

DEOMI News Highlights

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

Air Force Deploy-or-Out Rules Start Now: Here's How the Policy Works [Oriana Pawlyk, *Military.com*, 20 February 2019]

- It's up to each airman to make sure he or she is fit for duty and able to deploy at a moment's notice. But commanders will keep tabs on whether an airman has been identified as non-deployable and should be recommended for retirement or administrative separation, according to the Air Force's [new guidance](#).
- The service issued guidelines Tuesday for active-duty, reserve, and National Guard members who are considered non-deployable. According to the memorandum, officials will immediately begin flagging those who have been unable to deploy for 12 consecutive months for possible separation.
- Active-duty and reserve enlisted and officers with between 16 and 20 years of service—or airmen who may be eligible for lengthy service consideration—will be evaluated by their chain of command. Lengthy service consideration is noted as service creditable toward retirement at the time discharge action starts, according to Air Force Guidance Memorandum [AFI 36-3208](#), "Administrative Separation of Airmen." These airmen, nearing retirement eligibility, are entitled to special consideration for probation upon their request.

[Air Force Deploy-or-Out Rules Start Now: Here's How the Policy Works](#)

Federal judge temporarily blocks military from forcing out HIV-positive airmen [Rachel Weiner, *The Washington Post*, 15 February 2019]

- A federal judge on Friday blocked the military from forcing out a pair of HIV-positive airmen, saying she had seen no evidence that the disease should prevent them from serving.
- Her ruling allows [the two airmen who sued](#) to remain in their posts pending trial. Both would otherwise have been terminated in the next few weeks.
- Both active-duty airmen began antiretroviral treatment after testing HIV positive in 2017, and doctors deemed them asymptomatic and physically fit to deploy. Their commanders agreed. But in November, they were told they would be discharged because personnel with HIV are barred from deploying to the Middle East.

[Federal judge temporarily blocks military from forcing out HIV-positive airmen](#)

VA Approves Fewer Male Veterans' Claims for PTSD Related to Sexual Trauma [Patricia Kime, *Military.com*, 21 February 2019]

- The Department of Veterans Affairs approves claims for post-traumatic stress disorder related to military sexual assault at significantly lower rates for men than women—a gap the former director of the VA's Center for Women Veterans says shows "systematic discrimination" against men in an era of #MeToo.
- [In an editorial published Feb. 11 by The Hill](#), Kayla Williams, a senior fellow and director of the Military, Veterans, and Society Program at the Center for a New American Security, said the Veterans Benefits Administration (VBA) has closed a gap that once existed between approval rates for combat-related PTSD and claims for military sexual trauma (MST), but a disparity still exists between the genders for MST-related claims.
- The grant rate in 2018 for sexual-trauma PTSD claims was 57.7 percent for women and 44.7 percent for men. While those rates represent a large increase from the respective 41 percent and 26.9 percent approval rates in 2011, they show a continued lack of understanding within the VBA of the scope of the problem among men, Williams said in an interview Feb. 14.

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Culture

Welcome to (possibly) the only town in America that wants a new Civil War memorial

By Petula Dvorak

The Washington Post, February 18, 2019



A model of the Civil War memorial that Gary Casteel is proposing to build in Taneytown, Md. (Courtesy of Gary Casteel)

TANEYTOWN, Md. — It would seem an unthinkable proposal right now, what this small and quaint town in rural Maryland is considering.

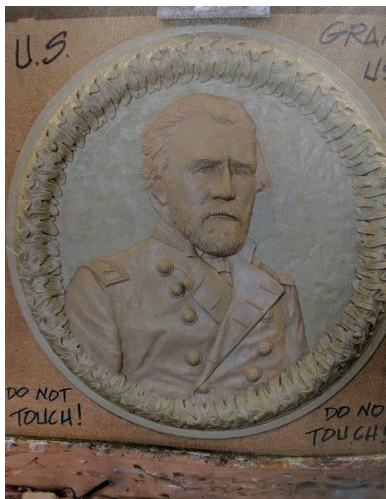
Because while the rest of the nation is having a deep reckoning with the statues and monuments of the Civil War, this picture-perfect town is thinking of building a new one.

A big one. One officials hope will attract buses and tourists and bring prosperity to their small town.

Except what they get may be notoriety.

The proposed [memorial](#) — imagined by a sculptor who is on the let-the-Confederate-battle-flag-fly side of the argument — could be the only one in the nation to include both a president and his assassin.

“To think you’d put a portrait of John Wilkes Booth that’s the same size as Lincoln, as Grant here,” Taneytown City Council member Bradley Wantz said. “I just can’t support that. Booth’s family didn’t even want to mark his grave.”



One of the portraits to be featured in Casteel’s proposed Civil War memorial is displayed. (Courtesy of Gary Casteel)

Gary Casteel, the sculptor behind the proposed memorial, is also the organizer of a combative 2016 rally held in Pennsylvania to honor the Confederate flag, and Wantz is dumbstruck that his fellow residents think this is a good idea.

The rest of the council has backed Casteel’s idea, especially after a recent visit to his studio in Gettysburg, where they raved about his work.

“It’s rare that I’m the lone opposition to something,” Wantz said. “And I’ve gotten some heat by voicing my opinion.”

Casteel, who has been going from city to city, trying to find some willing municipality to let him build his masterpiece for almost two decades, has a good sales pitch.

He has the storytelling charm of a Samuel Clemens impersonator. Silver-haired, charming and feisty, he begins his tale with the unlikely love for the Italian masters he found amid his humble beginnings in West Virginia.

After being turned down by places that said his proposed memorial was too big or had reasons they didn’t want to talk about with Wantz when he called them, Casteel is now asking Taneytown to consider him.

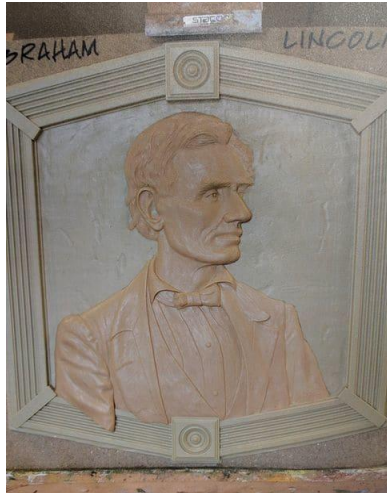
Taneytown is 15 miles from Gettysburg, where Casteel now works and lives. It has a tangential connection to the war, serving as Union Gen. George Meade’s headquarters before the Battle of Gettysburg.

https://www.washingtonpost.com/local/welcome-to-possibly-the-only-town-in-america-that-wants-a-new-civil-war-memorial/2019/02/18/18eb69f2-33a9-11e9-af5b-b51b7ff322e9_story.html

But the more delightful story of Taneytown is about President George Washington's overnight stay there on the way to Philadelphia in 1791. He read the oddly spaced sign above the [Adam Good Tavern](#) as "A Dam Good Tavern." And declared it a "damn fine place to stay."

Casteel believes this town will be a damn fine place for his memorial.

He is 72, and in his twilight years, he is stridently pursuing his Pieta, his Sistine Chapel, his greatest work. He believes he'll be able to raise money for the project and is asking the town to help him get the land.



Another portrait to be featured in Casteel's proposed memorial. (Courtesy of Gary Casteel)

The vision is a 90-foot-wide, coliseum-looking commemoration of the Civil War, with 17 giant bronze sculptures, 20 sculpted panels depicting the timeline from 1861 to 1865 and 32 portraits of key people — from Abraham Lincoln to Harriet Tubman and, yes, Booth.

Casteel sees this as a sweeping story depicting both sides of the war. Not just a guy on a horse. And the residents I talked to — from the retired CPA to the tattooed florist who just moved to Taneytown from New York City — like that.

"Not monuments to traitors, not the flags of traitors," said Beth Lee, the retired CPA who now owns the local vintage shop and is opposed to the Confederate-memorials-and-flags side of the national debate.

"But I wouldn't be opposed to something that tells the whole history; that could be nice," she said.

Of course, we have that at the National Civil War Museum in nearby Harrisburg, Pa.

But Casteel said it's not the same as his memorial.

"Vietnam has a memorial. World War I and World War II have memorials," he said. "But you know what's shocking? There is no national memorial to the Civil War."

But there are at least 13,000 memorials, monuments, statues and markers in America dedicated to this war, the most commemorated war in our land, according to the [Historical Marker Database](#).

"This war has been memorialized in many different ways around the country," said Wantz, who is exasperated with the idea that his fellow residents are dreaming of the riches that Casteel is promising. And that he is the only member of the council opposing the memorial.

"Taneytown can't handle buses," he said, pointing to traffic woes that at least 7,000 residents battle daily.

But it's more than a simple planning issue. Wantz — who is also the only member of the City Council born and raised in the town — has issues with the memorial and Casteel.

"First of all, John Wilkes Booth," he said. And there was that rally in Pennsylvania.

The Sons of Confederate Veterans Confederate flag rally that Casteel organized in March 2016 in Gettysburg was a precursor to the deadly Unite the Right rally in Charlottesville.

The chief ranger of Gettysburg National Military Park told the [\(Hanover, Pa.\) Evening Sun](#) that he hadn't encountered a similar situation since a Ku Klux Klan rally at the park in June 2014, when counterprotesters assembled and the scene grew tense.

https://www.washingtonpost.com/local/welcome-to-possibly-the-only-town-in-america-that-wants-a-new-civil-war-memorial/2019/02/18/18eb69f2-33a9-11e9-af5b-b51b7ff322e9_story.html

Taneytown has been trying to move beyond its connection to U.S. Chief Justice Roger Brooke Taney, who it is believed gave the town its name. Taney is author of what is widely acknowledged as the Supreme Court's worst ruling ever, the *Dred Scott* decision, saying African Americans could never be U.S. citizens. His statues were recently removed.

Taneytown's actual eponymous founder is Raphael Taney, who happens to be kin to the judge.

There's too much that could go wrong here, Taneytown.

I'd suggest y'all stay with the George Washington angle and keep your charming town a "dam" fine place. Without the controversy of yet another Civil War battle.

Twitter: [@petulad](#)

Discrimination

https://www.washingtonpost.com/local/public-safety/federal-judge-temporarily-blocks-military-from-forcing-out-hiv-positive-airmen/2019/02/15/5e40b1a2-313c-11e9-813a-0ab2f17e305b_story.html

Federal judge temporarily blocks military from forcing out HIV-positive airmen

By Rachel Weiner

The Washington Post, February 15, 2019



An F-35B fighter jet lands at Luke Air Force Base in Arizona. A federal judge on Friday blocked the military from forcing out a pair of HIV-positive airmen. (Ross D. Franklin/AP)

A federal judge on Friday blocked the military from forcing out a pair of HIV-positive airmen, saying she had seen no evidence that the disease should prevent them from serving.

“These are the kinds of people that it seems to me the military wants to keep in the service,” Judge Leonie M. Brinkema of the U.S. District Court for the Eastern District of Virginia said in court while issuing an injunction. She elaborated in a memorandum, chastising the government for providing “no evidence, whether anecdotal or otherwise, of the effect of HIV on a servicemember’s medical fitness or the military’s readiness.”

Her ruling allows [the two airmen who sued](#) to remain in their posts pending trial. Both would otherwise have been terminated in the next few weeks.

“We’re absolutely thrilled,” said Scott Schoettes, an attorney for the airmen from the LGBT civil rights group Lambda Legal. “We look forward to trial in this matter, where we can show HIV status has no bearing on an airman’s ability to serve.”

Both active-duty airmen began antiretroviral treatment after testing HIV positive in 2017, and doctors deemed them asymptomatic and physically fit to deploy. Their commanders agreed. But in November, they were told they would be discharged because personnel with HIV are barred from deploying to the Middle East.

Former defense secretary Jim Mattis pushed to cut from the military anyone who was not deployable worldwide. Schoettes argued in court that the policy was arbitrary because several other HIV-positive airmen have been retained. The airmen also maintain that they can serve in the Middle East and manage the virus with a pill a day and blood tests every few months, which could be sent to a lab. They pointed out that the military does not categorically bar from combat zones people who take daily medication for asthma, hypertension or dyslipidemia.

Brinkema said in court that she was inclined to agree based on the medical evidence. “We’re not talking about a complicated problem,” she said. “It’s probably less complicated than sleep apnea.”

Assistant U.S. Attorney Robert Norway said in court that the military had to consider a “worst-case scenario” — if the medication was lost, a person’s viral load could rise to detectable levels. Because the two men are younger, he said, they are more likely to be sent to the Middle East than those who were not terminated.

Brinkema said studies found that would take weeks; Norway countered that it could take “as little as nine days.”

However, Brinkema questioned why the government had provided no recent medical research to defend its position while the plaintiffs had. In her ruling, she noted that a military-published study from 2015

https://www.washingtonpost.com/local/public-safety/federal-judge-temporarily-blocks-military-from-forcing-out-hiv-positive-airmen/2019/02/15/5e40b1a2-313c-11e9-813a-0ab2f17e305b_story.html

concluded HIV “has gone from an untreatable disease” to one “that is compatible with active service throughout a full career in the U.S. military.”

In court filings, the government also expressed concern about “transmission of HIV on the battlefield,” including from a “battlefield blood transfusion.” Brinkema dismissed such fears, writing that “HIV is not as easily transmitted as many people believe” and cannot be transmitted at all when a person’s viral load is suppressed by medication.

“Defendants have not identified a single recorded case of accidental transmission of HIV on the battlefield, which is unsurprising given the uncontroverted evidence that even without effective treatment, the risk of transmission through nonintimate contact such as blood splash is negligible,” she wrote.

A servicemember who knows himself to be HIV positive, she acknowledged, could not give blood, but “many servicemembers cannot give blood for various reasons” and are still deployed.

The two airmen filed suit using the aliases Richard Roe and Victor Voe to avoid the stigma of publicizing their HIV status. Voe, who Brinkema noted has deployed to the Middle East twice, came to court Friday in uniform.

“I’m really excited,” he said after the hearing. “This is the first time in two years I’ve had hope.”

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SEE ALSO:

[Judge halts Air Force’s efforts to discharge airmen with HIV](#) [*The Associated Press*, 2019-02-15]

Kansas lawmakers sponsor bill calling same-sex marriages ‘parody’

By Jonathan Shorman and Bryan Lowry

McClatchy Washington Bureau, February 13, 2019

TOPEKA—A handful of Kansas lawmakers are backing a bill that labels same-sex marriages “parody marriages” and seeks to stop the state from recognizing them.

Another bill would create an “elevated marriage” for straight couples and make divorce more difficult in some cases. That bill also describes same-sex marriages as parody marriages.

The public disapproval of same-sex marriage from some Republican lawmakers comes just months after voters elected the state’s first openly gay lawmakers and less than two weeks after the [introduction of a bill](#) that would prohibit discrimination against LGBT individuals statewide.

The anti-gay marriage bills stand virtually no chance of becoming law. Democratic Gov. Laura Kelly’s first official act in office was to [restore non-discrimination protections](#) for LGBT state workers, and she would almost certainly veto such a bill.

And although the Kansas Constitution prohibits same-sex marriage, the [U.S. Supreme Court has ruled](#) that gay couples have the right to marry. An immediate court challenge would be expected if the bill ever did become law.

Still, the bills mark the reemergence of same-sex marriage as a political issue in the Statehouse at a time when Democrats and some Republicans are pushing for non-discrimination legislation.

“Their marriage probably doesn’t affect me – their union or whatever you want to call it. But in my opinion, they’re trying to force their beliefs on society,” said Rep. Randy Garber, a Sabetha Republican and the bill’s lead sponsor.

One of the bills describes sexual orientation as a “mythology.”

“I am very disappointed,” said Rep. Susan Ruiz, a Shawnee Democrat who is the first lesbian to serve openly in the Kansas Legislature. “I see who the co-sponsors are and I sit with a couple of them in committee and I’m certainly going to talk to them about that and say, ‘hey, I don’t know if you know about it or not, but I’m not a myth... Am I a unicorn?’”

Ruiz said she has felt welcomed by lawmakers of both parties during her first weeks at the Statehouse and that she has not experienced any mean-spirited comments.

Tom Witt, director of the gay rights group Equality Kansas, said the legislation represents the “most vile, hateful and disrespectful legislation” he has seen in 14 years as a lobbyist. The sponsors should be ashamed of themselves, he said.

“Every year, we see bills that restrict, remove, and limit the rights of LGBT Kansans, but never have we seen this level of extremist vitriol laid out in legislative language. These bills combined are 18 pages of insults and name calling,” Witt said.

Witt added that “Fred Phelps would be proud.” Phelps was a infamous anti-gay preacher from Topeka who led the Westboro Baptist Church, known for picketing at public events.

The Family Policy Alliance of Kansas, a group that has opposed same-sex marriage in the past, said it had no role in the legislation and could not comment on it.

<https://www.mcclatchydc.com/news/nation-world/national/article226239545.html>

In a 20-minute interview, Garber acknowledged that he did get “kind of harsh” in the language used in the bill, calling same-sex marriages “parody marriages.” But he emphasized that he believes the only true marriage is between a man and a woman.

Garber said society has veered extremely to the left “when they say there’s 37 different gender identities and I’m going ‘What?’”

“So this bill is to say the state should stay out of religious unions. The state has always said that they will not interfere, or that they will not promote one religion over another. Well now, they are promoting secular humanism over all other forms of religion,” Garber said.

Several paragraphs in the bill seek to describe differences between the civil rights movement and the gay rights movement. The bill says “there are no ex-blacks but there are thousands of ex-gays.”

The legislation also says that many citizens who object to what the bill terms “LGBTQ secular humanism” do so not out of bigotry.

“I don’t believe myself to be a bigot. I’m Christian and I love people. I believe you should love everybody, but I believe you should also take a stand on what you believe, lovingly,” Garber said.

Rep. Brandon Woodard is a Lenexa Democrat and one of the first two openly LGBT members to serve in the Legislature, along with Ruiz. He is co-sponsoring a bill that would ban discrimination in housing and in the workplace on the basis of sexual orientation and gender identity, a protection that already exists for race and religion.

“I think the voters of Kansas have made it very clear that we should be open and inclusive to all Kansans,” he said.

Woodard noted that his legislation currently has 38 co-sponsors and said that he’s confident Garber’s measures would never receive the 63 votes needed to pass the House.

Garber’s two marriage bills have six or seven co-sponsors in addition to Garber.

New York City to Ban Discrimination Based on Hair

New guidelines out this week give legal recourse to individuals who have been harassed, punished or fired because of the style of their hair.

By Stacey Stowe

The New York Times, February 18, 2019



The New York City's human rights commission specifically asserts the right of people to have “natural hair, treated or untreated hairstyles such as locs, cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state.” (Credit: Andre D. Wagner for The New York Times)

Under new guidelines to be released this week by the New York City Commission on Human Rights, the targeting of people based on their hair or hairstyle, at work, school or in public spaces, will now be considered racial discrimination.

The change in law applies to anyone in New York City but is aimed at remedying the disparate treatment of black people; the guidelines specifically mention the right of New Yorkers to maintain their “natural hair, treated or untreated hairstyles such as locs, cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state.”

In practice, the guidelines give legal recourse to individuals who have been harassed, threatened, punished, demoted or fired because of the texture or style of their hair. The city commission can levy penalties up to \$250,000 on defendants that are found in violation of the guidelines and there is no cap on damages. The commission can also force internal policy changes and rehiring at offending institutions.

The move was prompted in part by investigations after complaints from workers at two Bronx businesses — a medical facility in Morris Park and a nonprofit in Morrisania — as well as workers at an Upper East Side hair salon and a restaurant in the Howard Beach section of Queens. (The new guidelines do not interfere with health and safety reasons for wearing hair up or in a net, as long as the rules apply to everyone.)

The guidelines, obtained by The New York Times before their public release, are based on the argument that hair is inherent to one’s race (and can be closely associated with “racial, ethnic, or cultural identities”) and is therefore protected under the city’s human rights laws, which outlaw discrimination on the basis of race, gender, national origin, religion and other protected classes.

To date, there is no legal precedent in federal court for the protection of hair. Indeed, last spring the United States Supreme Court refused an NAACP Legal Defense and Educational Fund request to review a case in which a black woman, Chastity Jones, had her job offer rescinded in 2010 at an Alabama insurance company after she refused to cut off her dreadlocks.

But New York City’s human rights commission is one of the most progressive in the nation; it recognizes many more areas of discrimination than federal law, including in employment, housing, pregnancy and marital status. Its legal enforcement bureau can conduct investigations, and has the ability to subpoena witnesses and prosecute violations.

“There’s nothing keeping us from calling out these policies prohibiting natural hair or hairstyles most closely associated with black people,” said Carmelyn P. Malalis, the commissioner and chairwoman of the New York City Commission on Human Rights.

<https://www.nytimes.com/2019/02/18/style/hair-discrimination-new-york-city.html>

“They are based on racist standards of appearance,” Ms. Malalis continued, saying that they perpetuate “racist stereotypes that say black hairstyles are unprofessional or improper.”

In New York, it isn’t difficult to find black women and men who can speak about how their hair has affected their lives in both subtle and substantial ways, ranging from veiled comments from co-workers to ultimatums from bosses to look “more professional” or find another job.

For Avery, 39, who works in Manhattan in court administration and declined to provide her last name for fear of reprisal at work, the answer to how often she fields remarks on her hair in a professional setting is “every day.”

Avery said her supervisor, who is white, encourages her to relax her hair, which she was wearing in shoulder-length chestnut-colored braids. “She’s like, ‘You should do your hair,’ when it is already styled, or she says, ‘straight is better,’” Avery said. She added that the only hair color her supervisor approves of is black.

Georbina DaRosa, who is interning to be a social worker, had her hair in box braids as she ate lunch with a colleague at Shake Shack on East 86th Street on a recent weekend afternoon. Ms. DaRosa said her hair sometimes elicited “microaggressions” from her superiors at work.

“Like, people say, ‘I wouldn’t be able to recognize you because you keep changing your hairstyle,’ that’s typical,” said Ms. DaRosa, 24.

Her lunch partner, Pahola Capellan, who is also black and whose ringlets were bobbed just above her shoulders, said, of her own experience: “It’s very different. There’s no discrimination because my hair is more acceptable.”

A 21-year-old black woman who gave her name only as Enie said she quit her job as a cashier at a Manhattan Wendy’s six months ago when a manager asked her to cut off her 14-inch hair extensions. “I quit because you can’t tell me my hair is too long, but the other females who are other races don’t have to cut their hair,” said Enie, who now works at a hospital.

There has long been a professional toll for those with certain hairstyles. [Almost 18 percent](#) of United States soldiers in active duty are black, but it is only in recent years that the military has dropped its prohibitions on hairstyles associated with black culture. The Marines approved braid, twist and “lock” (usually spelled loc) [hairstyles](#) in 2015, with some caveats, and the [Army lifted its ban](#) on dreadlocks in 2017.

