whether to accept the results of an informal review. This new congressionally mandated requirement created a big challenge for the Navy. Suddenly, more attorneys were needed to get legal advice to wounded and ill service members sooner. So, the call went out to the Navy JAG Corps reserve community and in response LCDR Jesse Damon and eight other Navy JAG Corps reservists volunteered.

Since 2009, LCDR Damon has been stationed at the National Naval Medical Center, Bethesda, Md., where he has been reaching out to wounded and ill Sailors and

Marines and ensuring that these service members have access to legal advice and assistance during all stages of the physical disability evaluation process.

As their attorney, LCDR Damon advises these service members on the disability evaluation process and makes certain that they understand their rights and responsibilities. He also helps them appeal the findings and evaluations with which they don’t agree and he assists them with filing grievances in situations where they feel they have been wronged. Most importantly, LCDR Damon helps his clients gather the medical documentation and evidence that they will need to prevail in the event that they do decide to take their case to a formal hearing.

Many of LCDR Damon’s clients have been wounded in combat, fighting in one of the campaigns in the Middle East. For LCDR Damon, serving wounded and ill service members has been a real privilege and very real reminder of the incredible sacrifice that they make on a daily basis.

RLSO Mid-Atlantic Officers get hands-on Experience with Submarine Trainer

By LT Kevin M. Walker
RLSO Mid-Atlantic

In January, judge advocates and limited duty officers from Region Legal Service Office Mid-Atlantic (RLSO) in Norfolk, Va., had the opportunity to tour the training facilities at the Submarine Learning Facility (SLF) on board Naval Station Norfolk. This tour was part of a RLSO Mid-Atlantic officer military professional development program that helps officers better serve the varied commands in Navy Region Mid-Atlantic and gain a greater understanding of the Navy as a whole.

During the two-hour tour, RLSO Mid-Atlantic officers met with the executive officer of the SLF, LCDR David Smith, who gave them a comprehensive brief on what it's like to serve aboard fast-attack, ballistic missile and guided missile submarines.

The officers then visited three different trainers at the facility: the Virtual Environment Submarine Shiphandling Trainer (VESUB), the Virginia Class Ship Control Team Trainer (VSCOT), and the Firefighting/Damage Control Trainer (FFDC).

The officers first tried out the VESUB, a bridge simulator which uses a virtual-reality display that the user wears like a pair of goggles. Its goal is to train officers of the deck (OODs) in the appropriate skills and procedures necessary to navigate a surfaced submarine under various weather, sea and traffic conditions. It also allows users to interact with a simulated submarine crew through voice recognition software. The simulator can virtually place young OODs, or judge advocates, in the most challenging conditions in the busiest ports in the world without risking an actual collision in a billion dollar vessel.

Next, the officers drove the VSCOT simulator. It helps submariners prepare for undersea missions by simulating diving, surfacing, and maneuvering a submarine. RLSO officers were given a taste of driving a 7800 ton vessel at over 20 knots with no view of the water ahead.

The FFDC, the last stop on the tour, helps provide the skills necessary for crews to react quickly and effectively in serious shipboard emergencies, and gave the RLSO officers an appreciation for the significant emphasis the submarine community puts on damage control training.

The RLSO Mid-Atlantic's officer military professional development program has provided new officers with the opportunity to tour various surface and sub-surface platforms, visit a flight simulator, and speak with type commanders and operational staff judge advocates.



LT Jason Pfeil and LT Erin Haefner of RLSO Mid-Atlantic pilot a Virginia Class Ship Control Team Trainer during their tour of the Submarine Learning Facility in Norfolk, Va.



Naval District Washington Reservists take over SAUSA Program

By LCDR Paul Ehrman
Reserve RLSO Naval District Washington

Recently RLSO Naval District Washington (RLSO NDW) reservists assumed responsibility for the Special Assistant United States Attorney (SAUSA) program from RLSO NDW. The court is held onboard Naval Air Station Patuxent River, Md. A federal Magistrate Judge travels in from U.S. District Court in Greenbelt, Maryland to hold court. Currently, the Magistrate Judge is the Honorable William Connelly, a former U.S. Air Force judge advocate. Two Navy JAG Corps reservists from RLSO NDW have

been designated as SAUSAs. These reservists take time off from their demanding civilian jobs to travel down to Patuxent River and perform SAUSA duties. A wide variety of cases are seen, including shoplifting, DUI, traffic violations, domestic violence, prescription drug fraud, assault, and theft. An average caseload on a court day is approximately 30 cases.