And certain black hairstyles are freighted with history. Wearing an Afro in the 1960s, for instance, was often seen as a political statement instead of a purely aesthetic choice, said Noliwe Rooks, an author and professor at Cornell University whose work explores race and gender. Dr. Rooks said that today, black men who shave designs into their hair as a stylistic choice may be perceived as telegraphing gang membership.

“People read our bodies in ways we don’t always intend,” Dr. Rooks said. “As Zora Neale Hurston said, there is the ‘will to adorn,’ but there is often a backlash against it.”

Chaumtoli Huq, an associate professor of labor and employment law at City University of New York School of Law, said that attitudes will change as black politicians, like Stacey Abrams, who ran for governor of Georgia, and Ayanna Pressley, who represents Massachusetts in Congress, rise in prominence.

“As more high-profile black women like Abrams and Pressley opt for natural hairstyles, twists, braids, we may see a positive cultural shift that would impact how courts view these guidelines that seek to prevent discrimination based on hair,” Ms. Huq said.

<https://www.nytimes.com/2019/02/18/style/hair-discrimination-new-york-city.html>

Hair discrimination affects people of all ages. In the past several years, there have been a number of cases of black students sent home or punished for their hairstyles. In New Jersey, the state civil rights division and its interscholastic athletic association started separate investigations in December when Andrew Johnson, a black high school student, was told to cut off his dreadlocks or forfeit a wrestling match.

Last August, an 11-year-old student in Terrytown, La., was sent home from school for wearing braids, as was a 6-year-old boy in Florida who wore dreadlocks. In 2017, Mya and Deana Cook, twin sisters in Massachusetts, were forced to serve detentions because officials said their braids violated their school's grooming policy.

Similar instances in New York City could fall under the human rights commission's expansive mandate, as do instances of retailers that sell and display racist iconography.

In December, the commission issued a cease-and-desist order to Prada, the Italian luxury fashion house, after the window of its SoHo store was adorned with charms and key chains featuring blackface imagery.

The fashion company instituted training in the city's human rights law for employees, executives, and independent contractors. It also immediately pulled the line of goods from its United States stores.

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SEE ALSO:

[The Decriminalization of Black Hair](#) [*The New York Times*, 2019-02-21]

[New York City Bans Hair Discrimination: Recommendations For Companies Moving Forward](#) [*Forbes*, 2019-02-20]

[New York City bans hair discrimination to fight racism](#) [*BBC*, 2019-02-19]

[New York City Joins Movement To Stop Hairstyle Discrimination](#) [*CBS*, 2019-02-18]

Diversity

Among 1-percent earners, where are all the women?

By Andrew Van Dam

The Washington Post, February 18, 2019



Once criticized for male-heavy panels, organizers of the annual World Economic Forum — an annual meeting of the global elite in Davos, Switzerland — have sought to include more female speakers. Here, attendees line up for a panel session on Jan. 23. (Jason Alden/Bloomberg News)

The glass ceiling is even higher in the penthouse.

Women earn enough on their own to qualify for 1 percent status in just one of every 22 top-earning households, new research shows. The gap hasn't narrowed for at least 20 years.

Because women face more obstacles and discrimination in the labor market, “marrying a man with good income prospects is a woman’s main route to the one percent,” write Jill Yavorsky (University of North Carolina-Charlotte), Lisa Keister (Duke), Yue Qian (University of British Columbia) and Michael Nau (Ohio State University) in an analysis just [released](#) in *American Sociological Review*.

Most college graduates, half of professional-school graduates and a third of business owners are women. Yet few of them break into the highest income tiers.

In 2016, households in the top 1 percent earned \$845,000 or more.

[Women don't just face a gender pay gap. They also suffer from a stock options gap.]

Who are the women in the 1 percent?

Married women are 99 percent more likely than single women to be in a 1 percent household, according to the team's analysis of Federal Reserve data collected between 1995 and 2016. The equivalent number for married men is just 70 percent. These figures are adjusted for race, age and the presence of children.

However, married women's odds of being in the 1 percent are higher primarily because they have access to their spouse's income. Among top-percentile households, the woman's income was needed to help the household meet the threshold for the top 1 percent only 15 percent of the time. Just 4.5 percent of women earned enough alone to enter the 1 percent.

But Yavorsky cautions against giving one partner credit for 100 percent of their paycheck. Consider novelist [MacKenzie Bezos](#), who may soon become one of the richest women in the world, depending on how her [announced](#) divorce proceeds. She would be viewed as a spouse whose wealth was generated by her partner, but reports indicate she [was](#) critical to the success Amazon, the online retailer founded by her husband, Jeffrey P. Bezos, who also owns The Washington Post.

“Many men would not be where they are without having spouses that were willing to do the majority of household production and willing to subordinate their careers,” Yavorsky said.

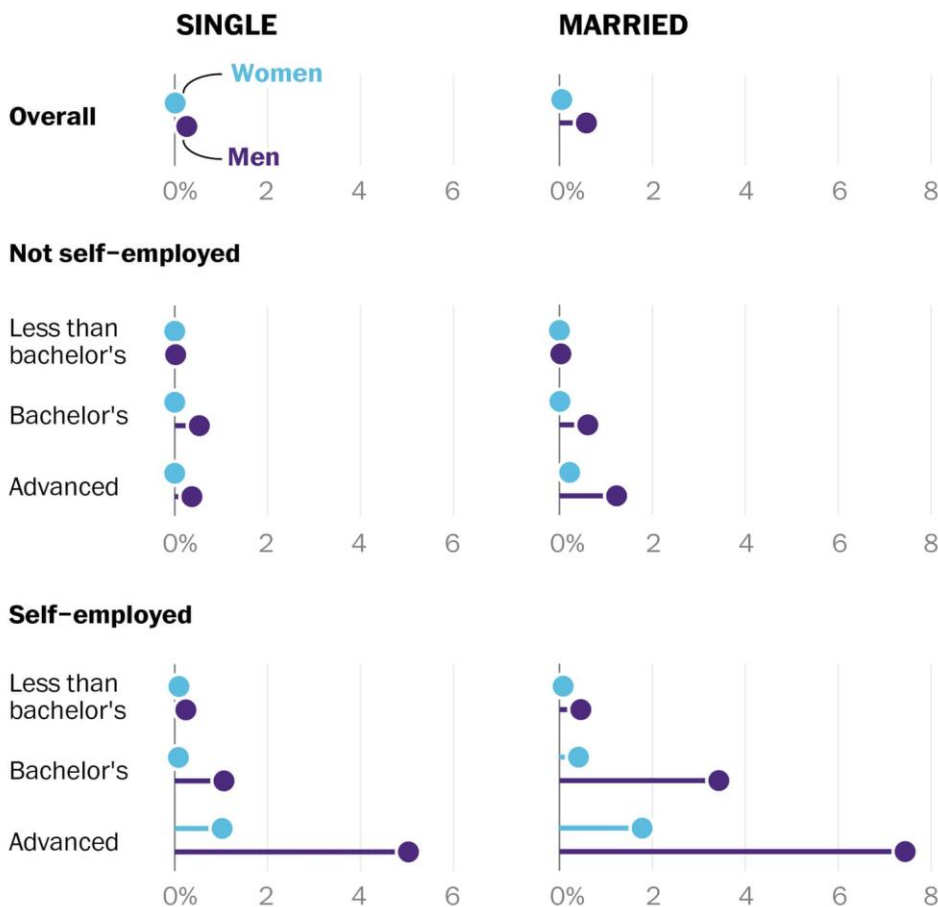
Cornell economist Francine Blau, whose four-plus decades of work on the gender wage gap have been cited thousands of times, said the new analysis was consistent with her own work. In a 2017 work with collaborator Lawrence Kahn, she found “the gender pay gap declined much more slowly at the top of the wage distribution than at the middle or bottom and, by 2010, was noticeably higher at the top,” Blau said.

<https://www.washingtonpost.com/us-policy/2019/02/13/glass-ceiling-is-even-higher-penthouse-women-percenters-are-rare/>

About 1.8 percent of self-employed, married women with advanced degrees earn enough to place themselves in the top 1 percent. Among men, the figure is 7.3 percent.

Who is likely to earn an income in the top 1 percent?

Share of men and women whose personal income is high enough to place their household into the top 1 percent



Source: Adapted from Figure 1 in Yavorsky et al's 2019 publication in American Sociological Review
THE WASHINGTON POST

Ultra-high-earning women rely more on entrepreneurship than top-earning men, another sign women don't get as many opportunities within traditional corporate structures. Men have more options when it comes to starting businesses, attracting investment or rising through the corporate ranks.

[Searching for images of CEOs or managers? The results almost always show men.]

“Women experience significant obstacles in climbing organizational hierarchies that often intensify over their careers,” the authors write.

Men still dominate many of the highest-income professions, including finance, hedge funds and top-tier law firms.

[On Leadership: Women make

up just 11 percent of the highest paid jobs in corporate America]

Due to these obstacles and lower earnings at every education level, it also takes women longer to reach elite-earner status. The average single woman in the top 1 percent is 63 years old. The average single man is just 53.

Why are women left out?

In cold economic terms, marriage tends to benefit men more than it benefits women. At all income levels, women are expected to handle child care and other household tasks, and to sacrifice for the good of the household.

“Many high-earning women might not be able to get their spouses to quit their jobs and move for a new opportunity or split child care evenly,” Yavorsky said.

<https://www.washingtonpost.com/us-policy/2019/02/13/glass-ceiling-is-even-higher-penthouse-women-percenters-are-rare/>

When a man is the primary breadwinner, 70 percent of women in elite households don't participate in the labor force, according to Yavorsky and colleagues. When a woman's income is enough to put the household in the top 1 percent, men stay home about 22 percent of the time.

“Many men would not be where they are without having spouses that were willing to do the majority of household production and willing to subordinate their careers,” Yavorsky said.

As a result, rising income inequality in the United States is largely a man's game.

“The majority of U.S. income gains over the past 30 to 40 years have gone to top 1 percent of households. If women's income is inconsequential in the vast majority of households, rising inequality is largely due to a small proportion of men's incomes,” Yavorsky said.

[\[Wealth concentration returning to 'levels last seen during the Roaring Twenties,' according to new research\]](#)

While women in elite households enjoy great privilege, we should recognize they probably exert little influence compared with their husbands. Research has shown that breadwinners gain additional power in a household, especially if that breadwinner is male and propped up by generations of cultural norms.

“When we talk about 'the elites' or 'the 1 percent', we're likely talking about men, not women, exercising this power in the political sphere and the economic sphere,” Yavorsky said.

For a Black Mathematician, What It's Like to Be the 'Only One'

Fewer than 1 percent of doctorates in math are awarded to African-Americans. Edray Goins, who earned one of them, found the upper reaches of the math world a challenging place.

By Amy Harmon

The New York Times, February 18, 2019



Edray Goins is one of about a dozen black mathematicians among nearly 2,000 tenured faculty members in the nation's top 50 math departments. (Credit: Jared Soares for The New York Times)

BALTIMORE — It was not an overt incident of racism that prompted Edray Goins, an African-American mathematician in the prime of his career, to abandon his tenured position on the faculty of a major research university last year.

The hostilities he perceived were subtle, the signs of disrespect unspoken.

There was the time he was brushed aside by the leaders of his field when he approached with a math question at a conference. There were the reports from students in his department at Purdue University that a white

professor had warned them not to work with him.

One of only perhaps a dozen black mathematicians among nearly 2,000 tenured faculty members in the nation's top 50 math departments, Dr. Goins frequently asked himself whether he was right to factor race into the challenges he faced.

That question from a senior colleague on his area of expertise, directed to someone else? His department's disinclination to nominate him to the committee that controls hiring? The presumption, by a famous visiting scholar, that he was another professor's student?

What about the chorus of chortling that erupted at a lunch with white and Asian colleagues when, in response to his suggestion that they invite underrepresented minorities as seminar speakers, one feigned confusion and asked if Australians qualified.

"I can give you instance after instance," Dr. Goins, 46, said as he navigated the annual meeting of the nation's mathematicians in Baltimore last month. "But even for myself I question, 'Did it really happen that way, or am I blowing it out of proportion? Is this really about race?'"

The 'leaky pipeline'

Black Americans receive about 7 percent of the doctoral degrees awarded each year across all disciplines, but they have received just 1 percent of those granted over the last decade in mathematics. Like many who see in that disparity a large pool of untapped talent, Dr. Goins has long been preoccupied with fixing what is known as the "leaky pipeline."

Redress the racial disparities that exist at every level of math education, the logic goes, and racial diversity among those who grapple with math's biggest problems will follow.

To that end, Dr. Goins delivers guest lectures to underrepresented middle and high school math students, organizes summer research programs for underrepresented math undergraduates, mentors underrepresented

<https://www.nytimes.com/2019/02/18/us/edray-goins-black-mathematicians.html>

math graduate students, and heads an [advocacy group](#) that was formed in 1969 after the American Mathematical Society, the professional association for research mathematicians, rejected a proposal to address the dearth of black and Hispanic members.

Dr. Goins's own journey through the pipeline was propelled by a magnet program that offered Advanced Placement calculus for the first time at his majority-black south Los Angeles high school. In 1990, having aced the A.P. calculus BC exam, he became the first student from the school ever to gain admission to the prestigious California Institute of Technology, just 20 miles away.

The 10 black students in his incoming class were the largest group Caltech had ever enrolled, he learned when he wrote a paper on the little-known history of [being black at Caltech](#) for a summer research project. Only three of the others graduated with him four years later.

Most of his classmates, Dr. Goins quickly realized, had arrived with math training that went far beyond his own. In his freshman year, he sometimes called his high school calculus teacher for help with the homework. In his sophomore year, he watched from his dormitory television as the 1992 Los Angeles riots erupted a few blocks from his mother's home. But he also came to excel in applied math, which traffics in real-world problems, and, later, to immerse himself in "pure math," which seeks to elucidate the questions intrinsic to mathematics itself.

Dr. Goins won two math prizes at Caltech, and in 1999 he received a Ph.D. from Stanford's math department — one of three African-Americans that have ever done so, according to an informal count by William Massey, a Princeton professor who received the second. In 2004, after holding a visiting scholar position at the Institute for Advanced Study in Princeton and another at Harvard, Dr. Goins joined the faculty of Purdue in West Lafayette, Ind.

"You are such an inspiration to us all," Talitha Washington, a black mathematician who is now a tenured professor at Howard University, wrote on his Facebook page when he received tenure in the spring of 2010.

Yet having emerged at the far end of the pipeline, Dr. Goins found himself unwilling to stay. Last fall, in a move almost unheard-of in the academic ecosystem, he traded his full professor post at Purdue, where federal resources are directed at tackling science's unsolved problems and training a new generation of Ph.D.'s, for a full professorship at Pomona, a liberal arts college outside Los Angeles that prioritizes undergraduate teaching.

"Edray," he recalled one colleague telling him, "you are throwing your career away."

"Who do they make eye contact with?"

In an essay that has been widely shared over the last year, Dr. Goins sought to explain himself. He extolled the virtues of teaching undergraduates and vowed to continue his research. But he also [gave voice to a lament](#) about the loneliness of being black in a profession marked by extraordinary racial imbalance.

"I am an African-American male," [Dr. Goins wrote](#) in a blog published by the American Mathematical Society. "I have been the only one in most of the universities I've been to — the only student or faculty in the mathematics department."

"To say that I feel isolated," he continued, "is an understatement."

Experiences similar to Dr. Goins's are reflected in [recent studies](#) by [academic institutions](#) on attrition among underrepresented minorities and women across many disciplines. Interviews with departing faculty of color indicated that "improving the climate" would be key to retaining them, according to a 2016 [University of Michigan report](#). Officials at Columbia, which has spent over \$85 million since 2005 to

<https://www.nytimes.com/2019/02/18/us/edray-goins-black-mathematicians.html>

increase faculty diversity, with disappointing results, [suggested last fall](#) that progress would hinge partly on majority-group faculty members adjusting their personal behavior.

“In most cases, faculty are not consciously or purposely trying to make colleagues feel unwelcome or excluded,” said Maya Tolstoy, dean of Columbia’s arts and science faculty. “But it happens.”

And at the recent math meeting, where Dr. Goins delivered [a keynote address](#) titled “A Dream Deferred: 50 Years of Blacks in Mathematics,” his presence kindled conversations about racial slights in the math world. The presumption of competence and authority that seems to be automatically accorded other mathematicians, for instance, is often not applied to them, several black mathematicians said.

“Who do they make eye contact with? Not you,” said Nathaniel Whitaker, an African-American who heads the department of mathematics and statistics at the University of Massachusetts at Amherst.

Michael Young, a mathematician at Iowa State University, said he almost gave up on graph theory a few years ago after an encounter with some of the leaders of the field at a math institute at the University of California, Los Angeles.

“A couple of them were at a board writing something,” he recalled. “I went over and asked, ‘What are you guys working on?’”

“We’re too far in to catch you up,” he said he was told.

The ethos characterized as meritocracy, some said, is often wielded as a seemingly unassailable excuse for screening out promising minority job candidates who lack a name-brand alma mater or an illustrious mentor. Hiring committees that reflect the mostly white and Asian makeup of most math departments say they are compelled to “choose the ‘best,’” said Ryan Hynd, a black mathematician at the University of Pennsylvania, “even though there’s no guideline about what ‘best’ is.”

And Ken Ono, a prominent mathematician in Dr. Goins’s field, number theory, and a vice president of the mathematical society, said that a part of Dr. Goins was always likely to be wondering, “‘Do they see me as the token African-American, or do they see me as a number theorist?’”

“And honestly, to tell the truth, I think that answer would vary from individual to individual,” Dr. Ono said.

Most tenured math faculty members at research institutions do not leave, regardless of their race. “I’ve done well and am really enjoying myself,” wrote Chelsea Walton, a black mathematician at the University of Illinois, in a comment on Dr. Goins’s blog post.

But because [role models of the same race](#) are [seen as critical](#) to luring talented students from underrepresented minorities into a Ph.D. program, it is a blow to lose even one, Dr. Ono said. For the representation of African-Americans in math departments to reach parity with their 13-percent share of the country’s adult population, their ranks would have to increase more than tenfold. (The number of women, also notoriously low among math faculty, would need to triple.) “It’s a loss to our mathematical community that Edray may never advise graduate students again,” said Dr. Ono, who is Japanese-American.

An ambitious gambit

Dr. Goins’s isolation, he himself was the first to note, was also forged by an early career failure. Near the end of his graduate studies at Stanford, he set out to prove a conjecture using techniques suggested by the solution to a 350-year-old problem, Fermat’s last theorem, which had [rocked the mathematical world](#) a few years earlier.

<https://www.nytimes.com/2019/02/18/us/edray-goins-black-mathematicians.html>



Dr. Goins is one of about a dozen black mathematicians among nearly 2,000 tenured faculty members in the nation's top 50 math departments. (Credit: Jared Soares for The New York Times)

It was an ambitious undertaking whose success would probably have snagged him job offers from the most elite math departments in the country. But the conjecture was grounded in a highly technical area populated by the field's top talent. And despite guidance from Richard Taylor, a white mathematician then at Harvard who had assisted in solving Fermat's theorem, Dr. Goins

was unable to publish the paper he produced four years later.

Several mathematicians familiar with Dr. Goins's efforts said they did not see racial discrimination as playing a role. It is not all that unusual, they said, for such an ambitious undertaking to end in an unsatisfying result. But it also can require deep reserves of self-confidence and a professional network to bounce back.

Dr. Goins's colleagues at Purdue said his receipt of tenure and subsequent promotion to full professor signaled the university's willingness to overlook a sparse research portfolio in light of his extraordinary work with undergraduates, as well as the summer programs he organized for minority students.

"While these areas are not necessarily 'traditional' markers for excellence at major research universities, they were valued," Greg Buzzard, the head of Purdue's math department, who is white, said in a statement.

But Dr. Goins said he was looking for something else.

"I just never really felt respected," he said.

At the math meeting last month, Dr. Goins's essay was not immune from criticism.

Some black mathematicians questioned the utility of dwelling on perceived slights, many of which are unconscious or made out of ignorance.

Some who know Dr. Goins noted his sensitivity. Insults that others might shrug off, they said, might stick with him.

For Bobby Wilson, a mathematician at the University of Washington, offenses related to race "just start to wash over you." He added: "That doesn't mean it's right or good."

Over dinner one evening, another black mathematician told Dr. Goins that he was worried that his blog account of the difficulties he faced might discourage black graduate students who hope to pursue careers in academic research.

Maybe, it was suggested, he should have kept it to himself.

Dr. Goins, taking that in, was silent. His reply came only the next day.

"I didn't write it to tell people what should happen," he said. "I wrote it to tell people what could happen."

Amy Harmon is a national correspondent covering the intersection of science and society. She has won two Pulitzer Prizes, one for her series "The DNA Age," and another as part of a team for the series "How Race Is Lived in America." [@amy_harmon](#) • [Facebook](#)

In Palm Springs, the nation's first all-LGBTQ city council tests the modern meaning of diversity

By Scott Wilson

The Washington Post, February 18, 2019



From left, members of the Palm Springs City Council: Mayor Robert Moon, Christy Holstege, J.R. Roberts, Lisa Middleton and Geoff Kors. The group, the first all-LGBTQ city council, has faced challenges — both internal and external — during the past year. (City of Palm Springs/City of Palm Springs)

PALM SPRINGS, Calif. — This glamorous desert getaway achieved a measure of fame a little more than a year ago when voters elected the nation's first city council consisting entirely of members of the LGBTQ community.

A bisexual woman and a transgender woman joined three gay men on the council that election night. The gay and lesbian community — a majority of the electorate in this city of 45,000 people — cheered the milestone as an affirmation of the community's model tolerance. RuPaul, the nation's unofficial drag-queen laureate, chimed in with [a celebratory tweet](#) to more than a million followers.

“It was pretty cool, a pretty cool thing,” said council member Geoff Kors, noting that adding the “B” and the “T” to the council that night was particularly special. “It sent a very powerful message to anyone out there who felt alone.”

The happy moment did not last long. The council elected in November 2017 also happened to be all white, and some people did not think that was cool at all.

What was viewed by many as a broad step toward greater diversity instead turned Palm Springs into a forum for a debate about what diversity means — and who, exactly, is best suited to represent whom in a state shaped for decades by identity politics.

The challenges that emerged almost immediately to this city's all-LGBTQ council reflected arguments that have remained unresolved — here in California and across the country — for decades over gay, African American and Latino representation. In the Trump era, the divide has widened.

Less than three months after the council's election, a Latino civil rights group threatened to sue the city under the [California Voting Rights Act](#), claiming that Latinos had been frozen out of political representation because of the at-large voting system in place. About 25 percent of the city's population is Latino, including many whose families have been here for generations but have never seen one of their own on the council.

To avoid the lawsuit, the council changed the system so that members will be elected by district. The move effectively guaranteed that the all-LGBTQ council will end its short, largely unhappy tenure with this November's election.

The past year has included bitter debates over whether the council should weigh in on national issues, whether the mayor is secretly a Republican, and whether gay, lesbian, bisexual and transgender politicians understand the changing needs of those outside the community.

https://www.washingtonpost.com/national/in-palm-springs-the-nations-first-all-lgbtq-city-council-tests-the-modern-meaning-of-diversity/2019/02/18/38f9b600-3074-11e9-8ad3-9a5b113ecd3c_story.html

“What is happening in Palm Springs is the kind of challenge more cities and more states are going to face as the country becomes more diverse,” said Benjamin Bishin, a University of California at Riverside political science professor and author of the 2009 book “Tyranny of the Minority: The Subconstituency Politics Theory of Representation.”

“The real question is whether these representatives from one traditionally marginalized group can adequately represent those from another, in this case Latinos,” he continued. “But representation is not just about what constituents want. If it were, we’d see the same chromatic people running things over and over again.”

Sexual identity and potholes

Lounging in the semi-shadow of San Jacinto Peak, which helps form the Coachella Valley, Palm Springs is generally a sedate, polite place with few problems. Bickering over politics is about as cool here as replacing one of the city’s Jetsons-sleek [midcentury modern homes](#) with a three-story McMansion.

This is a city of walled-and-gated retirement communities and golf courses edged by desert, a state-of-the-art design and cultural center, and a destination for gays, lesbians, bisexuals and transgender people who over the years have moved here to make a home and live out life openly.

Among those was Lisa Middleton, who is 66 years old and became the council’s “T,” as she put it, with her November 2017 election. She moved here from San Francisco, where she worked for the State Compensation Insurance Fund and, even in that famously tolerant city, lived a double life.

Her campaign for council focused on neighborhood issues — road conditions, bicycle safety and speed limits — rather than making history or pushing an LGBTQ agenda. Her response when asked about sexual identity and municipal politics: “Potholes do not have a gender.”

“There were a few nasty emails and a few transphobic shouts,” she said about her campaign. “My reaction to those was private. But, boiled down, it was basically, ‘Is that the best you can do?’ ”

Voting rights legal threat

The new council began its work with the mundane.

There were citywide complaints about homes being leased out as short-term vacation rentals, essentially party houses that disrupted the still, starlit evenings. Like many California cities, Palm Springs also has a homeless problem; the council needed to find shelter for 200 people living on the streets.

Then, less than two months into its tenure, the council found itself facing a legal threat.

The city received a letter in February 2018 from a lawyer for the [Southwest Voter Registration Education Project](#), a Latino civil rights group. It claimed that the city’s at-large voting system “dilutes the ability of Latinos to elect candidates of their choice or otherwise influence the outcome of Palm Springs’ council elections.”

The group had sent similar letters to other California cities where Latino political representation did not seem to reflect the population’s size. It was difficult to argue that some reform wasn’t necessary in Palm Springs, where an increasing number of young Latinos were returning to make a life and enter politics.

“I’m in the group that says we can celebrate our all-LGBTQ council, but that we can also improve,” said Alexis Ortega, 31, director of community engagement for [the LGBT Community Center of the Desert](#).

https://www.washingtonpost.com/national/in-palm-springs-the-nations-first-all-lgbtq-city-council-tests-the-modern-meaning-of-diversity/2019/02/18/38f9b600-3074-11e9-8ad3-9a5b113ecd3c_story.html

Ortega, who identifies as queer, was born in Palm Springs and grew up along the quiet streets of San Rafael and Sunrise Way, where large retirement communities have since been built alongside the more modest houses of her childhood. She went through the schools of the Palm Springs unified district, whose student body is now 80 percent Latino.

Her father migrated from Jalisco, Mexico, meeting her mother in the United States and eventually settling in the desert, where he has worked outside all his life, in the fields and now at construction sites. She said he always urged her to study hard so she could work indoors.

Ortega did. After graduating from Stanford University, she returned to Palm Springs.

“My sentiment originally was that I can’t wait to leave here,” she said. “But you come to realize the impact you can make on a small community.”

Ortega served on the commission assigned to draw five voting districts, and the council made clear before the process began that there would be no gerrymandering to help incumbents hold their seats.

The council has had a gay and lesbian majority for a decade, but very few women have served in recent years. There is also the question of age diversity, something Ortega was acutely aware of as a teen finding her way in a place identified as a “retirement community.”

“When you grow up here, go to schools here, and you hear that, you just feel invisible,” Ortega said.

The complication occurred in District 3, where three incumbents live — Mayor Robert Moon, council member J.R. Roberts and Kors. Moon and Roberts opposed the measure creating the districts, and only Kors has announced his intention to run again.

“We went to districts out of fear of a lawsuit, not because we wanted to,” said Roberts, 58, a gregarious architect who restores midcentury modern homes. “That is no way to make policy.”

Roberts calls himself the “reluctant queer,” someone who saw the “all-LGBTQ” branding of the council as more of a distraction than a benefit. He believes the city is too small to be carved up into districts, which he predicts will turn into “fiefdoms” and cause friction between council members suddenly competing for city resources.

“If you really want to get women, to get people of color, to run, show them how to,” he said, proposing city-sponsored educational forums. “Empower them, give them the tools to do it. That will do far more to expand diversity than districts.”

The debate shadowed much of the council’s year. Traditional decorum sometimes gave way to anger, suspicion and a philosophical divide.

“What we are also seeing in Palm Springs is that once you set aside the issue of sexual identity, other political differences arise,” said Bishin, the UC-Riverside professor.

A voice in the larger world

One constant source of friction has been whether an ostensibly nonpartisan council should weigh in on national and international concerns.

The past council, for example, passed a resolution saying Palm Springs would abide by the climate-change goals of the Paris agreement despite the Trump administration’s withdrawal from the environmental accord. The city joins legal briefs about LGBTQ issues and takes positions on immigration and health-care policy.

https://www.washingtonpost.com/national/in-palm-springs-the-nations-first-all-lgbtq-city-council-tests-the-modern-meaning-of-diversity/2019/02/18/38f9b600-3074-11e9-8ad3-9a5b113ecd3c_story.html

“This is not my favorite analogy, but Palm Springs punches above its weight,” Kors said. “People care what we think on certain issues. We don’t just take positions to take positions.”

Moon, the mayor, disagrees.

He is a 69-year-old retired naval officer who grew up gay in Little Rock. One of his deployments was off the coast of Iran during the hostage crisis, and his ship came under missile fire.

Moon calls himself a moderate Democrat; he has photographs on an office table of himself with Al Gore and Hillary Clinton. He said he got into politics late in life as a continuation of public service. He now says, bluntly, “I hate politics.”

His vote against districts, he said, was in part because he believes the city should have an at-large mayor — now the office will rotate annually among council members — and in part because he has never seen eye-to-eye with what he calls the council’s “professional gays,” meaning those who have been more directly active in LGBTQ causes.

“They can throw all this s--- at me — that I am not gay enough, not progressive enough,” Moon said. “But when you’ve been shot at by the Iranians, you know? This will pass.”

In principle, Moon opposes council resolutions on national issues, saying, “We should just stay out of it.” But he has voted in support of many of them, prompting accusations of hypocrisy from council colleagues, whom he in return has called far too left-wing.

“He will have to answer for himself,” Middleton said, referring to the mayor’s positions. “But I would take much of what he has said and done to mean he has a problem with the Democratic Party.”

The push for more women, and for younger people, to diversify the council was helped by the election of Christy Holstege, a Stanford Law School graduate who practices poverty law. She is 32 years old and put the “B” in the all-LGBTQ council with her election victory.

“I was part of this wave after Trump’s election, a group that understood we need a seat at the table now,” Holstege said.

The importance of preserving the all-LGBTQ council is less important, she said, than expanding its diversity. But she contests the central claim of the legal challenge, now settled with the district decision, that one historically marginalized group cannot represent another. “Never before was there a complaint that we weren’t representative,” she said. “This may not be the most inclusive council, especially when it comes to people of color. But we have to be careful that this is not used against us.”

The newly drawn District 1 will not have an incumbent running in November. But a favorite has emerged: [Grace Garner](#), who was born in Palm Springs 33 years ago.

She is an employment lawyer, a Latina and a straight woman. “It is great that we live in a place that has allowed for this,” said Garner, referring to the election of the all-LGBTQ council. “But there are so few people of color in office, and I’m running to add a voice of diversity and a voice for working families.”

The campaign has yet to start in earnest. But Garner already has the support of some of the city’s most influential gay political players, including James Williamson, who several years ago became the first openly gay man elected to the Palm Springs school board. He is also [married to council member Kors](#).

“If we get to a broader spectrum of diversity on the council, I think, frankly, everybody will be happier,” Williamson said.

Male, female or X? Air passengers to get more gender options from airlines

By Sonia Elks

Reuters, February 21, 2019

LONDON - British Airways and Air New Zealand have joined a wave of major U.S. airlines planning to introduce extra gender options for LGBT+ passengers who don't identify as either male or female.

LGBT+ groups have welcomed the change, saying it would smooth the way for many trans, intersex and non-binary passengers - or those who simply don't look typically male or female - who have long faced discrimination when flying.

"It's a big move", Julia Ehrt, of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), told the Thomson Reuters Foundation.

"Persons presenting as gender non-conforming or trans persons who might not have been able to change their name or gender markers in passports regularly have serious challenges in traveling.

"That can range from being challenged about your gender marker or first name upon check-in or at security, through to outright denial of being able to board a plane."

Global aviation body the International Air Transport Association (IATA) recently released new guidance for airlines who want to offer non-binary gender options for passengers.

Typical examples of non-binary markers could include an X or 'undisclosed' instead of male or female, and the gender-neutral title Mx instead of Mr or Mrs.

Several major U.S. airlines including United, American Airlines and Delta have confirmed they are preparing to bring in more gender options in the wake of the new guidelines.

Now British Airways and Air New Zealand say they are planning to follow suit.

"We know how important it is for all of our customers to feel comfortable and welcome no matter how they self-identify," a spokesman for British Airways said on Wednesday.

"We are working to change our booking platform to reflect this."

Air New Zealand said it was "exploring how we can introduce non-binary gender options across our various digital environments".

The Lufthansa Group, which owns Lufthansa, SWISS and Austrian Airlines, told the Thomson Reuters Foundation it was "taking the implementation of additional gender options into consideration".

Up to 1.7 percent of people are intersex - meaning they are born with sex characteristics that are neither definitively male or female - according to the United Nations.

In addition, studies suggest that a growing number of people identify as trans or non-binary.

More than 10 percent of U.S. adults identify as LGBT+, rising to 20 percent among younger millennial, found a 2016 study by LGBT+ group GLAAD which argued that youth increasingly reject binary identities such as male or female.

Experts said airlines would be looking to adapt to changing demographics and social norms.

<https://thehill.com/policy/transportation/aviation/430571-airlines-to-add-gender-options-for-non-binary-passengers>

“The world itself is evolving...it’s in airlines’ interests to show they are friendly to all types of people,” said British aviation expert John Strickland.

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The Secret History of Women in Coding

Computer programming once had much better gender balance than it does today. What went wrong?

By Clive Thompson

The New York Times, February 13, 2019



Mary Allen Wilkes with a LINC at M.I.T., where she was a programmer. (Credit: Joseph C. Towler, Jr.)

As a teenager in Maryland in the 1950s, Mary Allen Wilkes had no plans to become a software pioneer — she dreamed of being a litigator. One day in junior high in 1950, though, her geography teacher surprised her with a comment: “Mary Allen, when you grow up, you should be a computer programmer!” Wilkes had no idea what a programmer was; she wasn’t even sure what a computer was. Relatively few Americans were. The first digital computers had been built barely a decade earlier at universities and in government labs.

By the time she was graduating from Wellesley College in 1959, she knew her legal ambitions were out of reach. Her mentors all told her the same thing: Don’t even bother applying to law school. “They said: ‘Don’t do it. You may not get in. Or if you get in, you may not get out. And if you get out, you won’t get a job,’ ” she recalls. If she lucked out and got hired, it wouldn’t be to argue cases

in front of a judge. More likely, she would be a law librarian, a legal secretary, someone processing trusts and estates.

But Wilkes remembered her junior high school teacher’s suggestion. In college, she heard that computers were supposed to be the key to the future. She knew that the Massachusetts Institute of Technology had a few of them. So on the day of her graduation, she had her parents drive her over to M.I.T. and marched into the school’s employment office. “Do you have any jobs for computer programmers?” she asked. They did, and they hired her.

It might seem strange now that they were happy to take on a random applicant with absolutely no experience in computer programming. But in those days, almost nobody had any experience writing code. The discipline did not yet really exist; there were vanishingly few college courses in it, and no majors. (Stanford, for example, didn’t create a computer-science department until 1965.) So instead, institutions that needed programmers just used aptitude tests to evaluate applicants’ ability to think logically. Wilkes happened to have some intellectual preparation: As a philosophy major, she had studied symbolic logic, which can involve creating arguments and inferences by stringing together and/or statements in a way that resembles coding.

Wilkes quickly became a programming whiz. She first worked on the IBM 704, which required her to write in an abstruse “assembly language.” (A typical command might be something like “LXA A, K,” telling the computer to take the number in Location A of its memory and load it into the “Index Register” K.) Even getting the program into the IBM 704 was a laborious affair. There were no keyboards or screens; Wilkes had to write a program on paper and give it to a typist, who translated each command into holes on a punch

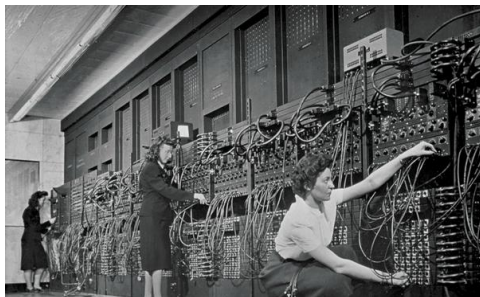
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card. She would carry boxes of commands to an “operator,” who then fed a stack of such cards into a reader. The computer executed the program and produced results, typed out on a printer.

Often enough, Wilkes’s code didn’t produce the result she wanted. So she had to pore over her lines of code, trying to deduce her mistake, stepping through each line in her head and envisioning how the machine would execute it — turning her mind, as it were, into the computer. Then she would rewrite the program. The capacity of most computers at the time was quite limited; the IBM 704 could handle only about 4,000 “words” of code in its memory. A good programmer was concise and elegant and never wasted a word. They were poets of bits. “It was like working logic puzzles — big, complicated logic puzzles,” Wilkes says. “I still have a very picky, precise mind, to a fault. I notice pictures that are crooked on the wall.”

What sort of person possesses that kind of mentality? Back then, it was assumed to be women. They had already played a foundational role in the prehistory of computing: During World War II, women operated some of the first computational machines used for code-breaking at Bletchley Park in Britain. In the United States, by 1960, according to government statistics, more than one in four programmers were women. At M.I.T.’s Lincoln Labs in the 1960s, where Wilkes worked, she recalls that most of those the government categorized as “career programmers” were female. It wasn’t high-status work — yet.

In 1961, Wilkes was assigned to a prominent new project, the creation of [the LINC](#). As one of the world’s first interactive personal computers, it would be a breakthrough device that could fit in a single office or lab. It would even have its own keyboard and screen, so it could be programmed more quickly, without awkward punch cards or printouts. The designers, who knew they could make the hardware, needed Wilkes to help write the software that would let a user control the computer in real time.



Computer operators with an Eniac — the world’s first programmable general-purpose computer. (Credit: Corbis/Getty Images)

For two and a half years, she and a team toiled away at flow charts, pondering how the circuitry functioned, how to let people communicate with it. “We worked all these crazy hours; we ate all kinds of terrible food,” she says. There was sexism, yes, especially in the disparity between how men and women were paid and promoted, but Wilkes enjoyed the relative comity that existed among the men and women at Lincoln Labs, the sense of being among intellectual peers. “We were a bunch of nerds,” Wilkes says dryly. “We were a bunch of geeks. We dressed like geeks. I was completely accepted by the men in my group.” When they got an early prototype of the LINC working, it solved a fiendish data-processing problem for a biologist, who was so excited that [he danced a happy jig around the machine](#).

In late 1964, after Wilkes returned from traveling around the world for a year, she was asked to finish writing the LINC’s operating system. But the lab had been relocated to St. Louis, and she had no desire to move there. Instead, a LINC was shipped to her parents’ house in Baltimore. Looming in the front hall near the foot of the stairs, a tall cabinet of whirring magnetic tapes across from a refrigerator-size box full of circuitry, it was an early glimpse of a sci-fi future: Wilkes was one of the first people on the planet to have a personal computer in her home. (Her father, an Episcopal clergyman, was thrilled. “He bragged about it,” she says. “He would tell anybody who would listen, ‘I bet you don’t have a computer in your living room.’”) Before long, LINC users around the world were using her code to program medical analyses and even create a chatbot that interviewed patients about their symptoms.

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But even as Wilkes established herself as a programmer, she still craved a life as a lawyer. “I also really finally got to the point where I said, ‘I don’t think I want to do this for the rest of my life,’ ” she says. Computers were intellectually stimulating but socially isolating. In 1972, she applied and got in to Harvard Law School, and after graduating, she spent the next four decades as a lawyer. “I absolutely loved it,” she says.

Today Wilkes is retired and lives in Cambridge, Mass. White-haired at 81, she still has the precise mannerisms and the ready, beaming smile that can be seen in photos from the ’60s, when she posed, grinning, beside the LINC. She told me that she occasionally gives talks to young students studying computer science. But the industry they’re heading into is, astonishingly, less populated with women — and by many accounts less welcoming to them — than it was in Wilkes’s day. In 1960, when she started working at M.I.T., the proportion of women in computing and mathematical professions (which are grouped together in federal government data) was 27 percent. It reached 35 percent in 1990. But, in the government’s published figures, that was the peak. The numbers fell after that, and by 2013, women were down to 26 percent — below their share in 1960.

When Wilkes talks to today’s young coders, they are often shocked to learn that women were among the field’s earliest, towering innovators and once a common sight in corporate America. “Their mouths are agape,” Wilkes says. “They have absolutely no idea.”

[\[Why is it so hard to make a website for the government? Read about the woman who founded Code For America.\]](#)

Almost 200 years ago, the first person to be what we would now call a coder was, in fact, a woman: [Lady Ada Lovelace](#). As a young mathematician in England in 1833, she met [Charles Babbage](#), an inventor who was struggling to design what he called the Analytical Engine, which would be made of metal gears and able to execute if/then commands and store information in memory. Enthralled, Lovelace grasped the enormous potential of a device like this. A computer that could modify its own instructions and memory could be far more than a rote calculator, she realized. To prove it, Lovelace wrote what is often regarded as the first computer program in history, an algorithm with which the Analytical Engine would calculate the Bernoulli sequence of numbers. (She wasn’t shy about her accomplishments: “That *brain* of mine is something more than merely *mortal*; as time will show,” she once wrote.) But Babbage never managed to build his computer, and Lovelace, who died of cancer at 36, never saw her code executed.

When digital computers finally became a practical reality in the 1940s, women were again pioneers in writing software for the machines. At the time, men in the computing industry regarded writing code as a secondary, less interesting task. The real glory lay in making the hardware. Software? “That term hadn’t yet been invented,” says Jennifer S. Light, a professor at M.I.T. who studies the history of science and technology.



An engraving of Ada Lovelace, the first computer programmer. (Credit: SSPL/Getty Images)

This dynamic was at work in the development of the first programmable digital computer in the United States, the Electronic Numerical Integrator and Computer, or Eniac, during the 1940s. Funded by the military, the thing was a behemoth, weighing more than 30 tons and including 17,468 vacuum tubes. Merely getting it to work was seen as the heroic, manly engineering feat. In contrast, programming it seemed menial, even secretarial. Women had long been employed in the scut work of doing calculations. In the years leading up to the Eniac, many companies

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bought huge electronic tabulating machines — quite useful for tallying up payroll, say — from companies like IBM; women frequently worked as the punch-card operators for these overgrown calculators. When the time came to hire technicians to write instructions for the Eniac, it made sense, to the men in charge, to pick an all-female team: Kathleen McNulty, [Jean Jennings](#), [Betty Snyder](#), Marlyn Wescoff, Frances Bilas and Ruth Lichterman. The men would figure out what they wanted Eniac to do; the women “programmed” it to execute the instructions.

“We could diagnose troubles almost down to the individual vacuum tube,” Jennings later told an interviewer for the IEEE Annals of the History of Computing. Jennings, who grew up as the tomboy daughter of low-income parents near a Missouri community of 104 people, studied math at college. “Since we knew both the application and the machine, we learned to diagnose troubles as well as, if not better than, the engineer.”

The Eniac women were among the first coders to discover that software never works right the first time — and that a programmer’s main work, really, is to find and fix the bugs. Their innovations included some of software’s core concepts. Betty Snyder realized that if you wanted to debug a program that wasn’t running correctly, it would help to have a “break point,” a moment when you could stop a program midway through its run. To this day, break points are a key part of the debugging process.

In 1946, Eniac’s creators wanted to show off the computer to a group of leaders in science, technology and the military. They asked Jennings and Snyder to write a program that calculated missile trajectories. After weeks of intense effort, they and their team had a working program, except for one glitch: It was supposed to stop when the missile landed, but for some reason it kept running. The night before the demo, Snyder suddenly intuited the problem. She went to work early the next day, flipped a single switch inside the Eniac and eliminated the bug. “Betty could do more logical reasoning while she was asleep than most people can do awake,” Jennings later said. Nonetheless, the women got little credit for their work. At that first official demonstration to show off Eniac, the male project managers didn’t mention, much less introduce, the women.

After the war, as coding jobs spread from the military into the private sector, women remained in the coding vanguard, doing some of the highest-profile work. [The pioneering programmer Grace Hopper is frequently credited with creating the first “compiler,”](#) a program that lets users create programming languages that more closely resemble regular written words: A coder could thus write the English-like code, and the compiler would do the hard work of turning it into ones and zeros for the computer. Hopper also developed the “Flowmatic” language for nontechnical businesspeople. Later, she advised the team that created the Cobol language, which became widely used by corporations. Another programmer from the team, [Jean E. Sammet](#), continued to be influential in the language’s development for decades. [Fran Allen](#) was so expert in optimizing Fortran, a popular language for performing scientific calculations, that she became the first female IBM fellow.

When the number of coding jobs exploded in the ’50s and ’60s as companies began relying on software to process payrolls and crunch data, men had no special advantage in being hired. As Wilkes had discovered, employers simply looked for candidates who were logical, good at math and meticulous. And in this respect, gender stereotypes worked in women’s favor: Some executives argued that women’s traditional expertise at painstaking activities like knitting and weaving manifested precisely this mind-set. (The 1968 book “Your Career in Computers” stated that people who like “cooking from a cookbook” make good programmers.)

The field rewarded aptitude: Applicants were often given a test (typically one involving pattern recognition), hired if they passed it and trained on the job, a process that made the field especially receptive

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to neophytes. “Know Nothing About Computers? Then We’ll Teach You (and Pay You While Doing So),” one British ad promised in 1965. In a 1957 recruiting pitch in the United States, IBM’s brochure titled “My Fair Ladies” specifically encouraged women to apply for coding jobs.