Like most military SAUSA programs, a typical court day evolves as follows; judge advocates meet with unrepresented defendants or the attorney for a defendant to work out a plea deal. Possible scenarios include performing community service in exchange for a later agreement to drop the charges, an agreement to plea to a lesser offense, the defendant agrees to rectify whatever has caused their license to be suspended and once proof is submitted the charge is dropped, or paying a fine and performing community service in cases of small-item shoplifting. When the JAG Corps attorneys identify a case of larger significance which can potentially carry life-impacting consequences, the defendant is directed to the Federal Public Defender. The Magistrate Judge routinely grants representation requests by the Public Defender through submission of a financial affidavit from the defendant. The Public Defender is also present at every court date and their services are typically required. After negotiations have concluded, the judge advocates meet with the Magistrate Judge or his clerk to have bench warrants issued for anyone who failed to appear at court.



SAUSA program team: Andrew Carter, federal public defender; LCDR Mark Herrington, JAG Corps reservist; Judge William Connelly, federal magistrate; LNC Eric Gagne; and LN1 Marilyn Sampson.

Shifting the SAUSA program to RLSO NDW reservists has been a great success. It has helped RLSO NDW by allowing the base staff judge advocate to concentrate on other pressing matters while also having the peace of mind that the important SAUSA duties are being capably handled by experienced attorneys. Legalmen from the staff judge advocate office still contribute in a great way, organizing files and getting court paperwork ready so the judge advocate reservists can come down on the morning of court and quickly hit the ground running. For the JAG Corps reservists in RLSO NDW, it gives the attorneys a chance to get into court and engage in different substantive work than they may see in their civilian job, which in turn allows them to keep their litigation and criminal law skill sets sharpened.

Identifying areas and programs where reservists can come in and contribute in a major way exemplifies the Active-duty/Reserves One-Force concept. There are many SAUSA opportunities available in the Navy JAG Corps. If you are interested in performing SAUSA duties, ask your chain of command how you can get involved.

To learn more contact Navy Reserve
RLSO NDW at 202-685-5858.

Region Legal Service Office Southwest Hosts First Naturalization Outreach

By Ms. Vicki Alba and ABF3 Emely Lopez
Region Legal Service Office Southwest

Twenty-nine outstanding Sailors seeking U.S. citizenship eagerly participated in the first naturalization outreach program at Region Legal Service Office Southwest (RLSO SW), Naval Base San Diego, in November 2009. Though RLSO SW facilitated nine naturalization ceremonies throughout the region in 2009 for some 410 Sailors and Marines, this was the first of a series of outreach programs in partnership with the U.S. Citizenship and Immigration Services (USCIS). This joint effort created a “one-stop shopping” forum where applicants could get most aspects of the application process addressed under one roof.

The Sailors represented twenty-three local ships and commands in the San Diego area and had previously been assisted with the submission of their U.S. citizenship applications by their respective Command Citizenship Representatives. Naval Medical Center San Diego and *USS Green Bay* (LPD-20) tied for recognition as the commands with the most participation at the outreach event, with three service members present from each command.

Service members who attended the naturalization outreach and passed their U.S. citizenship interview were eligible to attend the Sixth Annual Veterans Day Military Naturalization Ceremony aboard *USS Midway* Museum, moored in San Diego Bay, in November 2009. Displaying the creative flexibility of the outreach program’s commitment to serving our military members, USCIS District 24 Director, Paul Pierre, agreed to administer the citizen-



Siblings, SH3 Jan-Paolo Rosal and CS3 Kriselle Rosal at their naturalization ceremony.

ship oath to *USS Green Bay* (LPD-20) Sailors, SN Juan Hernandez and siblings, SH3 Jan-Paolo Rosal and CS3 Kriselle Rosal. Given the great success of this outreach effort, RLSO SW will host four additional naturalization outreaches this year: March, April, June, and September in support of military naturalization ceremonies scheduled for May, July, September, and November. Service members in the San Diego area whose U.S. citizenship applications have been submitted to USCIS are encouraged to participate in a naturalization outreach to speed their naturalization process.