Such was the hunger for programming talent that a young black woman named Arlene Gwendolyn Lee could become one of the early female programmers in Canada, despite the open discrimination of the time. Lee was half of a biracial couple to whom no one would rent, so she needed money to buy a house. According to her son, who has described his mother’s experience [in a blog post](#), Lee showed up at a firm after seeing its ad for data processing and systems analytics jobs in a Toronto newspaper sometime in the early 1960s. Lee persuaded the employers, who were all white, to let her take the coding aptitude test. When she placed in the 99th percentile, the supervisors grilled her with questions before hiring her. “I had it easy,” she later told her son. “The computer didn’t care that I was a woman or that I was black. Most women had it much harder.”

[Elsie Shutt](#) learned to code during her college summers while working for the military at the Aberdeen Proving Ground, an Army facility in Maryland. In 1953, while taking time off from graduate school, she was hired to code for Raytheon, where the programmer work force “was about 50 percent men and 50 percent women,” she told Janet Abbate, a Virginia Tech historian and author of the 2012 book “Recoding Gender.” “And it really amazed me that these men were programmers, because I thought it was women’s work!”

When Shutt had a child in 1957, state law required her to leave her job; the ’50s and ’60s may have been welcoming to full-time female coders, but firms were unwilling to offer part-time work, even to superb coders. So Shutt founded Computations Inc., a consultancy that produced code for corporations. She hired stay-at-home mothers as part-time employees; if they didn’t already know how to code, she trained them. They cared for their kids during the day, then coded at night, renting time on local computers. “What it turned into was a feeling of mission,” Shutt told Abbate, “in providing work for women who were talented and did good work and couldn’t get part-time jobs.” Business Week called the Computations work force the “pregnant programmers” in a 1963 article illustrated with a picture of a baby in a bassinet in a home hallway, with the mother in the background, hard at work writing software. (The article’s title: “Mixing Math and Motherhood.”)

By 1967, there were so many female programmers that Cosmopolitan magazine published an article about “The Computer Girls,” accompanied by pictures of beehived women at work on computers that evoked the control deck of the U.S.S. Enterprise. The story noted that women could make \$20,000 a year doing this work (or more than \$150,000 in today’s money). It was the rare white-collar occupation in which women could thrive. Nearly every other highly trained professional field admitted few women; even women with math degrees had limited options: teaching high school math or doing rote calculations at insurance firms.

“Women back then would basically go, ‘Well, if I don’t do programming, what else will I do?’ ” Janet Abbate says. “The situation was very grim for women’s opportunities.”

[\[The Yoda of Silicon Valley\]](#)

If we want to pinpoint a moment when women began to be forced out of programming, we can look at one year: 1984. A decade earlier, a study revealed that the numbers of men and women who expressed an interest in coding as a career were equal. Men were more likely to enroll in computer-science programs, but women’s participation rose steadily and rapidly through the late ’70s until, by the 1983-84 academic year, [37.1 percent of all students graduating with degrees in computer and information sciences were women](#). In only one decade, their participation rate more than doubled.

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But then things went into reverse. From 1984 onward, the percentage dropped; by the time 2010 rolled around, it had been cut in half. Only 17.6 percent of the students graduating from computer-science and information-science programs were women.

One reason for this vertiginous decline has to do with a change in how and when kids learned to program. The advent of personal computers in the late '70s and early '80s remade the pool of students who pursued computer-science degrees. Before then, pretty much every student who showed up at college had never touched a computer or even been in the room with one. Computers were rare and expensive devices, available for the most part only in research labs or corporate settings. Nearly all students were on equal footing, in other words, and new to programming.

Once the first generation of personal computers, like the Commodore 64 or the TRS-80, found their way into homes, teenagers were able to play around with them, slowly learning the major concepts of programming in their spare time. By the mid-'80s, some college freshmen were showing up for their first class already proficient as programmers. They were remarkably well prepared for and perhaps even a little jaded about what Computer Science 101 might bring. As it turned out, these students were mostly men, as two academics discovered when they looked into the reasons women's enrollment was so low.



Keypunch operators at IBM in Stockholm in the 1930s. (Credit: IBM)

One researcher was Allan Fisher, then the associate dean of the computer-science school at Carnegie Mellon University. The school established an undergraduate program in computer science in 1988, and after a few years of operation, Fisher noticed that the proportion of women in the major was consistently below 10 percent. In 1994, he hired Jane Margolis, a social scientist who is now a senior researcher in the U.C.L.A. School of Education and Information

Studies, to figure out why. Over four years, from 1995 to 1999, [she and her colleagues interviewed and tracked roughly 100 undergraduates, male and female, in Carnegie Mellon's computer-science department](#); she and Fisher later published the findings in their 2002 book [“Unlocking the Clubhouse: Women in Computing.”](#)

What Margolis discovered was that the first-year students arriving at Carnegie Mellon with substantial experience were almost all male. They had received much more exposure to computers than girls had; for example, boys were more than twice as likely to have been given one as a gift by their parents. And if parents bought a computer for the family, they most often put it in a son's room, not a daughter's. Sons also tended to have what amounted to an “internship” relationship with fathers, working through Basic-language manuals with them, receiving encouragement from them; the same wasn't true for daughters. “That was a very important part of our findings,” Margolis says. Nearly every female student in computer science at Carnegie Mellon told Margolis that her father had worked with her brother — “and they had to fight their way through to get some attention.”

Their mothers were typically less engaged with computers in the home, they told her. Girls, even the nerdy ones, picked up these cues and seemed to dial back their enthusiasm accordingly. These were pretty familiar roles for boys and girls, historically: Boys were cheered on for playing with construction sets and electronics kits, while girls were steered toward dolls and toy kitchens. It wasn't terribly surprising to Margolis that a new technology would follow the same pattern as it became widely accepted.

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At school, girls got much the same message: Computers were for boys. Geeky boys who formed computer clubs, at least in part to escape the torments of jock culture, often wound up, whether intentionally or not, reproducing the same exclusionary behavior. (These groups snubbed not only girls but also black and Latino boys.) Such male cliques created “a kind of peer support network,” in Fisher’s words.

This helped explain why Carnegie Mellon’s first-year classes were starkly divided between the sizable number of men who were already confident in basic programming concepts and the women who were frequently complete neophytes. A cultural schism had emerged. The women started doubting their ability. How would they ever catch up?

What Margolis heard from students — and from faculty members, too — was that there was a sense in the classroom that if you hadn’t *already* been coding obsessively for years, you didn’t belong. The “real programmer” was the one who “had a computer-screen tan from being in front of the monitor all the time,” as Margolis puts it. “The idea was, you just have to love being with a computer all the time, and if you don’t do it 24/7, you’re not a ‘real’ programmer.” The truth is, many of the men themselves didn’t fit this monomaniacal stereotype. But there was a double standard: While it was O.K. for the men to want to engage in various other pursuits, women who expressed the same wish felt judged for not being “hard core” enough. By the second year, many of these women, besieged by doubts, began dropping out of the program. (The same was true for the few black and Latino students who also arrived on campus without teenage programming experience.)

A similar pattern took hold at many other campuses. Patricia Ordóñez, a first-year student at Johns Hopkins University in 1985, enrolled in an Introduction to Minicomputers course. She had been a math whiz in high school but had little experience in coding; when she raised her hand in class at college to ask a question, many of the other students who had spent their teenage years programming — and the professor — made her feel singled out. “I remember one day he looked at me and said, ‘You should already know this by now,’ ” she told me. “I thought, I’m never going to succeed.” She switched majors as a result.

Yet a student’s decision to stick with or quit the subject did not seem to be correlated with coding talent. Many of the women who dropped out were getting perfectly good grades, Margolis learned. Indeed, some who left had been top students. And the women who did persist and made it to the third year of their program had by then generally caught up to the teenage obsessives. The degree’s coursework was, in other words, a leveling force. Learning Basic as a teenage hobby might lead to lots of fun and useful skills, but the pace of learning at college was so much more intense that by the end of the degree, everyone eventually wound up graduating at roughly the same levels of programming mastery.



An E.R.A./Univac 1103 computer in the 1950s. (Credit: Hum Images/Alamy)

“It turned out that having prior experience is not a great predictor, even of academic success,” Fisher says. Ordóñez’s later experience illustrates exactly this: After changing majors at Johns Hopkins, she later took night classes in coding and eventually got a Ph.D. in computer science in her 30s; today, she’s a professor at the University of Puerto Rico Río Piedras, specializing in data science.

By the ’80s, the early pioneering work done by female programmers had mostly been forgotten. In contrast, Hollywood was putting out precisely the opposite image: Computers were a male domain. In hit movies like “Revenge of the Nerds,” “Weird Science,” “Tron,” “WarGames” and others, the computer nerds were nearly always young white men. Video games, a significant gateway activity that led to an interest in

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computers, were pitched far more often at boys, as [research in 1985 by Sara Kiesler](#), a professor at Carnegie Mellon, found. “In the culture, it became something that guys do and are good at,” says Kiesler, who is also a program manager at the National Science Foundation. “There were all kinds of things signaling that if you don’t have the right genes, you’re not welcome.”

[A 1983 study involving M.I.T. students](#) produced equally bleak accounts. Women who raised their hands in class were often ignored by professors and talked over by other students. They would be told they weren’t aggressive enough; if they challenged other students or contradicted them, they heard comments like “You sure are bitchy today — must be your period.” Behavior in some research groups “sometimes approximates that of the locker room,” the report concluded, with men openly rating how “cute” their female students were. (“Gee, I don’t think it’s fair that the only two girls in the group are in the same office,” one said. “We should share.”) Male students mused about women’s mediocrity: “I really don’t think the woman students around here are as good as the men,” one said.

By then, as programming enjoyed its first burst of cultural attention, so many students were racing to enroll in computer science that universities ran into a supply problem: They didn’t have enough professors to teach everyone. Some added hurdles, courses that students had to pass before they could be accepted into the computer-science major. Punishing workloads and classes that covered the material at a lightning pace weeded out those who didn’t get it immediately. All this fostered an environment in which the students mostly likely to get through were those who had already been exposed to coding — young men, mostly. “Every time the field has instituted these filters on the front end, that’s had the effect of reducing the participation of women in particular,” says Eric S. Roberts, a longtime professor of computer science, now at Reed College, who first studied this problem and called it the “capacity crisis.”

When computer-science programs began to expand again in the mid-’90s, coding’s culture was set. Most of the incoming students were men. The interest among women never recovered to the levels reached in the late ’70s and early ’80s. And the women who did show up were often isolated. In a room of 20 students, perhaps five or even fewer might be women.

In 1991, Ellen Spertus, now a computer scientist at Mills College, published [a report](#) on women’s experiences in programming classes. She cataloged a landscape populated by men who snickered about the presumed inferiority of women and by professors who told female students that they were “far too pretty” to be studying electrical engineering; when some men at Carnegie Mellon were asked to stop using pictures of naked women as desktop wallpaper on their computers, they angrily complained that it was censorship of the sort practiced by “the Nazis or the Ayatollah Khomeini.”

As programming was shutting its doors to women in academia, a similar transformation was taking place in corporate America. The emergence of what would be called “culture fit” was changing the who, and the why, of the hiring process. Managers began picking coders less on the basis of aptitude and more on how well they fit a personality type: the acerbic, aloof male nerd.

The shift actually began far earlier, back in the late ’60s, when managers recognized that male coders shared a growing tendency to be antisocial isolates, lording their arcane technical expertise over that of their bosses. Programmers were “often egocentric, slightly neurotic,” as Richard Brandon, a well-known computer-industry analyst, put it in an address at a 1968 conference, adding that “the incidence of beards, sandals and other symptoms of rugged individualism or nonconformity are notably greater among this demographic.”

In addition to testing for logical thinking, as in Mary Allen Wilkes’s day, companies began using personality tests to select specifically *for* these sorts of caustic loner qualities. “These became very

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powerful narratives,” says Nathan Ensmenger, a professor of informatics at Indiana University, [who has studied this transition](#). The hunt for that personality type cut women out. Managers might shrug and accept a man who was unkempt, unshaven and surly, but they wouldn’t tolerate a woman who behaved the same way. Coding increasingly required late nights, but managers claimed that it was too unsafe to have women working into the wee hours, so they forbid them to stay late with the men.

At the same time, the old hierarchy of hardware and software became inverted. Software was becoming a critical, and lucrative, sector of corporate America. Employers increasingly hired programmers whom they could envision one day ascending to key managerial roles in programming. And few companies were willing to put a woman in charge of men. “They wanted people who were more aligned with management,” says Marie Hicks, a historian at the Illinois Institute of Technology. “One of the big takeaways is that technical skill does not equate to success.”

By the 1990s and 2000s, the pursuit of “culture fit” was in full force, particularly at start-ups, which involve a relatively small number of people typically confined to tight quarters for long hours. Founders looked to hire people who were socially and culturally similar to them.

“It’s all this loosey-goosey ‘culture’ thing,” says Sue Gardner, former head of the Wikimedia Foundation, the nonprofit that hosts Wikipedia and other sites. After her stint there, Gardner decided to study why so few women were employed as coders. In 2014, she surveyed more than 1,400 women in the field and conducted sit-down interviews with scores more. It became clear to her that the occupation’s takeover by men in the ’90s had turned into a self-perpetuating cycle. Because almost everyone in charge was a white or Asian man, that was the model for whom to hire; managers recognized talent only when it walked and talked as they did. For example, many companies have relied on whiteboard challenges when hiring a coder — a prospective employee is asked to write code, often a sorting algorithm, on a whiteboard while the employers watch. This sort of thing bears almost no resemblance to the work coders actually do in their jobs. But whiteboard questions resemble classroom work at Ivy League institutions. It feels familiar to the men doing the hiring, many of whom are only a few years out of college. “What I came to realize,” Gardner says, “is that it’s not that women are excluded. It’s that practically *everyone* is excluded if you’re not a young white or Asian man who’s single.”

One coder, Stephanie Hurlburt, was a stereotypical math nerd who had deep experience working on graphics software. “I love C++, the low-level stuff,” she told me, referring to a complex language known for allowing programmers to write very fast-running code, useful in graphics. Hurlburt worked for a series of firms this decade, including Unity (which makes popular software for designing games), and then for Facebook on its Oculus Rift VR headset, grinding away for long hours in the run-up to the release of its first demo. Hurlburt became accustomed to shrugging off negative attention and crude sexism. She heard, including from many authority figures she admired, that women weren’t wired for math. While working as a coder, if she expressed ignorance of any concept, no matter how trivial, male colleagues would disparage her. “I thought you were at a higher math level,” one sniffed.

In 2016, Hurlburt and a friend, Rich Geldreich, founded a start-up called Binomial, where they created software that helps compress the size of “textures” in graphics-heavy software. Being self-employed, she figured, would mean not having to deal with belittling bosses. But when she and Geldreich went to sell their product, some customers assumed that she was just the marketing person. “I don’t know how you got this product off the ground when you only have one programmer!” she recalls one client telling Geldreich.

In 2014, an informal analysis by a tech entrepreneur and former academic named Kieran Snyder of 248 corporate performance reviews for tech engineers determined that women were considerably more likely than men to receive reviews with negative feedback; men were far more likely to get reviews that had only

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constructive feedback, with no negative material. In a 2016 experiment conducted by the tech recruiting firm Speak With a Geek, 5,000 résumés with identical information were submitted to firms. When identifying details were removed from the résumés, 54 percent of the women received interview offers; when gendered names and other biographical information were given, only 5 percent of them did.

Lurking beneath some of this sexist atmosphere is the phantasm of sociobiology. As this line of thinking goes, women are less suited to coding than men because biology better endows men with the qualities necessary to excel at programming. Many women who work in software face this line of reasoning all the time. Cate Huston, a software engineer at Google from 2011 to 2014, heard it from colleagues there when they pondered why such a low percentage of the company's programmers were women. Peers would argue that Google hired only the best — that if women weren't being hired, it was because they didn't have enough innate logic or grit, she recalls.

In the summer of 2017, a Google employee named James Damore suggested [in an internal email](#) that several qualities more commonly found in women — including higher rates of anxiety — explained why they weren't thriving in a competitive world of coding; he cited [the cognitive neuroscientist Simon Baron-Cohen](#), who theorizes that the male brain is more likely to be “systemizing,” compared with women's “empathizing” brains. Google fired Damore, saying it could not employ someone who would argue that his female colleagues were inherently unsuited to the job. But on Google's internal boards, other male employees backed up Damore, agreeing with his analysis. The assumption that the makeup of the coding work force reflects a pure meritocracy runs deep among many Silicon Valley men; for them, sociobiology offers a way to explain things, particularly for the type who prefers to believe that sexism in the workplace is not a big deal, or even doubts it really exists.

But if biology were the reason so few women are in coding, it would be impossible to explain why women were so prominent in the early years of American programming, when the work could be, if anything, far harder than today's programming. It was an uncharted new field, in which you had to do math in binary and hexadecimal formats, and there were no helpful internet forums, no Google to query, for assistance with your bug. It was just your brain in a jar, solving hellish problems.

If biology limited women's ability to code, then the ratio of women to men in programming ought to be similar in other countries. It isn't. In India, roughly 40 percent of the students studying computer science and related fields are women. This is despite even greater barriers to becoming a female coder there; India has such rigid gender roles that female college students often have an 8 p.m. curfew, meaning they can't work late in the computer lab, [as the social scientist Roli Varma learned when she studied them in 2015](#). The Indian women had one big cultural advantage over their American peers, though: They were far more likely to be encouraged by their parents to go into the field, Varma says. What's more, the women regarded coding as a safer job because it kept them indoors, lessening their exposure to street-level sexual harassment. It was, in other words, considered normal in India that women would code. The picture has been [similar in Malaysia](#), where in 2001 — precisely when the share of American women in computer science had slid into a trough — women represented 52 percent of the undergraduate computer-science majors and 39 percent of the Ph.D. candidates at the University of Malaya in Kuala Lumpur.

Today, when midcareer women decide that Silicon Valley's culture is unlikely to change, many simply leave the industry. When Sue Gardner surveyed those 1,400 women in 2014, they told her the same story: In the early years, as junior coders, they looked past the ambient sexism they encountered. They loved programming and were ambitious and excited by their jobs. But over time, Gardner says, “they get ground down.” As they rose in the ranks, they found few, if any, mentors. Nearly two-thirds either experienced or witnessed harassment, she read in “The Athena Factor” (a 2008 study of women in tech); in Gardner's

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survey, one-third reported that their managers were more friendly toward and gave more support to their male co-workers. It's often assumed that having children is the moment when women are sidelined in tech careers, as in many others, but Gardner discovered that wasn't often the breaking point for these women. They grew discouraged seeing men with no better or even lesser qualifications get superior opportunities and treatment.

“What surprised me was that they felt, ‘I did all that work!’ They were *angry*,” Gardner says. “It wasn't like they needed a helping hand or needed a little extra coaching. They were mad. They were not leaving because they couldn't hack it. They were leaving because they were skilled professionals who had skills that were broadly in demand in the marketplace, and they had other options. So they're like, ‘[expletive] it — I'll go somewhere where I'm seen as valuable.’ ”

The result is an industry that is drastically more male than it was decades ago, and far more so than the workplace at large. In 2018, [according to data from the Bureau of Labor Statistics](#), about 26 percent of the workers in “computer and mathematical occupations” were women. The percentages for people of color are similarly low: Black employees were 8.4 percent, Latinos 7.5 percent. (The Census Bureau's American Community Survey put black coders at only 4.7 percent in 2016.) In the more rarefied world of the top Silicon Valley tech firms, the numbers are even more austere: A 2017 [analysis by Recode](#), a news site that covers the technology industry, revealed that 20 percent of Google's technical employees were women, while only 1 percent were black and 3 percent were Hispanic. Facebook was nearly identical; the numbers at Twitter were 15 percent, 2 percent and 4 percent, respectively.

The reversal has been profound. In the early days of coding, women flocked to programming because it offered more opportunity and reward for merit, more than fields like law. Now software has the closed door.

In the late 1990s, Allan Fisher decided that Carnegie Mellon would try to address the male-female imbalance in its computer-science program. Prompted by Jane Margolis's findings, Fisher and his colleagues instituted several changes. One was the creation of classes that grouped students by experience: The kids who had been coding since youth would start on one track; the newcomers to coding would have a slightly different curriculum, allowing them more time to catch up. Carnegie Mellon also offered extra tutoring to all students, which was particularly useful for the novice coders. If Fisher could get them to stay through the first and second years, he knew, they would catch up to their peers.



Components from four of the earliest electronic computers, held by Patsy Boyce Simmers, Gail Taylor, Millie Beck and Norma Stec, employees at the United States Army's Ballistics Research Laboratory. (Credit: Science Source)

They also modified the courses in order to show how code has impacts in the real world, so a new student's view of programming wouldn't just be an endless vista of algorithms disconnected from any practical use. Fisher wanted students to glimpse, earlier on, what it was like to make software that works its way into people's lives. Back in the '90s, before social media and even before the internet had gone mainstream, the influence that code could have on daily life wasn't so easy to see.

Faculty members, too, adopted a different perspective. For years some had tacitly endorsed the idea that the students who came in already knowing code were born to it. Carnegie Mellon “rewarded the obsessive hacker,” Fisher told me. But the faculty now knew that their assumptions weren't true; they had been

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confusing previous experience with raw aptitude. They still wanted to encourage those obsessive teenage coders, but they had come to understand that the neophytes were just as likely to bloom rapidly into remarkable talents and deserved as much support. “We had to broaden how faculty sees what a successful student looks like,” he says. The admissions process was adjusted, too; it no longer gave as much preference to students who had been teenage coders.

No single policy changed things. “There’s really a virtuous cycle,” Fisher says. “If you make the program accommodate people with less experience, then people with less experience come in.” Faculty members became more used to seeing how green coders evolve into accomplished ones, and they learned how to teach that type.

Carnegie Mellon’s efforts were remarkably successful. Only a few years after these changes, the percentage of women entering its computer-science program boomed, rising to 42 percent from 7 percent; graduation rates for women rose to nearly match those of the men. The school vaulted over the national average. Other schools concerned about the low number of female students began using approaches similar to Fisher’s. In 2006, Harvey Mudd College tinkered with its Introduction to Computer Science course, creating a track specifically for novices, and rebranded it as Creative Problem Solving in Science and Engineering Using Computational Approaches — which, the institution’s president, Maria Klawe, told me, “is actually a better description of what you’re actually doing when you’re coding.” By 2018, 54 percent of Harvey Mudd’s graduates who majored in computer science were women.

A broader cultural shift has accompanied the schools’ efforts. In the last few years, women’s interest in coding has begun rapidly rising throughout the United States. [In 2012, the percentage of female undergraduates who plan to major in computer science began to rise at rates not seen for 35 years, since the decline in the mid-’80s](#), according to research by Linda Sax, an education professor at U.C.L.A. There has also been a boomlet of groups and organizations training and encouraging underrepresented cohorts to enter the field, like Black Girls Code and Code Newbie. Coding has come to be seen, in purely economic terms, as a bastion of well-paying and engaging work.

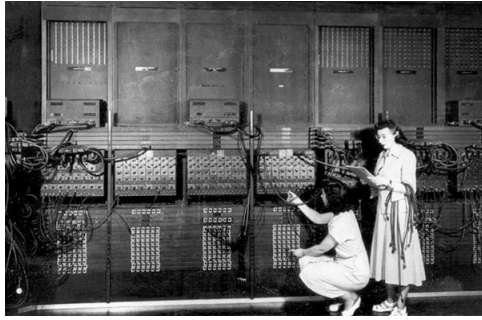
In an age when Instagram and Snapchat and iPhones are part of the warp and weft of life’s daily fabric, potential coders worry less that the job will be isolated, antisocial and distant from reality. “Women who see themselves as creative or artistic are more likely to pursue computer science today than in the past,” says Sax, who has pored over decades of demographic data about the students in STEM fields. They’re still less likely to go into coding than other fields, but programming is increasingly on their horizon. This shift is abetted by the fact that it’s much easier to learn programming without getting a full degree, through free online coding schools, relatively cheaper “boot camps” or even meetup groups for newcomers — opportunities that have emerged only in the last decade.

Changing the culture at schools is one thing. Most female veterans of code I’ve spoken to say that what is harder is shifting the culture of the industry at large, particularly the reflexive sexism and racism still deeply ingrained in Silicon Valley. Some, like Sue Gardner, sometimes wonder if it’s even ethical for her to encourage young women to go into tech. She fears they’ll pour out of computer-science programs in increasing numbers, arrive at their first coding job excited and thrive early on, but then gradually get beaten down by industry. “The truth is, we can attract more and different people into the field, but they’re just going to hit that wall in midcareer, unless we change how things happen higher up,” she says.

On a spring weekend in 2017, more than 700 coders and designers were given 24 hours to dream up and create a new product at a hackathon in New York hosted by TechCrunch, a news site devoted to technology and Silicon Valley. At lunchtime on Sunday, the teams presented their creations to a panel of industry judges, in a blizzard of frantic elevator pitches. There was Instagrammie, a robot system that would

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automatically recognize the mood of an elderly relative or a person with limited mobility; there was Waste Not, an app to reduce food waste. Most of the contestants were coders who worked at local high-tech firms or computer-science students at nearby universities.



Despite women’s historical role in the vanguard of computer programming, some female veterans of code wonder if it’s even ethical to encourage young women to go into tech because of the reflexive sexism in the current culture of Silicon Valley. (Credit: Apic/Getty Images)

The winning team, though, was [a trio of high school girls from New Jersey: Sowmya Patapati, Akshaya Dinesh and Amulya Balakrishnan](#). In only 24 hours, they created reVIVE, a virtual-reality app that tests children for signs of A.D.H.D. After the students were handed their winnings onstage — a trophy-size check for \$5,000 — they flopped into chairs in a nearby room to recuperate. They had been coding almost nonstop since noon the day before and were bleary with exhaustion.

“Lots of caffeine,” Balakrishnan, 17, said, laughing. She wore a blue T-shirt that read “WHO HACK THE WORLD? GIRLS.” The girls told me that they had impressed even themselves by how much they accomplished in 24 hours. “Our app really does streamline the process of detecting A.D.H.D.,” said Dinesh, who was also 17. “It usually takes six to nine months to diagnose, and thousands of dollars! We could do it digitally in a much faster way!”

They all became interested in coding in high school, each of them with strong encouragement from immigrant parents. Balakrishnan’s parents worked in software and medicine; Dinesh’s parents came to the United States from India in 2000 and worked in information technology. Patapati immigrated from India as an infant with her young mother, who never went to college, and her father, an information-tech worker who was the first in his rural family to go to college.

Drawn to coding in high school, the young hackers got used to being the lone girl nerds at school, as Dinesh told me.

“I tried so hard to get other girls interested in computer science, and it was like, the interest levels were just so low,” she says. “When I walked into my first hackathon, it was the most intimidating thing ever. I looked at a room of 80 kids: Five were girls, and I was probably the youngest person there.” But she kept on competing in 25 more hackathons, and her confidence grew. To break the isolation and meet more girls in coding, she attended events by organizations like #BuiltByGirls, which is where, a few days previously, she had met Patapati and Balakrishnan and where they decided to team up. To attend TechCrunch, Patapati, who was 16, and Balakrishnan skipped a junior prom and a friend’s birthday party. “Who needs a party when you can go to a hackathon?” Patapati said.

Winning TechCrunch as a group of young women of color brought extra attention, not all of it positive. “I’ve gotten a lot of comments like: ‘Oh, you won the hackathon because you’re a girl! You’re a diversity pick,’” Balakrishnan said. After the prize was announced online, she recalled later, “there were quite a few engineers who commented, ‘Oh, it was a girl pick; obviously that’s why they won.’”

Nearly two years later, Balakrishnan was taking a gap year to create a heart-monitoring product she invented, and she was in the running for \$100,000 to develop it. She was applying to college to study computer science and, in her spare time, competing in a beauty pageant, inspired by Miss USA 2017, Kara McCullough, who was a nuclear scientist. “I realized that I could use pageantry as a platform to show more girls that they could embrace their femininity and be involved in a very technical, male-dominated field,”

<https://www.nytimes.com/2019/02/13/magazine/women-coding-computer-programming.html>

she says. Dinesh, in her final year at high school, had started an all-female hackathon that now takes place annually in New York. (“The vibe was definitely very different,” she says, more focused on training newcomers.)

Patapati and Dinesh enrolled at Stanford last fall to study computer science; both are interested deeply in A.I. They’ve noticed the subtle tensions for women in the coding classes. Patapati, who founded a Women in A.I. group with an Apple tech lead, has watched as male colleagues ignore her raised hand in group discussions or repeat something she just said as if it were their idea. “I think sometimes it’s just a bias that people don’t even recognize that they have,” she says. “That’s been really upsetting.”

Dinesh says “there’s absolutely a difference in confidence levels” between the male and female newcomers. The Stanford curriculum is so intense that even the relative veterans like her are scrambling: When we spoke recently, she had just spent “three all-nighters in a row” on a single project, for which students had to engineer a “print” command from scratch. At 18, she has few illusions about the road ahead. When she went to a blockchain conference, it was a sea of “middle-aged white and Asian men,” she says. “I’m never going to one again,” she adds with a laugh.

“My dream is to work on autonomous driving at Tesla or Waymo or some company like that. Or if I see that there’s something missing, maybe I’ll start my own company.” She has begun moving in that direction already, having met one venture capitalist via #BuiltByGirls. “So now I know I can start reaching out to her, and I can start reaching out to other people that she might know,” she says.

Will she look around, 20 years from now, to see that software has returned to its roots, with women everywhere? “I’m not really sure what will happen,” she admits. “But I do think it is absolutely on the upward climb.”

Clive Thompson is a contributing writer for the magazine and Smithsonian and a columnist for Wired.

This article is adapted from “Coders: The Making of a New Tribe and the Remaking of the World,” to be published by Penguin Press in March.

Trump administration launches global effort to end criminalization of homosexuality

The administration is responding in part to a reported hanging of a young gay man in Iran, Trump's top geopolitical foe.

By Josh Lederman

NBC News, February 19, 2019



U.S. Ambassador to Germany Richard Grenell at a reception in Berlin on Jan. 14, 2019. (Bernd von Jutrczenka / dpa via AP file)

BERLIN — The Trump administration is launching a global campaign to end the criminalization of homosexuality in dozens of nations where it's still illegal to be gay, U.S. officials tell NBC News, a bid aimed in part at denouncing Iran over its human rights record.

U.S. Ambassador to Germany Richard Grenell, the highest-profile openly gay person in the Trump administration, is leading the effort, which kicks off Tuesday evening in Berlin. The U.S. embassy is flying in LGBT activists from across Europe for a strategy dinner to plan to push for decriminalization in places that still outlaw homosexuality — mostly concentrated in the Middle East, Africa and the Caribbean.

“It is concerning that, in the 21st century, some 70 countries continue to have laws that criminalize LGBTI status or conduct,” said a U.S. official involved in organizing the event.

Although the decriminalization strategy is still being hashed out, officials say it's likely to include working with global organizations like the United Nations, the European Union and the Organization for Security and Cooperation in Europe, as well as other countries whose laws already allow for gay rights. Other U.S. embassies and diplomatic posts throughout Europe, including the U.S. Mission to the E.U., are involved, as is the State Department's Bureau of Democracy, Human Rights and Labor.

Narrowly focused on criminalization, rather than broader LGBT issues like same-sex marriage, the campaign was conceived partly in response to the recent reported execution by hanging of a young gay man in Iran, the Trump administration's top geopolitical foe.

Grenell, as Trump's envoy to Germany, has been an outspoken Iran critic and has aggressively pressed European nations to abandon the 2015 nuclear deal and re-impose sanctions. But while the Trump administration has had some success in pressuring Iran through stepped-up U.S. penalties, efforts to bring the Europeans along have thus far largely fallen flat.

Reframing the conversation on Iran around a human rights issue that enjoys broad support in Europe could help the United States and Europe reach a point of agreement on Iran. Grenell called the hanging “a wake-up call for anyone who supports basic human rights,” in [Bild](#), a leading German newspaper, this month.

“This is not the first time the Iranian regime has put a gay man to death with the usual outrageous claims of prostitution, kidnapping, or even pedophilia. And it sadly won't be the last time,” Grenell wrote. “Barbaric public executions are all too common in a country where consensual homosexual relationships are criminalized and punishable by flogging and death.”

He added that “politicians, the U.N., democratic governments, diplomats and good people everywhere should speak up — and loudly.”

<https://www.nbcnews.com/politics/national-security/trump-administration-launches-global-effort-end-criminalization-homosexuality-n973081>

Yet by using gay rights as a cudgel against Iran, the Trump administration risks exposing close U.S. allies who are also vulnerable on the issue and creating a new tension point with the one region where Trump has managed to strengthen U.S. ties: the Arab world.

In Saudi Arabia, whose monarchy Trump has staunchly defended in the face of human rights allegations, homosexuality can be punishable by death, according to a 2017 worldwide report from the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA). The report identified 72 nations that still criminalize homosexuality, including eight where it's punishable by death.

That list includes the United Arab Emirates, Pakistan and Afghanistan — all U.S. allies — although those countries aren't known to have implemented the death penalty for same-sex acts. In Egypt, whose leader Trump has effusively praised, homosexual relations aren't technically illegal but other morality laws are used aggressively to target LGBT people.

New U.S. pressure on those countries to change their laws comes as the Trump administration is working to use nascent ties between Arab nations and Israel to form a powerful axis against Iran, a strategy that dovetails with the administration's planned rollout of an ambitious plan for Israeli-Palestinian peace.

In the Gulf state of Oman, for example, the Trump administration has touted a recent, historic visit by Israeli Prime Minister Benjamin Netanyahu as a sign that old taboos are eroding. But any campaign to decriminalize homosexuality would ostensibly also have to call out Oman, where prison sentences can be handed out for being gay.

The push to end laws that outlaw homosexuality abroad also stands in contrast to the Trump administration's mixed record on gay rights at home.

As a candidate, Trump was ambiguous about his position on many gay rights issues, but notably became the first Republican nominee to mention LGBT rights in his acceptance speech at the Republican National Convention. His convention also featured another first: PayPal founder Peter Thiel became the first gay person to acknowledge his sexuality in a speech to the GOP convention, declaring he was “proud to be gay.”

Trump, after being elected, also said he was “fine” with same-sex marriage. But since he took office, his administration has scaled back some workplace protections for gay people and has argued in court that a federal anti-discrimination law doesn't protect gay employees. He has also announced a ban on transgender people serving openly in the U.S. military, which the Supreme Court last month said [could be implemented even as lower-court challenges play out](#).

U.S. officials said Secretary of State Mike Pompeo is supporting the work by U.S. embassies and consulates to fight violence and discrimination against LGBT people. In his Senate confirmation hearing, Pompeo asserted: “I deeply believe that LGBTQ persons have every right that every other person in the world would have.”

Grenell, known for his hawkish views on national security, is also currently under consideration to be Trump's ambassador to the U.N., three U.S. officials tell NBC News, after Trump's previous pick for the job, Heather Nauert, [withdrew from consideration over the weekend](#). Grenell once served as spokesman for the U.S. ambassador to the U.N. when that role was inhabited by John Bolton, who is now Trump's national security adviser.

Planning for the campaign to decriminalize homosexuality started before the U.N. job became open. It was a topic of conversation over the weekend at the Munich Security Conference, where Grenell discussed it

<https://www.nbcnews.com/politics/national-security/trump-administration-launches-global-effort-end-criminalization-homosexuality-n973081>

with a visiting congressional delegation that included Sen. Lindsey Graham, R-S.C.; Sen. Chris Coons, D-Del.; and Rep. Sheila Jackson Lee, D-Texas.

Despite the dozens of countries that still outlaw homosexuality, LGBT rights have proliferated in recent years in many parts of the world. Two dozen countries now recognize same-sex marriage, according to the ILGA report, while another 28 recognize domestic partnerships. The last U.S. laws outlawing same-sex activity were invalidated by the Supreme Court in 2003 in *Lawrence v. Texas*.

Grenell, in his editorial in *Bild*, pointed out that India, Belize, Angola, and Trinidad and Tobago recently decriminalized same-sex conduct among consenting adults. But he said “reasonable people” must keep speaking out about laws in other places, including Iran and Chechnya, the Russian region where authorities have cracked down violently on gay people in recent years.

“While a student at Evangel University, a Christian liberal arts college in Missouri, I was taught by biblical scholars that all truth is God’s truth, no matter where it is found. The truth for LGBT people is that we were born gay,” Grenell wrote. “People can disagree philosophically about homosexuality, but no person should ever be subject to criminal penalties because they are gay.”

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SEE ALSO:

[Administration plans push to end criminalization of homosexuality worldwide: report](#) [*The Hill*, 2019-02-19]

Too Few Women Leading Justice Department Litigation, Employees Say

By Charles S. Clark

Government Executive, February 15, 2019

The leadership of the high-profile litigation shops at the Justice Department is too male-dominated, according to a [letter](#) sent to the department this week by a network of 375 federal attorneys and [reported](#) by several news outlets.

The [Department of Justice Gender Equality Network](#) on Feb. 12 wrote to the seven assistant attorneys general (all male) who run the litigation components to “express our concern about lack of women in top-level leadership positions and ask that you be vigilant in recognizing the importance of gender diversity and inclusion when making hiring decisions.”

The network, which includes contractors, said, “There are currently *no* women in top-level leadership roles” in the antitrust, civil rights, criminal, national security and tax divisions, or in the solicitor general’s office. “The dearth of women in top leadership roles sends a negative message, both to department employees and to the public at large, that DoJ does not value including women in top-level decision making,” said the letter signed by the group’s president, Stacey Young, and vice president, Melanie Krebs-Pilotti.

It supplied data showing that women occupy 45 percent of attorney positions and 38 percent of Senior Executive Service managerial positions in agency litigation. “It is vital that women be considered for SES Roles in the litigating components,” the group added, noting that SES leaders handle day-to-day decisions and apply human resources policies.

“We believe that when women and employees of diverse backgrounds are in SES roles, decision makers will be exposed to a greater variety of ideas and perspectives, which in turn fosters greater innovation and productivity, and better results,” the letter said.

The network’s mission is to “support the department in developing and implementing effective policies and practices to enhance equality of opportunity regardless of gender, foster an inclusive workplace, and prevent gender-based discrimination in all departmental activities.”

The group's two top officials asked to hear from each of the assistant attorneys general on what they have done or plan to do to address gender disparity. The letter also asked that they “raise the issue with the acting attorney general and any future attorney general as a matter of priority for your office and for the department.”

The Justice Department did not respond to *Government Executive*’s request for comment.

At Justice on Friday, a newly Senate-confirmed William Barr took his post as attorney general, replacing acting AG Matt Whitaker.

Gender disparities have been highlighted at many of Justice’s law enforcement agencies. Last June, for example, the department’s inspector general released a [report](#) documenting that women occupy only 16 percent of positions in the four crime-fighting agencies, and are confined mostly to human resources, finance and program analysis.

Why the military should consider a waiver for high-functioning autism [OPINION]

By James Strack

Military Times, February 17, 2019



A 25-year-old Guardsman is asking the military to make high-functioning autism a waivable condition for military service. (Army)

Serving in the military is both an honor and a service to those who volunteer in this great country of the United States of America. However, many potential volunteers are disqualified for various reasons, thus the reason for my letter.

I am a 25-year-old man with a four-year college degree in history from Stony Brook University with high-functioning autism. I have been rejected by the Army three times outright just from disclosing my diagnosis. I was also rejected by the Marine Corps twice after disclosing my medical records. I was never given the opportunity to take the ASVAB, nor was I given an opportunity to appeal the decision.

This is a personal fight for me, but this is also a fight for other people with high-functioning autism. For far too long, our right to serve and fight has been denied on the grounds of our disorder — we are so much more than that. I was even told by one of my recruiters to hide my diagnosis by not mentioning it. This is wrong. Like the ethnic minority and LGBT service members before us, we shouldn't have to hide who we are when serving.

That is why I'm asking the government and military to make high-functioning autism a waivable condition for military service. This waiver won't cover all people on the autism spectrum, nor should it — autism is a spectrum disorder. Functioning widely varies from totally non-verbal to highly qualified and fully functioning individuals. The waiver would include individuals with Asperger's and other high functioning autistic people that don't have any sensory difficulties and those who don't need help in the past year in special education at school.

Openly allowing those with autism to serve would raise standing for those in the autism community. Autism rates are currently at 1 in 40 births in the United States, and the rates are even increasing. Just because you have autism does not mean you don't have the desire to fight and serve for your country.

There are people with autism that have served successfully and there are even autistic service members now. Some nations, such as Israel, already allow those with high-functioning autism to enlist. I've included an article from [The Atlantic](#) about an Israel Defense Forces unit of teenagers with high-functioning autism.

There are a lot of patriotic autistic people out there who would like to contribute to their country by serving, and we need to recognize that. With autism rates growing, we are a large portion of the population. It seems unjust that so many people who are willing to serve are not being given the chance.

I realize that not everybody wants to serve in the military, even those with autism. I also realize that military service is voluntary. However, a person with autism probably knows themselves better than anybody else, and knows what they are capable of in the world. It is personally frustrating to be evaluated every day because of your disability. I know that I am not alone in feeling this way. I have read an article about [an Army medic with autism](#) that gave his life in Afghanistan for our freedom.

<https://www.militarytimes.com/opinion/commentary/2019/02/17/why-the-military-should-consider-a-waiver-for-high-functioning-autism/>

Why discount a whole group of people who could do well in the military? Autism is called a spectrum for a reason, there are different levels to autism — we're talking about the high-functioning ones. We are also talking about the ones who are making a conscious choice and know what they are doing. We are not being tricked and we know what joining the military entails.

I have been in the New York National Guard for the past three years, and currently serve as a radio operator. I have been through boot camp, and I understand the pressures such as PT and being yelled at by drill instructors. I serve one weekend a month and one week a year, I go to Camp Smith to hone my skills. With this experience I am fully aware of what I am walking into and it has not deterred my desire to want to serve my country.

The one lesson to take away from this is that every person with autism is an individual first with different talents, desires and motivations. I, and so many other people with autism who want to join, should not have to lie to get in. This goes against our truthful nature in the world. We should not have to lie to get ahead in the world. We are people and we want to serve just like everybody else.

James Strack, a Stony Brook University graduate from Wading River, New York, tried to enlist in the military, but was denied after he disclosed that he has autism.

Miscellaneous

Air Force Deploy-or-Out Rules Start Now: Here's How the Policy Works

By Oriana Pawlyk

Military.com, February 20, 2019



820th Base Defense Group Airmen pick up the pace during a Comprehensive Airman Fitness Day ruck march at Moody Air Force Base, Ga., Jan. 25, 2019. (U.S. Air Force photo by 1st Lt. Faith Brodkorb)

It's up to each airman to make sure he or she is fit for duty and able to deploy at a moment's notice. But commanders will keep tabs on whether an airman has been identified as non-deployable and should be recommended for retirement or administrative separation, according to the Air Force's [new guidance](#).

The service issued guidelines Tuesday for active-duty, reserve and National Guard members who are considered non-deployable. According to the memorandum, officials will immediately begin flagging those who have been unable to deploy for 12 consecutive months for possible separation.

While commanders have always had a responsibility to identify whether an airman should be separated because of non-deployability, the new 12-month rule requires greater communication with authorities such as the Air Force Personnel Center (AFPC), the Air Force Reserve Command Plans and Integration Division, and the Air National Guard Data Systems Division.

The changes include working more closely with airmen on their mental and physical fitness, the memo states.

Per Air Force Guidance Memorandum 2019-36-01, "Non-deployable Airmen Retention Determination Policy Guidance," commanders will ensure that airmen have the right "training, equipment, time and resources needed to maintain wartime mission-capable status."

An airman's chain of command will rely on "written feedback, counseling and performance evaluations to communicate wartime mission requirements and to document an airman's failure to comply with those requirements," the document states.

The AFPC, Air Force Reserve Command Plans and Integration Division, and the Air National Guard Data Systems Division will also make monthly rosters for a unit's Force Support Squadron -- the unit that augments a sister squadron with additional support and resources -- flagging which airmen "have been nondeployable for 10 or more months."

If an airman reaches 12 months of non-deployability, the airman and his or her commander will work through the next steps to make a retention or separation recommendation.

Wing commanders, or the appropriate separation authority in the Guard or reserve, have the final say, even if someone is nearing eligibility for retirement.

A wing commander or administrative authority will "recommend approval of or deny retention determination requests" for enlisted airmen with fewer than 16 years of service on active duty or in the Guard or reserve, the memo states. If the request is denied, "there will be no further appeal and the airman will be processed for administrative separation."

<https://www.military.com/daily-news/2019/02/20/air-force-deploy-or-out-rules-start-now-heres-how-policy-works.html>

Active-duty and reserve enlisted and officers with between 16 and 20 years of service -- or airmen who may be eligible for lengthy service consideration -- will be evaluated by their chain of command.

Lengthy service consideration is noted as service creditable toward retirement at the time discharge action starts, according to [Air Force Guidance Memorandum to AFI 36-3208](#), "Administrative Separation of Airmen." These airmen, nearing retirement eligibility, are entitled to special consideration for probation upon their request.

The "Show Case Authority" in these cases will approve or deny the request, and there will be "no further appeal," according to the memo.

For enlisted or officer Guard members in the lengthy service consideration bracket, the state adjutant general or assistant adjutant general for air will make the final decision on retention determination requests.

-- Oriana Pawlyk can be reached at oriana.pawlyk@military.com. Follow her on Twitter at [@Oriana0214](#).