Navy Judge Advocate General Speaks at Law Day Luncheon

By MCI Class Leah Stiles
Navy Public Affairs Support Element East Detachment Southeast

VADM James W. Houck spoke to Jacksonville’s Bar Association during a Law Day luncheon on May 6. The Law Day was designated by Congress in 1961, and is meant to reflect on the role of law in the foundation of the country and strengthen its heritage of liberty, justice and equality under law.

VADM Houck was invited to discuss the event’s theme – “Law in the 21st Century: Enduring Traditions, Emerging Challenges” – and how it applies to the JAG Corps mission. He relayed several stories of what judge advocates are doing across the globe and how they are assisting with emerging challenges from Haiti to Iraq and Afghanistan.

“It’s a real honor to be invited by the Jacksonville Bar Association,” said VADM Houck. “It’s great the way Jacksonville reaches out to the Navy community. I got my start here as a lawyer and I am glad to be back.”

The Jacksonville Bar Association is a collection of about 2,200 law professionals. According to their Web site, the association serves as the forum for their profession. They are willing to take action and try innovative ways to better serve their membership and the public in facing law-related community issues.

“We are extremely honored to have VADM Houck as this year’s guest speaker. He’s an ideal example of a lawyer who has committed his professional life to public service,” said Navy JAG Corps reservist, CAPT Daniel Bean, president of Jacksonville’s Bar Association.



Members of Otay Ranch High School's Academy of Criminology and Justice at the mock trial clinic hosted by Region Legal Service Office and Navy Legal Service Office Southwest.

The Southwest lends support to High School Mock Trial Competition

*By LTJG Monique Dessaso
Region Legal Service Office Southwest*

Region Legal Service Office (RLSO) Southwest and Navy Legal Service Office (NLSO) Southwest recently lent their support and opened their doors to San Diego high school students by hosting a mock trial clinic in preparation for the Constitutional Rights Foundation's High School Mock Trial competition. The clinic was held in January at Naval Base San Diego. The students are members of Otay Ranch High School's Academy of Criminology and Justice. The Academy is made up of San Diego-area high school students interested in the justice system.

Through the mock trial competition, individual high schools assemble one or more teams of students playing the roles of attorneys, plaintiffs and defendants. The students, with support from their teacher-coaches and attorney-advisors, prepare and present their cases in real courtroom settings before judges and lawyers who score the competition.

The high school students spent the day with RLSO and NLSO attorneys, preparing and studying a case designed by the Constitutional Rights Founda-

tion for its annual mock trial competition held in California. The students had the opportunity to portray the participants from the case and recreate the trial.

The event was an opportunity for the high school students to learn the fundamentals and procedures of working in an actual courtroom. The students assumed the roles of the prosecutors, defendants, and witnesses in a criminal court case involving the murder of an entertainment critic. Each student received a reading packet they were responsible for reviewing in order to become familiar with the case. CDR(Ret.) Robert Klant, acted as judge during the clinic, offering the students tips and pointers on their legal advocacy skills. The students also worked with RLSO and NLSO attorneys who critiqued the students during the clinic which was held in the Western Judiciary's new state-of-the-art "smart courtroom".

The students also received a demonstration of the technology available in the new courtroom. LT Thomas Byrnes, demonstrated the use of the document viewer which can be used to present materials to the court. The

document viewer also allows evidence such as weapons, documents from expert witnesses, and x-rays to be presented live on a projection screen, or on individual monitors that are placed throughout the courtroom. LT Byrnes also demonstrated the use of teleconferencing software which allows live testimony by telephone as an alternative to personal appearance in court. The students also received a demonstration of live TV monitors in the court room available for witnesses, the jury and the trial judge to view exhibits, or slide shows. These technological advances provide numerous advantages including the ability to change with the times and to respond to the needs of our sailors.

The visit was facilitated by LN1 Jessica Bruce of the office of the staff judge advocate of the Naval Medical Center San Diego. Her goal was to introduce the students to current judge advocates and help supply them with the tools and skills that would help them during the state mock trial competition in February. She worked with Academy of Criminology and Justice instructor, Vicente Martinez, to make the visit a success.

Tuition Reimbursement for Civilian Employees

By Amy Stevens

Fiscal and Resource Management (Code 64)

The JAG Corps community has made significant strides in implementing the civilian tuition reimbursement program. Signed into effect by VADM Bruce MacDonald late last summer and further highlighted by VADM James Houck and RADM Nanette DeRenzi in *JAG Guidance for 2010*, this program provides an opportunity for our organization to assist civilian employees financially in their pursuit of higher education. Civilians and commands have responded positively to this new conduit of support and are looking forward to growing this program in future years.