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SEE ALSO:

[Deploy or get out starts now: What you need to do to stay in the Air Force](#) [*Air Force Times*, 2019-02-19]

Air Force Secretary Proposes Tenant Bill of Rights for Military Families

By Patricia Kime

Military.com, February 19, 2019



Personnel stationed at Marine Corps Base Camp Pendleton, California, walk on a dirt path around Carnes Road on Feb. 6, 2019. The path was opened to enable foot traffic around the Santa Margarita I and Wire Mountain II housing areas in order to avoid a sinkhole that developed in the road due to erosion. (U.S. Marine Corps photo by Cpl. Juan Bustos)

The military services plan to work with Congress to give troops more say in rental agreements with private companies that manage on-base housing, potentially allowing them to withhold rent or break leases if their homes are in poor or unsanitary condition.

Air Force Secretary Heather Wilson and Chief of Staff Gen. David Goldfein said their service, along with the Army and Navy, supports a tenant bill of rights that would provide troops with protection as well as more power in handling housing problems, [according to a Reuters interview](#) that was confirmed by Air Force officials on Tuesday.

Wilson and Goldfein said families often are powerless to challenge private industry landlords who automatically receive rental payments from military personnel and who routinely ignore maintenance requests and complaints. "Clearly, there are areas where we have issues," Goldfein told Reuters.

The move comes a week after the non-profit Military Family Advisory Network [released a survey of 14,500 service members and families](#) living in base housing that found more than half had bad experiences living in base housing and some reported dangerous conditions such as faulty wiring, lead paint, mold, poor water quality and pestilence.

Members of the Senate Armed Services Committee on Thursday [questioned executives from five of the private companies](#) that manage the Defense Department's housing stock, promising reform while also sharply criticizing management practices and the DoD for failing to oversee the contracts properly.

"These contracts are bad enough as they are -- guaranteed profit, virtually guaranteed in return for which they are supposed to provide decent housing. ... And to give away 95 percent of the performance-based money at the same time we are hearing from the people who live in this housing that it's rat-infested, that it's dirty, that things leak -- that's just not right," said Sen. Elizabeth Warren, D-Massachusetts.

"There's been many failures here, and I hope all of you can look these service members and their families in the eyes and tell them that you're sorry, but then do the right thing starting now," said Sen. Martha McSally, R-Arizona. "I hope you feel embarrassed."

Air Force officials said Tuesday that Wilson and Goldfein have directed a "100 percent eyes-on" inspection by commanders of the service's 50,000 privatized homes. The service inspector general also will assess how residents' problems are being handled by Air Force housing officials.

<https://www.military.com/daily-news/2019/02/19/air-force-secretary-proposes-tenant-bill-rights-military-families.html>

"To ensure we fully understand the problem, we want and need the feedback of our airmen. We need to better understand this problem so that we can take informed, responsible actions," Air Force Chief of Media Operations Ann Stefanek said.

The Army also has ordered its inspector general to conduct an assessment of the problems and directed senior commanders to complete an inspection of installation housing by mid-March, according to a letter sent Feb. 15 by senior leaders Army Chief of Staff Gen. Mark Milley, Army Secretary Mark Esper and Sergeant Major of the Army Dan Dailey.

Army leaders also will hold town halls by March 1 for residents to discuss their concerns.

"Where life, health and safety issues exist, senior commanders will ensure that conditions are immediately remediated. Housing residents will be relocated to temporary quarters as requested or required by senior commanders," the leaders wrote.

They added that families will only be returned to their housing once commanders declare the issues to be resolved.

Wilson said the Air Force also is considering working to renegotiate its contracts with the housing companies.

In 2018, Reuters launched two massive investigations into unhealthy conditions in military housing: an extensive review of [lead contamination at Army housing](#) at various installations and reports of [dangerous levels of mold in housing across several Air Force bases](#).

The Navy in 2011 had issues with mold in [privatized housing in Norfolk, Virginia](#). On Thursday, Assistant Secretary of the Navy for Energy, Installations and Environment Phyllis Bayer told members of the Senate Armed Services Committee that the service instituted improved management practices that include forwarding problems with environmental hazards immediately up the chain of command -- changes that have largely allowed it to avoid the most recent scandal.

Still, Bayer apologized to families for the issues.

"We're responsible, and we're going to fix it ... [we] are fully dedicated and committed to ensuring that all Marines and sailors and their families live in safe, secure housing that meet or exceed health and safety standards," she said.

-- *Patricia Kime can be reached at patricia.kime@military.com. Follow her on Twitter @patriciakime.*

SEE ALSO:

[Exclusive: Air Force to push Congress for military housing tenant bill of rights](#) [Reuters, 2019-02-18]

[Air Force to press Congress to give service members tenant bill of rights: report](#) [The Hill, 2019-02-18]

[Army calls base housing hazards 'unconscionable,' details steps to protect families](#) [Reuters, 2019-02-15]

Army landlords agree to expand tenant rights, curb fees in latest reform after Reuters reports

By M.B. Pell and Deborah Nelson

Reuters, February 21, 2019

NEW YORK - The U.S. Army's private landlords committed this week to providing military families greater say and safer homes, endorsing a military blueprint that aims to [reduce hazards](#) in base housing and give tenants a stronger voice when problems arise.

Executives from seven real estate companies, which manage some 87,000 Army housing units at more than 40 bases, pledged a series of reforms following a Pentagon meeting earlier this week with the Army's three senior leaders – Secretary Mark Esper, Chief of Staff Mark Milley and Sergeant Major Daniel Dailey.

The landlords agreed to add staffing and become more responsive to housing concerns by setting up online tracking systems for service requests. They also endorsed a military-proposed “tenant bill of rights” that will allow families to withhold rent while preventing the private housing companies from charging fees when families receive poor service.

Those steps, announced Thursday by the Army, signal the latest action to follow a Reuters series, *Ambushed at Home*, that exposed serious housing hazards at bases nationwide.

In one story, the news agency described how military families lack basic tenant protections in disputes with their landlords over vermin, mold and other hazards. Local inspectors generally lack enforcement authority on military bases, and base command staff said they had limited power to intervene under the companies' 50-year contracts. For many families, withholding rent wasn't a ready option, because their monthly housing stipends go directly to the companies.

“The situation is unacceptable, and we are failing our Soldiers and their families by not providing the quality housing they deserve,” top Army leaders wrote in a letter last week to senior commanders at bases across the globe.

On Thursday, company officials said they have already enacted some changes and continue to work with the military branches on related reforms at their installations.

“We are aligned with our Army, Navy and Air Force partners and actively working with each of them to identify opportunities to improve privatized military housing,” landlord Balfour Beatty wrote to Reuters.

Hunt Military Communities, another major military landlord, is working “to ensure we are providing the best possible housing for America's Service Members and their families,” company President John Ehle said through a spokesperson.

“We share the Army's commitment to making things better for soldiers and their families,” echoed Jarl Bliss, President and CEO of Lincoln Military Housing, through a spokesperson.

The fine print of the landlord reform plan – such as under which circumstances residents can withhold rent, and how the provisions will be enforced – has yet to be ironed out. It's likely the Army and its private industry partners will have to renegotiate some aspects of their contracts.

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SEE ALSO:

[Housing Horrors Prompt Survey of US Military Quarters Across Europe](#) [*Military.com*, 2019-02-21]

CNO defends hiding scathing internal report on Fitzgerald collision from public

By Geoff Ziezulewicz

Navy Times, February 16, 2019



Chief of Naval Operations Adm. John M. Richardson participated in a town hall discussion about the challenges and successes of the past year during the AFCEA West Conference in San Diego on Friday. (Defense.gov)

SAN DIEGO – The Navy’s top officer Friday defended the decision to keep from the public eye a damning internal report on the 2017 warship [Fitzgerald](#) collision that killed seven sailors.

Speaking to reporters after his appearance at the U.S. Naval Institute’s [West 2019](#) conference here, Chief of Naval Operations [Adm. John Richardson](#) said much of the report overlapped with what the service publicly released.

But much of the probe overseen by Rear Adm. Brian Fort portrayed a far grimmer picture of what the crew of the guided-missile destroyer faced. It also prompted hard questions about the actions taken by the Fitz’s squadron and Navy officials back in the United States.

First revealed by Navy Times, the Fort report chronicled details that Richardson, other Navy leaders and their public reports never mentioned, such as specifics about the destroyer’s [brutal operational tempo](#), [officers who didn’t trust each other](#), [radars that didn’t work](#) and sailors who didn’t know how to operate them.

The investigators also portrayed the warship’s chiefs mess as ineffective and their sailors plagued by low morale in the months leading up to the June 17, 2017, collision.

Reporting by [ProPublica](#) this month offered further insight into the Fitzgerald tragedy, renewing debate about the decisions made in the highest ranks of the Navy, including those by Richardson both before and after the collision.

Richardson stood by his decision to keep details from the public, insisting that the Fort report’s status as a dual-purpose investigation meant it was “locked up in other litigation.”

“I think what you’ll find is that if you take a look at what we did release, that there was a tremendous overlap and there’s not a lot of difference in terms of actionable information between what we released and what you released,” Richardson told Navy Times.

Richardson said the Navy released the entirety of its comprehensive review and strategic readiness review, calling it “the appropriate amount of information” and later adding that it provided “a sufficient level of actionable details.”

Richardson declined to answer a question about comments made at a U.S. Senate hearing this week by fellow four-star Phil Davidson, the head of U.S. Indo-Pacific Command.

When pressed by Maine Sen. Angus King about readiness in the surface fleet, Adm. Davidson said that while the Fitzgerald and its fellow destroyer John S. McCain suffered fatal collisions in 2017, “280-odd other ships weren’t having collisions.”

<https://www.navytimes.com/news/your-navy/2019/02/16/cno-defends-hiding-scathing-internal-report-on-fitzgerald-collision-from-public/>

“I think that any high performing organization needs to be focused on really fixing every possible defect. These are the characteristics of high-performing organizations,” Richardson said in response to a question about Davidson’s comment.

“The United States Navy is a high performing organization and so we’re going to continue to be focused on eliminating problems wherever we find them.”

A reporter noted that Richardson did not answer the question about Davidson’s statement.

“That’s the answer you get,” Richardson told the reporter.

“High performing organizations focus on fixing problems,” he repeated. “We’re going to remain focused on fixing the problems.”

The Navy has addressed 80 of 111 reform recommendations laid out in the comprehensive and strategic readiness reviews and “the rest are on track” but some will take longer, Richardson said.

“The idea of changing the culture, particularly in the surface force to be one of standards and assessments and those sorts of things,” Richardson said. “You can start to see that culture change . . . moving the team more towards a culture of rigor and standards for material training, certifications, enhancing the career path to do more training, get more experience, more assessments, again, so I think that you’re starting to see all those things moving in the right direction.”

Sen. King told Davidson at this week’s hearing that he wasn’t getting enough hard data charting how the surface fleet reforms were progressing.

“I would like to see specific data on where we stand with issues like certification of sailors and personnel on the ships, maintenance status of the ships, training rules, staffing levels, and I want real numbers,” [King said](#). “I don’t want general ‘We’re working on staffing’ or ‘We’re working on more training.’”

Richardson told reporters that he will make sure King gets whatever information he wants.

Asked about the status of the Navy’s probe of hundreds of officers suspected of infractions in the so-called [“Fat Leonard”](#) scandal, Richardson declined to set a deadline for when the sea service wraps up its reviews.

“Every time I make a prediction, I end up being inaccurate, so I’m hesitant to make any kind of an end date prediction,” Richardson said.

He added Navy leaders need to properly propagate lessons learned along the way.

The U.S. Justice Department is prosecuting the most severe allegations in the West Pacific public corruption cases involving scores of Navy officers, including members of the admiralty, but it passed hundreds of lower-level cases to the Navy for final adjudication.

https://www.washingtonpost.com/politics/courts_law/supreme-court-takes-up-trump-administrations-plan-to-ask-about-citizenship-in-census/2019/02/15/1e0ce8e8-3138-11e9-8ad3-9a5b113ecd3c_story.html

Supreme Court takes up Trump administration's plan to ask about citizenship in census

By Robert Barnes

The Washington Post, February 15, 2019

The Supreme Court added a politically explosive case to its docket Friday, [agreeing to decide](#) by the end of June whether the Trump administration can add a question about citizenship to the 2020 Census form sent to every American household.

The census hasn't asked the question of each household since 1950, and a federal judge last month stopped the Commerce Department from adding it to the upcoming count. He questioned the motives of Commerce Secretary Wilbur Ross and said the secretary broke a "veritable smorgasbord" of federal rules by overriding the advice of career officials.

Ross has maintained that the information is important for several reasons, including enforcement of the Voting Rights Act, and that he carefully considered the advantages and disadvantages of adding the question before making his decision.

Those opposed to the question argue the census response rate will likely fall if households are asked whether undocumented immigrants are present and make less accurate the once-a-decade "actual Enumeration" of the population required by the Constitution.

That could mean fewer members of Congress for states with large immigrant populations and less money from federal programs.

"The record in these cases provide overwhelming evidence that the administration's goal in adding a citizenship question was to discourage and deter immigrants and communities of color from participating," Kristen Clarke, president and executive director of the Lawyers' Committee for Civil Rights Under Law, one of the groups that has challenged the decision, said in a statement. "At the end of the day, the census count stands as one of the most critical constitutional functions our federal government performs and this administration has taken extraordinary steps to jeopardize the possibility of achieving a full and fair count."

The Trump administration had asked the court to bypass its normal procedures and accept the case immediately because it needs an answer by the end of June to print census forms and conduct the count on schedule.

Justices will hear the case in late April and review the [227-page opinion](#) handed down by U.S. District Judge Jesse M. Furman of New York, rather than require it first to go through the U.S. Court of Appeals for the 2nd Circuit.

The Trump administration, as well as the 18 states, local governments and others challenging Ross's decision, told the court that the decision was so important it warranted exceptional treatment.

As New York, the lead challenger, said in its brief to the court:

"The enumeration affects the apportionment of representatives to Congress among the states, the allocation of electors to the electoral college, the division of congressional districts within each state, the apportionment of state and local legislative seats, and the distribution of hundreds of billions of dollars of federal funding."

Solicitor General Noel Francisco [told the court](#) that Furman had exceeded his authority.

US Marine Corps develops mobile data capture tool to modernise recruitment

By Talal Hussein

Naval Technology, February 18, 2019

The US Marine Corps Systems Command (MCSC) and the Marine Corps Recruiting Command (MCRC) have partnered to develop a new mobile data capture tool to help modernise the Marine Corps' recruitment process.

The new mobile data capture tool, named the Marine Corps Recruiting Information Support System II (MCRISS II), provides marine recruiters with a comprehensive dashboard to help them across the whole recruitment process – from meeting the applicant to the completion of Marine Corps Boot Camp.

MCRC chief warrant officer and MCRISS II operations officer Christopher Mayfield said: “The dynamics of having marines work directly with MCSC software developers from the beginning was invaluable because we were able to adequately describe and display exactly what marine recruiters wanted in the new system.

“As the project progresses, we have a sufficiently staffed cadre of marines who gather input from users to keep that line of communication open, so it will help us enhance MCRISS II with more capabilities in the future.”

The MCRISS II mobile data capture tool comes with a customisable platform that assists recruiters with their day-to-day tasks, which can be accessed without an internet connection. The tool also uses cloud technology that can be accessed using government-issued devices, such as mobile phones and laptops.

The platform stores information on applicants, from personal information and background history to an individual's goals and objectives. The data can be used to anticipate whether an applicant is likely to meet the required standards of a US marine, and can also compare candidates.

MCSC's MCRISS II project manager Jason Glavich said: “MCRISS II offers greater convenience and helps marine recruiters maintain their availability and responsiveness, so they can be successful recruiting the next generation of marines. Now that we are using the commercial cloud, our system is more secure, fast and reliable.”

The MCRISS II team expects the entire rollout of the mobile data capture tool to take 12 months, however, Glavich said the team is releasing updates every two to four weeks so that recruiters can start using limited capabilities of the product from March 2019.

“We are leveraging industry best practices and their ability to innovate, and we're taking those innovations and applying them without having to spend programme dollars,” said Glavich.

“Because this new technology is more secure and it is built on a low-code platform instead of using traditional computer programming, it allows us to provide recruiters with new capabilities at a much faster pace.”

The developers of MCRISS II said that they hope to introduce automation and artificial intelligence to further modernise the recruitment process in the future.

Glavich added: “This predictive analysis will give us a better understanding to determine what's going to happen, which will help us enhance MCRISS II even more in the future.”

Misconduct

11 years in jail for ex-Veterans Affairs official in disabled vet fraud scheme

By Valerie Bonk

WTOP (Washington, D.C.), February 18, 2019

WASHINGTON — A former U.S. Department of Veterans Affairs official has been sentenced 11 years in prison for a \$2 million bribery scheme involving a program for disabled military veterans.

James King, 63, of Baltimore, previously pleaded guilty to one count of honest services and money wire fraud, one count of bribery of a public official and one count of falsifying records to obstruct an investigation, authorities said in a news release.

King was sentenced Friday to serve 132 months in prison to be followed by three years of supervised release and to pay \$155,000 in restitution to Veterans Affairs.

Three school owners and employees, who admitted to bribing King, were sentenced last week.

Albert Poawui, the owner of Atius Technology Institute, was sentenced to serve 70 months in prison and ordered to pay \$1.5 million in restitution.

Sombo Kanneh, Poawui's employee, was sentenced to serve 20 months in prison and ordered to pay \$113,000 in restitution.

Michelle Stevens, the owner of Eelon Training Academy, was sentenced to serve 30 months in prison and ordered to pay \$83,000 in restitution.

“James King and his associates exploited an important VA program that provides valuable services to our disabled military veterans,” said Justice Department Assistant Attorney General Brian Benczkowski in a release. “This prosecution once again demonstrates the Justice Department’s commitment to hold accountable those who seek to defraud government programs for their own personal enrichment.”

According to prosecutors, from 2015 through 2017, King, using his position as a VR&E program counselor, demanded and received cash bribes from the owners of Atius Technology Institute, Eelon Training Academy and School A — a school purporting to specialize in physical security classes.

King facilitated over \$2 million in payments to Atius, over \$83,000 to Eelon, and over \$340,000 to School A, all as part of King’s separate agreements with the respective school owners to commit bribery and defraud Veterans Affairs, the release said.

King agreed with Poawui and Stevens that they would each pay him, in cash, 7 percent of the money they received from Veterans Affairs in exchange for King steering veterans to their schools and facilitating Veterans Affairs payments. King similarly accepted cash payments from the owner of School A in exchange for the same official acts.

In order to maximize the profits from their fraud, all three school owners sent King and other Veterans Affairs officials false information about the education being provided to veterans, and King facilitated payments to all three schools knowing this information was false, according to a news release.

King admitted to repeatedly lying to veterans under his supervision in order to convince them to attend Atius, Eelon, or School A.

In early 2017, the Veterans Affairs initiated a fact-finding inquiry into Atius based on complaints by students as to the quality of education at the school. In August 2017, after King became aware of the

<https://wtop.com/local/2019/02/11-years-in-jail-for-ex-veterans-affairs-official-in-disabled-vet-fraud-scheme>

inquiry, he created a falsified site visit report and instructed Poawui to send it to another Veterans Affairs official, all in an effort to obstruct the Veteran's Affairs inquiry into Atius, the release said. In January 2018, King attempted to convince Poawui to lie to the grand jury about the purpose of the bribe payments, according to the release.

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Air Guardsman arrested after reportedly posing as CIA agent to impress woman at church

By J.D. Simkins

Air Force Times, February 20, 2019



New York Air National Guardsman Staff Sgt. Ryan Houghtalen

Relationship red flags exist.

Sometimes they manifest through anger outbursts, substance abuse or infidelity indicators.

And other times, a man pretends to be a CIA agent to impress a woman he's developed an eye for, informing her she is "the target of a terrorist organization and that her life was in danger," and that "if she did not follow his directions, she would be seriously injured or killed."

And they say chivalry is dead.

That was the language in a police complaint against New York Air National Guardsman Staff Sgt. Ryan Houghtalen, 25, who was arrested Monday and charged with misdemeanor second degree criminal impersonation of a public servant, [according to Syracuse.com](#).

He was released one day after his arrest, the report said.

Houghtalen met the woman at church, the report said. Once he was adequately acquainted, he allegedly showed her a fake CIA badge prior to dropping a bombshell about the threat on her life.

"He was telling her his job as a CIA agent is very dangerous," Trooper Jack Keller, a New York state police spokesman, told Syracuse.com. "He was hoping to use that information to start a relationship with her."

Bold strategy, Cotton. Let's see if it pays off for 'em.

"He stated ISIS was after him and because she knew him, that her life might be in danger too," Keller added. "She became nervous and upset because he convinced her her life may be in danger."

With the woman understandably rattled, Houghtalen instructed her "to stop talking to people, stay at home, and not call the police," the report said.

Police were subsequently notified and he was taken into custody.

Houghtalen is a sensor operator on the MQ-9 reaper drone with the New York Air National Guard's 174th Attack Wing, based at Syracuse Hancock International Airport, a Guard spokesman told Syracuse.com.

A [LinkedIn page](#) allegedly belonging to Houghtalen claims he is an airman who is "skilled in Microsoft Excel, Management, Microsoft Word, Microsoft PowerPoint, and Leadership."

So, when a need arises to create a dazzling PowerPoint presentation that can teach troops about synergy — and for 14 hours straight — you know who to call.

Punishment is likely to be handed down by the New York Air National Guard, the spokesman said, though no specifics were provided.

Fourth USS Ronald Reagan sailor pleads guilty in drug operation

By Caitlin Doornbos

Stars and Stripes, February 15, 2019

YOKOSUKA NAVAL BASE, Japan — A fourth USS Ronald Reagan sailor on Thursday pleaded guilty to charges related to a drug operation that involved 15 7th Fleet sailors.

Petty Officer 2nd Class Sean Gevero, a nuclear electrician's mate, was found guilty of wrongful use or possession of controlled substances after admitting to possessing LSD with intent to distribute in August 2017 and illegally possessing steroids on Feb. 9, 2018, according to a pre-trial agreement.

A military judge sentenced Gevero to 90 days in confinement, followed by a bad conduct discharge, according to Naval Forces Japan spokesman Marshall Smith. His rate was also reduced to E-1.

Gevero's is the latest in a string of courts-martial related to the case. On Jan. 14, Petty Officer 3rd Class Philip Colegrove, also a nuclear electrician's mate, was sentenced to 10 months in jail, a bad conduct discharge and reduction in rate to E-1 after pleading guilty to selling drugs from the Ronald Reagan.

Colegrove admitted he sold LSD and methylenedioxymethamphetamine — also known as MDMA or ecstasy — onboard the Ronald Reagan several times from January 2017 to February 2018. He also pleaded guilty to bringing LSD “onto a vessel used by the armed forces” with intent to distribute, according to his pre-trial agreement.

In December, Petty Officer 2nd Class Ethan D. Strandberg and Petty Officer 2nd Class Andrew W. Miller, both nuclear machinist mates, were reduced in rank to E-1 and discharged from the Navy for bad conduct in exchange for pleading guilty to drug distribution charges.