In the program's first year, over \$14,000 of reimbursement funding has been committed to various employees who are pursuing higher education. Applications for fiscal year 2010 reimbursements were considered in early spring and final decisions and notifications were made in mid-April. As part of the application process, employees were required to identify how the skills and knowledge taught in a specific course would better enable them to accomplish their job duties, and further the completion of JAG Corps missions. Enterprise-wide, twelve employees submitted applications for reimbursement of thirty-four courses. After careful consideration, the Naval Justice School (NJS) Board of Advisors (BOA) approved funding for nine of the twelve employees in subject matter areas ranging from computer skills to government ethics and legal communication.

The NJS BOA laid the financial groundwork for this program when it considered funding requests for fiscal year 2010. Forced to act quickly to secure funds, they earmarked a sum of money for the civilian tuition reimbursement program's first year without knowing what the actual demand signal would be. Applications for future years will be reviewed earlier in the year to provide a more accurate assessment of the program's funding requirements for NJS BOA consideration at their annual meeting in late July.

As we look forward to continuing this program into the next fiscal year, please encourage civilians to take advantage of this new career-development opportunity within the JAG Corps. Anyone who wishes to apply for fiscal year 2011 tuition reimbursement should look for announcements through the chain of command this summer. Work with your local civilian education and training coordinator to prepare and submit an application.

Program FAQs:

Q. How is this program different than classes for which my command already pays?

A. Commands are responsible to fund, and have specific money to fund, training/education directly related to an employee's job duties. Job-related courses could include training to use a new database or refreshers/updates in a particular area of law. For example, a legal assistance paralegal

who wishes to attend a bankruptcy course should expect the command to fund the course due to the direct tie to job duties.

Tuition reimbursement funding is meant to promote education that may benefit the "overall employee" while also furthering the command's mission. For example, a command services paralegal who wishes to attend the same bankruptcy course mentioned above, should not expect the command to pay because the scope of the course falls outside his/her job duties. This paralegal would be a better candidate for the tuition reimbursement program because the bankruptcy course satisfies the personnel goal of the employee and develops skills/knowledge that would benefit a paralegal in support of the command/mission.

Q. For what courses can I be reimbursed?

A. The program is intended to financially assist a civilian in obtaining his/her personal educational goals where/if those goals overlap with the command's mission and objectives. Consequently, tuition reimbursement requests are considered individually for merit (acknowledging the employee's specific plans and job duties), and thus approved coursework may vary slightly between employees..

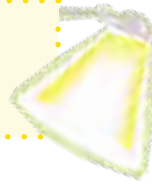
For example, a legal technician who is pursuing a Bachelor's of Science (B.S.) in Accounting may find general education courses that satisfy a personal goal, and further develops skills/knowledge that would benefit a legal tech in support of the command/mission. Those courses could be in subject areas of writing, computer skills, communications, government and law, etc. A budget technician pursuing a B.S. in Political Science, however, may find different general education courses that bear a more direct impact upon his/her ability to benefit the command/mission in the role of "budget technician". Most employees will find "legal-related" coursework is the most apt for program reimbursement as the JAG Corps community is a "legal" command by its nature and generally, all positions support that function.

Q4. How do I apply for tuition reimbursement?

A4. An employee's applications for tuition reimbursement for courses completed between Oct. 1, 2010 and Sept. 30, 2011 will be solicited in June 2010. Look for an announcement from your chain of command and work with your command's Civilian Education Training Coordinator to submit all appropriate materials.

For more information about civilian training opportunities, contact Amy Stevens at 202-685-5286 or at amy.stevens@navy.mil

Spotlight On



CAPT (Ret.) Enser W. Cole

“What have you done for the good of the world today?” CAPT (Ret.) Enser W. Cole, Jr., asked that question of others and of himself every day on active duty. During his 26 years in the U.S. Navy, CAPT Cole’s passion for international and environmental law embodied the Navy’s motto “Global Force For Good.” After a professionally and personally rewarding life, CAPT Cole – a native of Salisbury, N.C., – passed away in February.

In 1936, CAPT Cole entered the University of North Carolina at Chapel Hill where he earned his Bachelor of Arts Degree in 1939 and his Juris Doctorate in 1942. Through the Navy, he received his LLM from George Washington University in 1952.

He began his naval career at the start of World War II as a line officer and ended it as a judge advocate. Given that he loved the sea and idolized his brother, a Navy pilot, there was no question which service he would join. After attending training at Columbia University Naval School in New York, he was off to the Pacific Theatre. He saw combat in the Solomon Islands and Guadalcanal, and trained for the potential invasion of Japan. His ship was landing Marines for combat when it was hit and sunk. He then became the skipper of Gunboat #68, in which he patrolled the Islands in the Pacific.

Following WWII, CAPT Cole considered leaving the Navy in order to practice law, but his strong passion for public service led him to reconsider. Soon after the war, the Navy created the Law Specialist program to allow line officers to perform legal services and in 1947 CAPT Cole became a legal officer. His first assignment as a legal officer was in Yokosuka, Japan from 1947-1949, where he served on GEN Douglas MacArthur’s staff.

In a career of high profile assignments, perhaps most rewarding was CAPT Cole’s time on the Joint Chief of Staff, where he was instrumental in the preparation and enactment of titles 10-Armed Forces and 32-National Guard of the United States Code. This was one of the largest and most complicated projects ever undertaken in the field of legislation and was accomplished with an extraordinary degree of professional excellence. The Department of Defense has reaped incalculable benefits from this legislative project, which replaced more than a thousand heterogeneous laws with one integrated enactment and eliminated contradictions, ambiguities, and dead law. For his contribution, CAPT Cole received a



CAPT Enser Cole and his family arriving back in the U.S. in 1947 after completing his first assignment as a legal officer in Japan.

letter of thanks from the Secretary of Defense Charles Erwin Wilson.

Additionally, CAPT Cole served as Special Assistant to the Secretary of the Navy from 1966 until his retirement in 1968. During that time, he was part of a Geneva delegation led by former Supreme Court Justice Arthur Goldberg. The Geneva delegation successfully negotiated one of the first treaties with Russia on the peaceful uses of outer space.

Following his career as a naval officer, CAPT Cole was not ready to embrace traditional retirement. Instead, he continued to do good work for an additional 32 years. From 1968-1988, he worked for Union Oil of California (Unocal), where he eventually became Corporate Vice President of Government Relations and the head of the Unocal Office in Washington, D.C. Following his retirement from Unocal, President Ronald Reagan appointed CAPT Cole as CEO of the Trans-Alaska Pipeline Liability Fund. For ten years after the EXXON Valdez oil spill, CAPT Cole supervised the collection of millions of dollars of oil company assets for the Fund and oversaw the subsequent Fund payout for the clean-up costs associated with the spill.

In 2000, at the age of 81, CAPT Cole was finally ready for retirement. During the 56 years of CAPT Cole’s career, change abounded. The Navy saw the integration of women and minorities, the creation of the UCMJ, and the establishment of the JAG Corps. In addition, CAPT Cole experienced combat in WWII, Communism in China, and the Reconstruction of Japan.

Flyboys

By James Bradley

Book review provided by LCDR Howard Walton, USNR, Region Legal Service Office Southeast



munication stations on the heavily fortified island of Chi Chi Jima. The Japanese garrison there presented a threat to the B-29, which were

Following up on his tremendous success with *Flags of Our Fathers*, James Bradley, son of Iwo Jima flag raiser and former Navy hospital corpsman, John Bradley, released *Flyboys*, a fascinating non-fiction story about the fate of eight U.S. Navy and Marine Corps aviators who were taken prisoner by the Japanese during air strikes against the island of Chi Chi Jima in the Northwestern Pacific during the latter part of the World War II. Like its predecessor, *Flyboys* topped the New York Times bestseller list. It is an extremely well conceived book which stands out largely because of the way in which its author skillfully manages the emotional impact of its principal subject matter – the treatment of the eight U.S. Navy and Marine Corps aviation personnel after their capture.

Flyboys is really two books in one. First, a tribute to the courage of those who flew in combat in the Pacific during the World War II. Second, it is a cautionary tale of how government propaganda glorifying death and violence can drive members of even one of the most spiritual, cultured, and sophisticated peoples in the world to commit horrible and barbaric acts in the name of patriotism.