Strandberg admitted to conspiring to distribute MDMA onboard the aircraft carrier between January 2017 and February 2018. Miller admitted to distributing LSD near Yokosuka during the same period.

Strandberg was sentenced to 60 days and Miller received 30 days in confinement.

A fifth, unnamed defendant in the case is awaiting an Article 32 preliminary hearing, Smith said. Article 32 hearings, the military equivalent of a grand jury, are used to determine if there is enough evidence to justify a trial.

As part of their pre-trial agreements, Gevero, Colegrove, Strandberg and Miller agreed to testify against others involved in the case if called upon.

Ten other Reagan sailors received nonjudicial punishments in connection with the case, 7th Fleet spokesman Lt. Joe Keiley said in November. Further information about those disciplinary actions was not publicly released, per Navy policy on administrative issues.

Fourteen of the 15 implicated sailors were assigned to the Ronald Reagan's nuclear reactor department, Keiley said in June. Those suspected of involvement were removed from those duties as the investigation got underway.

doornbos.caitlin@stripes.com Twitter: [@CaitlinDoornbos](https://twitter.com/CaitlinDoornbos)

Navy officer guilty of manslaughter in bridge plunge deaths

The Associated Press, February 13, 2019

SAN DIEGO (AP) — A Navy petty officer whose car plunged off a soaring bridge in San Diego and killed four people below was convicted Wednesday of vehicular manslaughter while intoxicated.

A jury also found Richard Sepolio, 27, guilty of driving under the influence causing injury but acquitted him of the more serious charges of gross vehicular manslaughter while intoxicated. He also was acquitted of reckless driving and driving over the legal alcohol limit causing injury.

Sepolio could be sentenced to up to 18 years in prison.

“This was a great outcome on this case,” prosecutor Cally Bright said out of court. But Bright added: “Nothing will bring back the family members lost that day.”

Prosecutors said Sepolio had been drinking on Oct. 15, 2016, and was arguing with his girlfriend — now his wife — by cellphone when he tried to speed past another car on the San Diego-Coronado Bridge. He lost control of his pickup truck, which crashed through a concrete and plunged 60 feet off the span into a crowd celebrating a motorcycle rally and festival at Chicano Park. The truck crushed vendor booths where people were standing.

Four people died, and seven were hurt.

Sepolio’s pickup was recorded doing 81 mph going onto the bridge, which stretches across San Diego Bay and links San Diego to the Navy town of Coronado, where Sepolio was an aviation electronics technician.

The prosecution told jurors that Sepolio chose “to drive irritated, impaired and impatient.”

At trial, Sepolio testified that he’d had two drinks earlier in the day but wasn’t drunk and wasn’t on the cellphone call at the time of the crash.

The defense and prosecution disagreed on whether several blood and breath tests given to Sepolio indicated he was impaired.

Defense attorney Paul Pfingst said outside court that he was disappointed that Sepolio was convicted of DUI even though jurors didn’t find that he was driving with a blood-alcohol level above the legal limit, KFMB-TV [reported](#).

“My client is a very good, decent, young man who was not driving over the legal limit, and had a traffic accident which has led to this. He will pay a heavy price for that, as will his family,” Pfingst said.

Jurors reached a verdict on Monday. But the judge held off on reading the verdict until Wednesday following a Tuesday court holiday so that family and friends of Sepolio and the victims — some from out of state — could attend the hearing.

Sepolio’s wife, their baby and his parents from Texas attended the nearly monthlong trial. Pfingst said Sepolio asked him to tell his family to “stay strong,” the San Diego Union-Tribune [reported](#).

Prosecutors: Coast Guard officer plotted to ‘murder innocent civilians’

By Geoff Ziezulewicz

Navy Times, February 21, 2019



Authorities found 15 guns and more than 1,000 rounds of ammunition when they searched the apartment of Coast Guard Lt. Christopher Paul Hasson this month. Prosecutors allege he was a self-proclaimed white nationalist plotting "to murder innocent civilians. (U.S. District Court for the District of Maryland records)

A U.S. Coast Guard officer is a self-proclaimed white supremacist who drafted a hit list of prominent Democrats and media personalities, part of a plot to “murder innocent civilians on a scale rarely seen in this country,” federal prosecutors wrote in a court filing this week.

Lt. Christopher Paul Hasson was arrested Feb. 15 on firearm and opioid possession charges, but a filing Monday in U.S. District Court for the District of Maryland warns that those alleged violations “are the proverbial tip of the iceberg.”

“The defendant is a domestic terrorist, bent on committing acts dangerous to human life,” prosecutors wrote.

Hasson, an acquisitions officer for the service’s National Security Cutter program, previously served in the Marine Corps and Army National Guard from 1988 to 1993, according a filing that seeks to keep him behind bars until his criminal trial concludes.

A resident of Silver Spring, Maryland, Hasson, 49, has been in custody since his arrest last week and a detention hearing is scheduled for Thursday, according to Marcia Murphy, a spokeswoman for the U.S. Attorney’s Office.

Coast Guard officials declined to comment on Hasson’s duties or current status Wednesday, citing the ongoing federal investigation.

In an email to Navy Times, Coast Guard spokesman Chief Warrant Officer Barry Lane said that Hasson was the target of an ongoing probe by the Coast Guard Investigative Service.

An earlier filing in Hasson’s case indicates that he filled out an SF-86 form in 2016, when he began working at Coast Guard Headquarters in Washington, D.C. That’s a questionnaire required for everyone who seeks national security clearance but the court documents don’t state which level of clearance he held.

A federal magistrate assigned a public defender to Hasson’s case on Feb. 15. Calls to the office of the Federal Public Defender for the District of Maryland were not returned by deadline Wednesday.

Hasson conducted online searches for pro-Russian, neo-fascist and neo-Nazi literature between 2017 and 2019, and took inspiration from the manifesto of Anders Breivik, a far right-wing domestic terrorist who killed 77 people — mostly children — in two coordinated attacks in Norway in 2011, according to the filing.

Breivik’s manifesto provides “a blueprint for future single cell or ‘Lone Wolf’ terrorist operations,” the filing states.

<https://www.navytimes.com/news/your-navy/2019/02/21/prosecutors-coast-guard-officer-plotted-to-murder-innocent-civilians/>

Prosecutors, however, did not specify a date for when Hasson allegedly planned to kick off the massacre.

Consistent with Breivik's manifesto, Hasson "began the process of targeting specific victims, including current and former elected officials" in January, according to the filing.

Hasson's online activity since January 2017 showed him conducting internet searches for phrases such as, "most liberal senators," "where do most senators live in dc," "do senators have ss [secret service] protection" and "are supreme court justices protected," the filing states.

He also searched for MSNBC host and former Republican congressman Joe Scarborough "after viewing a headline claiming that Scarborough referred to the President as 'the worst ever,'" according to the filing.

"After further searches, the defendant found Scarborough's prior home, and then proceeded to scroll in and out on the location for approximately 35 seconds," the filing states.

Prosecutors contend that on Jan. 17, Hasson also "compiled a list of prominent Democratic Congressional leaders, activists, political organizations, and MSNBC and CNN media personalities," according to the filing.

Hasson's hit allegedly included "gillibran" — prosecutors say it's presumably U.S. Sen. Kirsten Gillibrand of New York — as well as "poca warren," perhaps Massachusetts Senator Elizabeth Warren, plus "Sen blumen jew," a slur for Sen. Richard Blumenthal of Connecticut, among others, according to the filing.

Gillibrand and Warren are seeking the Democratic presidential nomination.

Hasson allegedly "developed this list in the above spreadsheet while reviewing the MSNBC, CNN, and FOX News websites...from his work computer," the filing states.

The same day he made the list, prosecutors say Hasson used the search engine Google for the following phases:

- "what if trump illegally impeached"
- "best place in dc to see congress people"
- "where in dc to (sic) congress live"
- "civil war if trump impeached."

Hasson regularly perused the manifesto from early 2017 until his arrest this month, focusing on the sections offering advice on amassing guns, food, disguises and survival supplies, the filing states.

Law enforcement searched his "cramped basement apartment" in Maryland this month and found 15 firearms and more than 1,000 rounds of mixed ammunition, according to the filing.

He bought guns, ammo, smoke grenades, magazines and other supplies from vendors across the United States, prosecutors allege in the court filing, and he's "espoused extremist views for years."

In a June 2017 draft email, he allegedly wrote about "dreaming of a way to kill almost every last person on the earth," the filing states: "Interesting idea the other day. Start with biological attacks followed by attack on food supply...Have to research this."

Prosecutors allege that Hasson noted the need to enlist the "unwitting help of another power/country," and wondered "Who and how to provoke??"

Hasson wrote that "liberalist/globalist ideology" was destroying "traditional peoples" and warned that "much blood will have to be spilled to get whitey off the couch," prosecutors wrote.

<https://www.navytimes.com/news/your-navy/2019/02/21/prosecutors-coast-guard-officer-plotted-to-murder-innocent-civilians/>

According to the court filing, he added, “For some no amount of blood will be enough” because they “will die as will the traitors who actively work toward our demise. Looking to Russia with hopeful eyes or any land that despises the west’s liberalism.”

Hasson was initially charged with possession of the opioid Tramadol, and he allegedly spoke in his draft email of coming off the drug to “clear my head,” the filing states.

He cited the writings of Olympic Park bomber Eric Rudolph and pondered becoming a sheriff, city manager, mayor or other position that would get him leading a community, prosecutors allege.

Hasson also wrote of aping tactics from Ukraine’s civil war and attacking people on both sides of a partisan divide to stoke tension and escalate violence, according to the filing.

He also plotted attacks on food and fuel supplies and masquerading as a police officer to gun down looters and protesters, prosecutors say.

“I can’t just strike to wound I must find a way to deliver a blow that cannot be shaken off,” he wrote, according to the filing. “Maybe many blows that will cause the needed turmoil.”

In another letter allegedly drafted to a known American neo-Nazi leader a few months later, Hasson identified himself as a man who had been a white nationalist for more than three decades and advocated establishing a “white homeland” in the Pacific Northwest, according to the court filing.

“You can make change with a little focused violence. How long we can hold out there and prevent niggerization of the Northwest until whites wake up on their own or are forcibly made to make a decision whether to roll over and die or stand up remains to be seen,” he allegedly wrote.

Breivik’s manifesto extolled the virtues of taking steroids to prep for attacks, and authorities allegedly found more than 30 bottles labeled as human growth hormone in Hasson’s apartment, prosecutors say.

Hasson had been buying the opioid Tramadol from an unidentified person online since at least 2016 and evidence emerged suggesting he was a chronic user of the drug, according to the filing.

Prosecutors wrote that Hasson also allegedly bought synthetic urine and clean kits “in the event he was randomly selected for a drug screening, which occasionally happened in his profession.”

The filing was first uncovered by [Seamus Hughes](#), the Deputy Director of the Program on Extremism at George Washington University.

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SEE ALSO:

[U.S. Coast Guard officer accused of terror plot could face more charges](#) [Reuters, 2019-02-21]

[Coast Guard officer accused of drafting hit list of prominent Democrats to remain jailed](#) [CBS News, 2019-02-21]

[‘They hate white males’: A Norwegian mass murderer inspired the Coast Guard officer accused of plotting terror, feds say](#) [The Washington Post, 2019-02-21]

[Arrested Coast Guard Officer Allegedly Planned Attack 'On A Scale Rarely Seen'](#) [NPR, 2019-02-20]

[Coast Guard Officer Accused of Terrorist Plot Targeting Media, Lawmakers](#) [Military.com, 2019-02-20]

Report: US Marshals failed to punish serious employee misconduct

By Jessie Bur

Federal Times, February 15, 2019



The U.S. Marshals Service's failure to pursue discipline for misconduct in a timely manner meant that one employee was able to retire without punishment, according to the Department of Justice Office of Inspector General. (Shane T. McCoy/U.S. Marshals)

A senior employee at the U.S. Marshals Service was found to have engaged in serious misconduct, but that employee received no punishment, as the agency made special accommodation for him to retire.

According to a Feb. 13 Department of Justice Office of Inspector General procedural reform recommendation, USMS lacked the necessary policies and controls for ensuring that an employee found to have engaged in serious misconduct received the proper disciplinary action in a timely manner.

“The subject of an OIG investigation had been serving in a senior-level position with the USMS when he was accused of serious misconduct. The OIG opened an investigation,” the report said.

“During the course of that misconduct investigation, the OIG and the Office of Special Counsel separately initiated concurrent investigations into allegations of retaliation by the subject and others against USMS employees who were cooperating with the OIG in the original misconduct investigation.”

After OIG issued a report finding that the employee had, in fact, engaged in serious misconduct, it took USMS five months to issue a disciplinary proposal. The employee was then put on administrative leave for another six months until he was proposed for removal from his position at the agency.

“However, the next month, the USMS entered into a settlement agreement with the subject that reversed the subject’s removal and allowed the subject to use various leave mechanisms including annual leave, sick leave and leave without pay for about nine months so that he could reach his eligible law enforcement retirement date,” the report said.

“This arrangement constituted ‘terminal leave,’ which is inconsistent with Comptroller General guidance. The settlement agreement enabled the subject to retire more than 19 months after the USMS received the OIG’s investigative report, thereby avoiding any punishment for the serious misconduct substantiated by the OIG’s investigation.”

According to the report, the situation indicates that USMS is currently unable to ensure that serious misconduct is responded to with correct disciplinary action in a timely manner or that the agency is sufficiently committed to employee accountability in cases of misconduct.

The report recommended that USMS maintain a system for tracking misconduct cases, develop timeliness standards for dealing with misconduct, ensure that any settlements properly consider the severity of employee misconduct and develop a terminal leave policy to ensure that such leave cannot be used to retire and avoid punishment for misconduct.

https://www.washingtonpost.com/powerpost/senate-backs-bill-to-make-lynching-a-federal-hate-crime-as-2020-rivals-harris-booker-join-forces/2019/02/14/a9b43f6a-3078-11e9-86ab-5d02109aeb01_story.html

Senate backs bill to make lynching a federal hate crime as 2020 rivals Harris, Booker join forces

By Elise Viebeck and Donna Cassata

The Washington Post, February 14, 2019



Sens. Cory Booker (D-N.J.) and Kamala D. Harris (D-Calif.) in September during the Judiciary Committee confirmation hearings for Supreme Court nominee Brett M. Kavanaugh. (Matt McClain/The Washington Post)

The Senate on Thursday unanimously backed a bill to make lynching a federal crime, a step cast as righting a historic wrong after [nearly 100 years](#) of failed attempts.

The legislation, approved on a voice vote, would ensure that lynching triggers an enhanced sentence under federal law, like other hate crimes. The measure was sponsored by the Senate's three African American members: Kamala D. Harris (D-Calif.), Cory Booker (D-N.J.) and Tim Scott (R-S.C.).

Harris and Booker, who are rivals for the 2020 Democratic presidential nomination, spoke graciously about their joint effort Thursday morning on the Senate floor. Booker had introduced the bill with Harris and Scott after what Harris described as 200 previous attempts by Congress to pass similar legislation.

Proponents of the measure expect the Democratic-led House to pass the legislation and send it to President Trump for his signature. [A similar bill passed the Senate in December](#), but the House never acted on the measure.

Harris recounted the history of lynching in the United States and the 1955 lynching of 14-year-old Emmett Till in rural Mississippi. Till, who was visiting from Chicago, was murdered after he was accused of whistling at and making sexual advances toward a white woman. The teen was kidnapped Aug. 28, 1955, and was tortured and shot. His mangled body was found days later in the Tallahatchie River.

Lynching, said Harris, “was an act of terror. It was murder. It was summary execution.” She said the bill was an opportunity to speak the truth about the past and offer some long-overdue justice.

Booker said that hate crimes are on the rise and that the legislation was a chance to “collectively make a strong unequivocal statement.”

After the vote, Scott said in a statement that the Senate had “sent a strong signal that this nation will not stand for the hate and violence spread by those with evil in their hearts.”

The NAACP says lynching emerged in the late 19th century as a “popular way of resolving some of the anger that whites had in relation to free blacks.” About 3,450 black people were lynched in the United States between 1882 and 1968, accounting for 73 percent of the total number of people lynched.

Only five states had no lynchings during that period, according to the NAACP.

The Senate bill defines someone guilty of lynching as “willfully, acting as part of any collection of people, assembled for the purpose and with the intention of . . . [causing] death to any person.” The crime could be punished by a sentence of up to life in prison.

Seven presidents petitioned Congress to end lynching between 1890 and 1952, the bill said.

This is how two Fort Stewart soldiers plotted the murder of a third, police say

By Meghann Myers

Army Times, February 21, 2019



Authorities say two Fort Stewart soldiers communicated over Snapchat about their plan to murder Sgt. Tyrone Hassel.

[Two Georgia-based soldiers](#) have pleaded not guilty to [premeditated murder](#) in the case of the [shooting death](#) of a Fort Stewart noncommissioned officer who was gunned down outside his father's home on New Year's Eve.

A police officer in St. Joseph Township, Michigan, told a Berrien County judge on Wednesday that Spc. Kemia Hassel, 22, had spent months planning the murder of her husband, Sgt. Tyrone Hassel, 23, at the hands of her boyfriend, Spc. Jeremy Cuellar, 24, according to the [Kalamazoo Gazette](#).

The two hashed out their plan over Snapchat, a social media platform that deletes picture and video messages as soon as they've been viewed, Mike Lanier told the court during the preliminary hearing. He testified that Spc. Hassel told police she planned her husband's death, the Gazette reported.

The two were having an affair, county prosecutor Michael Sepic said in a January news release.

"The motive for the two to plot Sgt. Hassel's death may have been to continue their relationship and reap the Army's death benefit from his murder," the release said.

Hassel faces one count of premeditated murder and one count of murder involving a family member and a gun. Cuellar is charged with one count of premeditated murder and one count of using a firearm to commit a felony.

They are both being held at the Berrien County jail, according to inmate records.

Investigators believe Spc. Hassel directed Cuellar to drive to Michigan in the days after Christmas, where the married couple were visiting Sgt. Hassel's family.

Hassel was shot outside the home where the two were staying, as he returned from a New Year's Eve gathering at his father's house, the release said.

All three soldiers had been assigned to 1st Armored Brigade Combat Team, 3rd Infantry Division, Fort Stewart spokeswoman Dina McKain told Army Times in January. Sgt. Hassel had been stationed there since December.

Racism

Jussie Smollett hate attack claim: 'Bogus police reports cause real harm,' police say

By Nicquel Terry Ellis

USA TODAY, February 22, 2019



Actor/singer Jussie Smollett (Photo11: Evan Agostini/Invision/AP)

At a time when African Americans and LGBT people face increasing violence, police and activists warn that false reports of hate do real damage.

While such hoaxes are rare, they say, each one diverts resources from actual victims, sows doubt about legitimate attacks, and gives material to those who would minimize the threat of hate in the United States.

"Bogus police reports cause real harm," Chicago Police Superintendent Eddie Johnson told reporters Thursday.

"Empire" actor Jussie Smollett, who is black and gay, is accused of [paying two men to attack him](#) last month in what police say was a ploy to raise his profile because he was unhappy with his salary.

Smollett, 36, is now charged with disorderly conduct, a Class 4 felony that carries a sentence of up to three years in prison.

NAACP spokesman Malik Russell said the allegations against Smollett should not be used as a "smokescreen" to obscure real racism in the United States.

"We don't want this to be an opportunity for individuals who support racism to push this issue under the bus," Russell told USA Today. "Issues that impact communities of color are not always taken seriously."

Eugene O'Donnell is a former New York City police officer and prosecutor. He warned that a false claim can "dramatically undermine the next legitimate victim."

"The danger in a case like this is people who think that hate crimes are a fantasy will see this and think that this a representative incident," O'Donnell said.

The reality, he said, is that "there are far more hate crimes in the country than ever make it onto a police blotter."

Peter Scharf, a criminologist at Louisiana State University, warned that the Smollett controversy could discourage real victims from reporting to police.

"Some cases will never get reported because you're afraid of getting exposed and punished," Scharf said. "People are actually victimized by hate crimes and keep silent."

Reports of [violence against African Americans and LGBT](#) people have grown, according to the FBI.

Hate crime reports motivated by sexual orientation rose 5 percent in 2017, the most recent year for which FBI data is available. Reports of hate crimes against black people rose 16 percent.

The National Coalition of Anti-Violence Programs counted 52 hate-related homicides against people who identify as LGBTQ in 2017, the most it has recorded in a single year. Sixty percent of the victims were black.

False claims of serious crimes are rare, but there have been some prominent examples.

<https://www.usatoday.com/story/news/nation/2019/02/22/jussie-smollett-attack-hoax-allegation-bogus-police-reports-real-harm/2936672002/>

Rolling Stone [magazine published an article in 2014](#) detailing the alleged gang rape of a University of Virginia freshman at a fraternity house.

Other media organizations followed up but found problems with the magazine's claims. Police in Charlottesville investigated and said they found no evidence of a sexual assault. Rolling Stone apologized and retracted the article.

In 2006, a black student at North Carolina Central University accused three white members of the Duke University men's lacrosse team of rape at a party at which she was working as a stripper. The players were charged with kidnapping, rape and sexual assault.

The players had alibis, the accuser changed her story several times, a fellow stripper at the party rejected her claims and the charges eventually were withdrawn. Durham County District Attorney Mike Nifong eventually was removed from office and disbarred for allegedly withholding evidence that would have acquitted the players.

Smollett [told police that two masked men](#) shouted racial and homophobic slurs at him, beat him, wrapped a rope around his neck and poured bleach on him.

Police say he paid two Nigerian brothers \$3,500 to stage the attack – and told them to say "MAGA," for "Make America Great Again," the slogan popularized by President Donald Trump.

Johnson, the Chicago police superintendent, said he was concerned that future reports of hate will now be met with greater skepticism.

"I'm left hanging my head and asking, 'Why?'" said Johnson, who is black. "Why would anyone, especially an African-American man, use the symbolism of a noose to make false accusations?"

Civil rights groups say false reports undermine their efforts to defend real victims.

"It's unfortunate if anyone, especially someone with this large of a platform, would falsify any parts of a story of hate violence," the New York City Anti-Violence Project said in a statement. "Still, the reality is that far too many survivors aren't believed and don't get justice for the violence they experience."

Chad Griffin, president of the Human Rights Campaign, called the allegations against Smollett "both devastating & frustrating."

"But I want to ask everyone feeling angry, hurt & disappointed to channel that into productive activism," he tweeted, "because there are thousands targeted by hate violence each year who need our help."