The book commences, by in large, with a historical overview of the development of both the U.S. and Japan into real “players” on the world stage in the 19th and early 20th century. For example, a chapter called “The Third Dimension” is also devoted to the rise of the airplane as a weapon of war. These early chapters may lose readers who are expecting a rip-roaring tale about the romance of aerial combat.

However, these chapters are an important part of the book because they provide essential context, enabling the

reader to better comprehend or analyze what happens later in the book. Had Mr. Bradley instead begun his book with the chapter titled “The Rape of China,” which discusses Japan’s brutal conquest of that nation in the 1930’s, some readers may have dismissed this book out of hand as just another grim accounting of atrocities in a war full of atrocious acts. However, armed with the historical context provided by Mr. Bradley, the reader is equipped to understand that the acts of savagery he describes were actually committed by a people who were most decidedly not savages. Thus Mr. Bradley keeps the reader engaged and interested. In addition, this chapter serves to brace the reader for the book’s grizzly conclusion which, if laid on the reader “out of the blue,” would likely prove too graphic and lose some of its significance.

Mr. Bradley introduces the reader to the “flyboys,” the book’s heroes and provides a strong sense of who they were by recounting interviews with their family and friends. His choice to portray these veterans of World War II as real-life people who did extraordinary things, rather than as superhuman icons of physical strength and moral purity as they were often cast in films of the 1940’s and 1950’s, might be Mr. Bradley’s greatest legacy as an author. That the “flyboys” were not superhuman before they served their country makes their courage in the face of incredible danger, quite ironically, seem truly superhuman.

The books finds its climax in late 1944 and early 1945, during which time multiple aircraft carriers and the Navy and Marine Corps aviation personnel who flew from their decks, engaged in a campaign to neutralize Japanese com-

required to fly near or over the island to reach their targets in the Japanese home islands. The Japanese communications stations on Chi Chi Jima relayed the movements and estimated arrival times of the B-29s to Japanese fighter commands and anti-aircraft gunners at their destinations. Eliminating the threat on Chi Chi Jima was a mission which fell to the “flyboys” to accomplish. Finally we learn of how the eight “flyboys” came to be on Chi Chi Jima and what happened after the Japanese captured them. Without giving away the details of the book, suffice to say that these aviators and air crew became the victims of unspeakable atrocities at the hands of their captors. The author intersperses their story with an accounting of how the U.S. attitude on the bombing of civilians changed during the war, from any bombing of civilians being considered a war crime at the war’s start, to “fire-bombing” of major population centers being a justifiable strategy by early 1945. While this introduction of a sort of “comparative victimization analysis” to the story may offend some, it is actually appropriate in the context of this book, as it helps prevent the reader from reacting as angrily to the treatment of the book’s heroes at the hands of the Japanese as he or she otherwise might.

In the end, *Flyboys* is very well done as a work of literature because the historical context Mr. Bradley provides enable the reader to look critically and analytically at events which might otherwise anger, rather than educate, the reader. While this is not an emotionally easy read, even for those who have not served in combat in World War II or had family or friends who were prisoners of war, I highly recommend it.

Read any great books lately? Submit your book review to natalie.morehouse@navy.mil.

Around the Corps!

Submit your input to natalie.morehouse@navy.mil

After over 35 years of civil service and 19 years as the commanding officer's secretary at Naval Legal Service Office Northwest (NLSO NW), **Mrs. Victoria Moseley** retired in October 2009.

For almost two decades Mrs. Moseley has been the continuity and the face of the NLSO NW. When the alums of the activity think back on their tour there, they fondly think of "Vicky."

When asked her philosophy as a commanding officer's secretary she says, "The commanding officer's secretary has to adapt to the boss, stay behind the scenes, make them look good and get things done. Often they don't know all the things that I do until I'm not there. One of my first commanding officers told me that I was the "command" secretary and my role was to help the entire command. I took that on and have always considered myself the "command" secretary, and I have tried to take care of everyone." And she has.

Before entering civil service, Mrs. Moseley joined the Naval Reserves as a Yeoman in 1978 and was honorably discharged as a Yeoman First Class after serving 16 years in the active reserves.

In a recent ceremony, Naval Justice Schools Commanding Officer CAPT Michael Boock presented **Mr. Jim McFarland** and **Mr. Amit Shah** with the Federal Government Service Award. Mr. McFarland has been a federal employee for 35 years and has 19 years at the Naval Justice School. Mr. Shah has been a federal employee for 15 years with 11 of those years working at the Naval Justice School.

LCDR Joan Malik, legal officer for Commander, Navy Region Northwest (CNRNW) was presented with the 2009 Richard W. Eddy Certificate

of Commendation for excellence in Environmental Litigation Support by Thomas Ledvina, Associate General Counsel and Director, Navy Litigation Office and CNRNW RADM James Symonds. The "Eddy Certificate" has been awarded annually since 2000 in honor of Richard W. Eddy, who was the Assistant Director of the Navy Litigation Office from 1987 to 1999.

In a recent ceremony CAPT Michael Boock awarded **LN1 Erin Kolb** the Naval Justice School Sailor of the Quarter award. LN1 Kolb has been at the Naval Justice School for just over a year and was also awarded the Naval Legal Service Command 2009 Sailor of the Year.

LN1(AW) Edward Constantino, the command legalman at Helicopter Sea Combat Squadron Two Five, recently earned his Enlisted Aviation Warfare Specialist (EAWS) pin. The EAWS designation signifies that a Sailor has achieved a level of professional skills, knowledge and experience in the direct support of naval air warfare.

CDR Scott Thompson received a Bronze Star Medal, NATO medal, and Afghanistan Campaign Medal in a recent ceremony at Camp Eggers, Kabul. CDR Thompson has just completed a year-long IA in Kabul as the Sr. Counsel to the Ministry of Interior for Afghan National Police at NATO Training Mission-Afghanistan Combined Security Transition Command-Afghanistan.

After more than 23 years, Naval Legal Service Office Pacific said goodbye to **Mr. Fred Eberlein** in a recent ceremony. LT Dom Antenucci presented Mr. Eberlein with his retirement commendation. The JAG Corps employs talented civilians and military legal and support professionals.

LT Brian Korn was selected as the 2009 Military Justice Officer of the Year for his work as an appellate defense attorney with the Appellate Defense Division (Code 45). Two of his cases were granted writ of certiorari by the Supreme Court.

LCDR Marc Brewen was selected as the 2009 Action Officer of the Year for the Office of the Judge Advocate General. As information litigation branch head for the General Litigation Attorney in the General Litigation Division (Code 14), LCDR Brewen achieved victories in some of the Navy's most important and sensitive litigation cases. LCDR Brewen also effectively represented the Navy's interests in a class action lawsuit against the Department of the Defense addressing the issue of the disability rating given by the military to veterans discharged with PTSD.

LN1(SW/AW) Jose Macumba was selected as the Naval Legal Service Command Sailor of the Quarter for the period of January - March 2010. LN1 Macumba is attached to Region Legal Service Office Southwest, San Diego, Calif. As the staff legalman at the Training Support Center, he supervised an office staffed by 15 military and civilian personnel responsible for providing legal services and administrative support to more than 60,000 students.

LT James Michau, was selected as the 2009 Naval Legal Service Command Junior Officer of the Year. As acting Officer in Charge at NLSO Southwest Naval Legal Service Office Southwest, Branch Office Port Hueneme, LT Michau led the officer, enlisted, and civilian staff of his branch office, ensuring provision of outstanding legal services to the entire west coast Seabee and E-2 Hawkeye communities.



The *USS Harry S. Truman* (CVN 75) boasts an impressive legal team including (from left to right) LTJG Michael Whitan, LTJG Daniel Sullivan, LT Brian Haagensen, NC1 Sara Waggoner, LN1(SW/AW) Tanika McFadden, LN2(SW) Tiffany Stacy, CDR Art Blum, and LNC(SW/AW) Christopher Brash. *USS Harry S. Truman* is currently homeported at Naval Station Norfolk, Va.



LCDR Julia Crisfield, Naval Legal Service Office North Central; LCDR Jon Stephens, OJAG Criminal Law (Code 20); and LT Jaspreet Saini, Region Legal Service Office Naval District Washington, provided military justice training to attorneys and an investigator with the Military Forces of the Democratic Republic of Congo. This training was in conjunction with the Defense Institute of International legal studies training program for these officers.



LT Matt Ivey and LT Jonathan Hullihan of Region Legal Service Office Southeast participated in the 33rd annual "Gate River Run" in Jacksonville, Fla.

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LT Elizabeth O'Connor and LN1 Crystal Price pose on the flight deck of the *USS Bonhomme Richard* (LHD-6). They are part of Amphibious Squadron SEVEN embarked on the ship.