Contributing: Alia E. Dastagir, USA TODAY

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SEE ALSO:

[AP's complete coverage of the Jussie Smollett case](#) [*The Associated Press*, 2019-02-22]

[Jussie Smollett suspended from 'Empire' after prosecutors said he faked attack to boost salary](#) [*USA TODAY*, 2019-02-22]

[Jussie Smollett staged Chicago 'hate crime' seeking higher pay: police](#) [*Reuters*, 2019-02-21]

<https://www.washingtonpost.com/nation/2019/02/19/time-ku-klux-klan-night-ride-again-an-alabama-newspaper-editor-wants-bring-back-lynching/>

‘Time for the Ku Klux Klan to night ride again’: An Alabama newspaper editor wants to bring back lynching

By Antonia Noori Farzan and Michael Brice-Saddler

The Washington Post, February 19, 2019

Two decades ago, the editor of the tiny Democrat-Reporter newspaper in Linden, Ala., was being talked about as a [potential contender](#) for the Pulitzer Prize. A [congressional citation](#) read on the floor of the House of Representatives in 1998 lauded “his truly American heroism and dedication to the truth” and called him “one of Alabama’s finest and most ethical journalists.” Glowing profiles in the [New York Times](#), [People magazine](#) and the [American Journalism Review](#) highlighted his tenacious reporting and down-home Southern charm.

Now, Goodloe Sutton is back in the news again — this time because he recently called for mass lynchings and suggested that the Ku Klux Klan should return to “clean out” Washington, drawing strong rebukes from lawmakers and calls for an FBI investigation from the head of the Alabama NAACP.

“Time for the Ku Klux Klan to night ride again,” began a Feb. 14 editorial in the Democrat-Reporter. It went on to claim that Democrats, along with some Republicans, were planning to raise taxes in Alabama. It concluded, “Seems like the Klan would be welcome to raid the gated communities up there.”

Sutton, who is also the paper’s publisher, could not immediately be reached for comment. He told the [Montgomery Advertiser](#) on Monday that he had written the editorial, which ran without a byline, and stood by it.

“If we could get the Klan to go up there and clean out D.C., we’d all been better off,” he told the paper, explaining, “We’ll get the hemp ropes out, loop them over a tall limb and hang all of them.”

During the same conversation, Sutton argued that the KKK “didn’t kill but a few people” and “wasn’t violent until they needed to be,” the Advertiser reported on Monday. He further suggested the Klan, a white supremacist hate group, was comparable to the NAACP. Sutton also added that people could call him, write him a letter or boycott the paper if they disagreed with his views.

When the Advertiser’s Melissa Brown asked him whether it was appropriate for a newspaper publisher to suggest that Americans should be lynched, Sutton replied, “It’s not calling for the lynchings of Americans. These are socialist-communists we’re talking about. Do you know what socialism and communism is?”

The editorial — which, like the rest of the paper, was not published online — first started getting attention on Monday afternoon when two [student-journalists](#) at Auburn University [posted photographs](#) on Twitter. On Monday night, Sen. Doug Jones (D-Ala.), who prosecuted two members of the Klan for their role in the 1963 Birmingham church bombing that killed four young girls, called the editorial “disgusting” and demanded Sutton’s immediate resignation. “I have seen what happens when we stand by while people—especially those with influence—publish racist, hateful views,” [he wrote](#).

Echoing the call for Sutton’s resignation was Rep. Terri A. Sewell (D-Ala.), [who wrote](#), “For the millions of people of color who have been terrorized by white supremacy, this kind of ‘editorializing’ about lynching is not a joke — it is a threat.”

The criticism was a sharp contrast from 20 years ago, when Sutton was honored on the floor of Congress. “His story is a shining example of the best and the brightest which occurs in America when a single citizen has the bravery to stand alone, in the face of mounting pressure and odds, and stands up for justice and

<https://www.washingtonpost.com/nation/2019/02/19/time-ku-klux-klan-night-ride-again-an-alabama-newspaper-editor-wants-bring-back-lynching/>

equality,” Rep. Earl F. Hilliard (D-Ala.), the first person of color to represent Alabama in Congress since Reconstruction, said in his May 1998 [proclamation](#).

Back then, Sutton was being celebrated for his dogged investigative journalism in the southwestern Alabama city with less than 3,000 residents, which resulted in the local sheriff being sent to federal prison. He and his wife, Jean, who worked alongside him at the paper, had spent [nearly four years](#) publishing stories that showed that Marengo County Sheriff Roger Davis was siphoning off government funds, from cashing reimbursement checks that were meant to go to the sheriff’s office to buying an all-terrain vehicle for his daughter with a check from the department’s bank account.

That reporting led to an undercover investigation that put Davis and [two of his seven deputies](#) in jail, but it took a toll on “Miss Jean” and “Ole Goodloe,” as the Suttons were known in their rural community. “The stories triggered a backlash,” [AJR reported](#). “One of the elders at the Presbyterian church Sutton attends told him to lay off the sheriff. Sutton says he began losing about \$1,000 a week in advertising. And hate mail poured in.”

Talking to the [Associated Press](#) in 1998, Sutton said deputies had threatened to plant drugs in their home, and the couple and their oldest son had repeatedly been pulled over and harassed. Davis “started telling anyone who would listen that my oldest son was involved in drugs, my wife was having affairs and I was drunk all the time,” he said. He was finally vindicated in 1997, when Davis pleaded guilty to charges including extortion and soliciting bribes.

That same year, two of Davis’s deputies, Wilmer “Sonny” Breckenridge and Robert Pickens, were arrested along with 68 others in a massive drug bust that, at the time, was the largest in southern Alabama history. Breckenridge, [AJR noted](#), had been the officer whose job was to visit schools and caution students about the dangers of using drugs. Both were ultimately convicted on charges that they had been abusing their positions as law enforcement officers by providing protection to drug dealers.

But by 2015, the Democrat-Reporter, like so many other small papers, was fighting for its life. Sutton had been forced to move out of the building across the street from the county courthouse where he had been based since 1965. “His office now is in a former barbecue restaurant a block away, where pieces of paper are taped to windows carrying the paper’s name,” [the Advertiser reported](#). While the paper had more than 7,000 subscribers in 1998, circulation had fallen to roughly 3,000. Making matters worse, Jean, his managing editor and wife of 39 years, died in 2003 of complications from cancer.

“It was hard for me to go home during that time,” he [told the Advertiser](#). “I was like a zombie for several years after I lost Jean. I didn’t know what to do.” Jean had been the one who first started digging into the rumors of corruption at the sheriff’s office, [AJR reported](#), but since she hated to be in the spotlight, she refused to have her name appear on any of her stories and gave the credit to her editor husband instead.

The AJR profile — which showed Sutton fishing for crawfish and mentioned that Jean liked to bake chocolate chip cookies for the sheriff’s deputies — portrayed the couple as charming, small-town muckrakers. But at some point, the paper turned away from investigative journalism and began publishing more and more racist screeds. Sutton’s “racial references in headlines and stories” had upset many of his readers, the Advertiser [acknowledged in 2015](#), noting that one front-page story about a murder described the perpetrators as “Selma black thugs.”

Asked what the headline might have said if the killers had been white, Sutton didn’t respond but appeared to wink at his interviewer.

<https://www.washingtonpost.com/nation/2019/02/19/time-ku-klux-klan-night-ride-again-an-alabama-newspaper-editor-wants-bring-back-lynching/>

When Sutton's comments on the Klan began getting attention on Monday, longtime readers [pointed out](#) that it wasn't the first time that the paper's editorial page had endorsed extreme or openly racist views. In [May 2015](#), an editorial stated that the mayor of a city "up north" had "displayed her African heritage by not enforcing civilized law." Another, [published in June of that year](#), called for drug dealers, kidnappers, rapists, thieves and murderers to be hanged "on the courthouse lawn where the public can watch."

"Dope heads know how to grow marijuana but not cotton," [one August 2014 editorial read](#). "They don't pay sales taxes on what they grow so this doesn't register with the economists who compile the statistics about jobs and employment. This market is dominated by blacks." That same month, President Barack Obama was [described](#) by the paper as a "Kenyan orphan president" who was elected because Americans thought "it would be cool to have a colored man" in the White House. Later, amid the national controversy over football players kneeling during the national anthem, the Democrat-Reporter [declared](#), "That's what black folks were taught to do two hundred years ago, kneel before a white man."

Other editorials have disparaged women with crude comments about their weight: Michelle Obama was labeled ["a chubby chick"](#) by the Democrat-Reporter, while Hillary Clinton was a ["little fat oinker."](#) In [January 2017](#), an editorial predicting that Clinton would be sent to prison stated: "Fat women are more stupid than trim women. Hillary wasn't trim."

Since the editorials are run without a byline, it's unclear which, if any, were written by Sutton. [Archived editions](#) of the Democrat-Reporter from 2012 to 2017 indicate he was responsible for overseeing editorial content and that the paper's two or three other staff members were in charge of tasks such as layout and production. A [since-deleted post](#) on a journalism forum indicates that as recently as December, Sutton had been trying to sell the paper, which he inherited from his father in the 1980s.

To [some local lawmakers](#), the news that the Democrat-Reporter's publisher was wishing for the return of the most notorious hate group in American history came as no surprise.

"That kind of ignorance is the reason I don't even subscribe to the paper," A.J. McCampbell, a Democratic state representative, told AL.com.

Moreover, the president of the Alabama NAACP, Benard Simelton, told AL.com that Sutton's editorial shows he is "out of touch with reality," before adding that his comments warrant an investigation.

"I think it needs to be looked into by the FBI because in my opinion, he's making threats to legislators and telling them that the Klan essentially needs to take care of the Democrats," Simelton said. "The Democrats as well as the Democrats that are in the Republican Party, too. So, I think that needs to be looked at as a threat and investigated as a threat and possible legal action taken against him."

As news of his editorial went viral, organizations that once lauded Sutton rebuked him. Officials from the University of Southern Mississippi's [School of Communication](#) announced Tuesday that they had removed Sutton from their hall of fame, in which he was inducted in 2007, after his "call for violence and the return of the Ku Klux Klan" and "recent and continued history of racist remarks."

The [Auburn Plainsman](#) reported Auburn University's Journalism Advisory Council on Tuesday stripped Sutton of a community journalism award he received in 2009. Anthony Cook, chair of the journalism advisory council, told the Plainsman that many in the community were shocked to see what Sutton had written.

<https://www.washingtonpost.com/nation/2019/02/19/time-ku-klux-klan-night-ride-again-an-alabama-newspaper-editor-wants-bring-back-lynching/>

“The initial thought was hopefully this is satire. But looking at the reporting around the editorial, we see that he has not backed down from anything he said in the editorial,” Cook said. “In fact, he’s doubled down.”

SEE ALSO:

[Person in KKK robe with swastika on hood caught on camera knocking on doors in Arizona neighborhood](#)

[*Newsweek*, 2019-02-21]

[Newspaper editor who called for return of KKK, lynching removed from USM Hall of Fame](#) [*Mississippi*

Clarion Ledger, 2019-02-19]

[Alabama newspaper editor calls for the Ku Klux Klan to 'clean out D.C.'](#) [*USA TODAY*, 2019-02-18]

[The editor of an Alabama newspaper is calling for the return of the Ku Klux Klan's infamous night rides](#)

[*CNN*, 2019-02-19]

[Alabama newspaper editor calls on KKK to lynch Democrats](#) [*BBC*, 2019-02-19]

Religion

Anti-Semitic Attacks Fuel Continuing Rise in Hate Crimes in New York

By Sharon Otterman

The New York Times, February 18, 2019



A wave of anti-Semitic attacks in Brooklyn continued on Saturday, when two men threw an object into the window of a Chabad Synagogue. (Credit: Geraldine Hope Ghelli for The New York Times)

One [video](#) showed a 51-year-old Jewish man being beaten to the ground by three young men, who seemed to select him at random. [Another](#) showed an Orthodox Jewish man being chased across the street by a man wielding a tree branch. A [third](#) showed an Orthodox Jewish man hanging on to a fence as an assailant jumped and choked him.

The three incidents, all of which took place in Crown Heights, Brooklyn, in the past year, have raised alarms in the neighborhood and in the city's large Orthodox Jewish community as a whole. Hate crimes are up citywide, but in Crown Heights, they have taken a particularly violent turn.

There were 55 hate crimes reported in New York City this year as of Feb. 17, an increase of 72 percent over the same period last year, the police said. Anti-Semitic crimes made up almost two-thirds of that, for a total of 36 crimes reported so far this year, compared with 21 last year.

The steep rise comes after a year when hate crimes were already increasing. Anti-Semitic crimes in 2018 were up 22 percent compared with 2017.

The wave of anti-Semitic attacks in Brooklyn [continued on Saturday](#), when two men threw an object into the large front window of a Chabad Synagogue in Bushwick, Brooklyn, at about 2 a.m. No one was injured. The attack, which shattered the window, is being investigated as a possible bias crime, police said.

“Despite the intentions of this attack to divide and intimidate, our doors will remain as open as ever, welcoming visitors to join our growing Bushwick family,” Rabbi Menachem Heller wrote on Facebook shortly after the attack.

On Sunday, Gov. Andrew M. Cuomo directed the hate crimes unit of the State Police to assist local police in their investigation of the Bushwick attack. “This act of hate is shocking and abhorrent, especially at a time of great division in this country,” he said in a statement.

Citywide, the spike appears largely linked to vandalism and other property crimes, city police officials said.

Since the start of the year, police have made a number of arrests on the Upper West Side and in Brooklyn for spray-painted swastikas and similar acts. One repeat offender may be making the hate-crime increase look particularly intense, the Police Department's chief of detectives, Dermot Shea, has said.

“We've had one individual account for 10 to 15 separate incidents,” Chief Shea said at a Feb. 5 news conference.

But in Crown Heights, the increase in hate crimes has been more shocking because it has been marked by violent, seemingly unprovoked attacks on men and women in Jewish garb, many of which have been caught on surveillance video, and then widely viewed online. In many cases, there is no robbery, only the random attack.

<https://www.nytimes.com/2019/02/18/nyregion/anti-semitism-brooklyn-new-york.html>

Since October, there have been 15 violent, anti-Semitic incidents directed against ultra-Orthodox Jews in the neighborhood, according to [an Israeli organization](#) that tracks anti-Semitic incidents. Devorah Halberstam, the community liaison to the 71st Precinct, which covers Crown Heights, said she believes there have been even more than that.

“We need to go back to the drawing board. We cannot allow it to continue,” Ms. Halberstam said. “Walking down street and getting punched in the stomach? This is insanity.”

In January alone, several Orthodox Jews [were punched](#), seemingly unprovoked, in broad daylight on Kingston Avenue, the main Jewish thoroughfare in Crown Heights. In late January, a 22-year-old Yeshiva student was [beaten](#) on the street while calling his parents on the phone in Australia. A few hours later, a 51-year-old man was beaten so badly by the same assailants that he was hospitalized.

The police have made arrests in many of these attacks, much to the relief of residents. Still, they wonder what is provoking this wave of violence.

Rabbi Eli Cohen, the executive director of the Crown Heights Jewish Community Council, has begun visiting nearby public schools with Geoffrey Davis, an African-American community leader, to try to understand what may be driving the attacks, as many of the assailants arrested by the police have been young men of color.

Mr. Davis, the Democratic district leader for the 43rd Assembly District, said that one need not look far to realize what can happen when tensions in the community between black residents and Jews go unaddressed.

He recalled the Crown Heights riots of 1991, when the neighborhood was thrown into turmoil for three days after a car escorting the Lubavitcher rebbe, the leader of the Chabad Jewish movement, struck two small children of Guyanese immigrants, killing one. During the rioting, a Jewish student was [stabbed to death](#) by a black assailant.

“It’s an emergency,” said Mr. Davis, who is sponsoring a listening tour through his Stop the Violence Foundation. “We have to address it now, before it reaches the next level.”

The neighborhood has worked over the decades to strengthen ties between its mainly Caribbean and Jewish populations through joint charity work and education programs run by the Jewish Children’s Museum and many other institutions. Crown Heights is the global headquarters of Chabad, an ultra-Orthodox movement, and thousands of its affiliated families live there.

Mr. Davis said that eighth graders in Prospect Lefferts Gardens suggested more multicultural after-school programs, new children’s books showing the two communities interacting and activities like chess tournaments to reduce tension between black and Jewish teens.

Rabbi Cohen said that Orthodox Jews in Crown Heights have largely gone about living their lives during this latest spike in crime. “There is concern when you open your computer and see another incident, but I don’t think it’s at a point where people feel that they are not safe on the streets,” he said.

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SEE ALSO:

[Acts of anti-Semitism rose 74 percent in France in 2018: report](#) [*The Hill*, 2019-02-19]

War memorial or religious symbol? Cross fight reaches U.S. high court

By Lawrence Hurley

Reuters, February 22, 2019



A concrete cross commemorating servicemen killed in World War One, that is the subject of a religious rights case now before the U.S. Supreme Court, is seen in Bladensburg, Maryland, U.S., February 11, 2019. Picture taken on February 11, 2019. (REUTERS/Lawrence Hurley)

BLADENSBURG, Md. (Reuters) - When Fred Edwards first drove by the 40-foot-tall (12 meters) concrete cross that has stood for nearly a century on a busy intersection in suburban Maryland outside the U.S. capital, his first reaction was, “What is that doing there?”

To Edwards, who believes there should be an impermeable wall separating church and state, the location of the so-called Peace Cross - a memorial to Americans killed in World War One situated on public land, with vehicles buzzing by on all sides - seemed to be a clear governmental endorsement of religion.

“It’s so obviously part of the town and a centerpiece. It just popped out at me. There was nothing about it that made me think it was anything other than a Christian cross,” Edwards, 70, said in an interview.

Edwards and two other plaintiffs filed a 2014 lawsuit challenging the cross as a violation of the U.S. Constitution’s Establishment Clause, which prohibits the government from establishing an official religion and bars governmental actions favoring one religion over another.

The conservative-majority court will hear arguments in the case next Wednesday, with a ruling due by the end of June.

While the Establishment Clause’s scope is a matter of dispute, most Supreme Court experts predict the challenge to the Peace Cross will fail, with the justices potentially setting a new precedent allowing greater government involvement in religious expression.

The Peace Cross, now aging and crumbling a bit, was funded privately and built in Bladensburg in 1925 to honor 49 men from Maryland’s Prince George’s County killed in World War One. The property where it stands was in private hands when it was erected, but later became public land.

Its supporters include President Donald Trump’s administration and members of the American Legion veterans’ group, who hold memorial events at the cross. At a recent gathering at a nearby American Legion post, veterans and their relatives said the monument has no religious meaning despite being in the shape of a Christian cross, calling the lawsuit misguided and painful.

To Mary Ann Fenwick LaQuay, 80, the cross respectfully chronicles the war sacrifice of her uncle Thomas Notley Fenwick, one of 49 honored.

“It hurts people who have family members there. Every time I go by there, I think of my uncle. It hurts to think people would take it away,” she said.

Stan Shaw, 64, a U.S. Army veteran, said it appeared the challengers were going out of their way to take offense.

“If you don’t want to see it, take another route,” Shaw added.

<https://www.reuters.com/article/us-usa-court-cross/war-memorial-or-religious-symbol-cross-fight-reaches-u-s-high-court-idUSKCN1QB1CJ>

Aside from its shape, the cross has no other religious themes or imagery. At its base is a barely legible plaque listing the names of the dead. Every year, ceremonies with no religious content are held at the site, lawyers defending the cross said.

Edwards, who is retired, is a long-time member and previous employee of the American Humanist Association, which advocates for the separation of church and state. He and his fellow challengers said they support veterans and that the lawsuit concerns only the symbolism of the cross, not the fact that it honors war dead.

The Richmond-based 4th U.S. Circuit Court of Appeals ruled that the cross was unconstitutional, reversing a Maryland-based federal judge's decision allowing the monument.

The Supreme Court will hear appeals by the Maryland-National Capital Park and Planning Commission, the public agency that owns the cross, and the American Legion, which is represented by the conservative religious rights group First Liberty Institute.

TEN COMMANDMENTS

The Supreme Court has sent mixed messages about the extent to which there can be government-approved religious expression, including in two rulings issued on the same day in 2005.

In one case, it ruled that a monument on the grounds of the Texas state capitol building depicting the biblical Ten Commandments did not violate the Constitution. But in the other, it decided that Ten Commandments displays in Kentucky courthouses and schools were unlawful.

More recently, the court in 2014 ruled that government entities do not automatically violate the Constitution when they hold a prayer before legislative meetings.

In some other recent cases, the court has taken an expansive view of religious rights. In 2014, it ruled that owners of private companies could object on religious grounds to a federal requirement to provide health insurance that included coverage for women's birth control.

It ruled in 2017 that churches and other religious entities cannot be flatly denied public money even in states whose constitutions ban such funding. In a narrow 2018 ruling, the court sided with a Colorado baker who refused to make a wedding cake for a gay couple, citing his Christian beliefs.

The American Legion's lawyers are asking the court to decide that government endorsement of religion is not the appropriate test in the Peace Cross case. Instead, they said, courts should conclude that the government violates the Constitution only when it actively coerces people into practicing religion.

Such a ruling would give public officials "carte blanche to have symbols anywhere," said Marci Hamilton, a University of Pennsylvania expert on law and religion who joined a legal brief supporting Edwards.

Edwards conceded that the lawsuit could end up backfiring on his side with a ruling against him but stands by his decision to challenge the cross.

"We are not trying to be revolutionary here," Edwards said.

Reporting by Lawrence Hurley; Editing by Will Dunham

Sexual Assault / Harassment

NATO troops got catfished & honeypotted on social media, revealing serious vulnerabilities

By Tara Copp

Military Times, February 20, 2019



A NATO Red Team was recently able to identify most participants of a NATO exercise by targeting them through social media accounts Facebook and Twitter.

A [NATO](#) cyber “red team” decided to see if they could infiltrate their forces through social media accounts and learned it was far easier to get data, locations and to sway their troops’ behavior than they thought it would be.

“Overall we identified a significant amount of people taking part in the exercise and managed to identify all members of certain units, pinpoint the exact locations of several battalions, gain knowledge of troop movements to and from exercises and discover the dates of active phases of the exercises,” the NATO report [found](#). “The level of personal information we found was very detailed and enabled us to instill undesirable behavior during the exercise.”

NATO embedded researchers within a red team already monitoring the exercise. The researchers, from NATO’s Strategic Communications Centre of Excellence, targeted troops participating in an exercise in an allied country to not only see how much data they could detect, but also to see “if we would be able to induce certain behaviors such as leaving their positions, not fulfilling duties, etc., using a range of influence activities based on the acquired data.”

They were able to do just that, however NATO did not specify what “undesirable behavior” they were able to generate.

NATO did find that Twitter was not very useful for infiltrating troops. But the researchers were able to mine significant amounts of information from Facebook and Instagram. Facebook also detected fake pages NATO established and shut down some of the false accounts it set up.

Facebook has been problematic for military forces, as hackers use personal data to set up spoofing pages impersonating [military personnel](#), even up to current Chairman of the Joint Chiefs Marine Corps Gen. Joseph Dunford.

Seeking To Bounce Back From Nassar Fallout, USA Gymnastics Names New President

By Amy Held

NPR, February 19, 2019



On Tuesday, USA Gymnastics appointed Li Li Leung as its new president and CEO. (Wendy Barrows/USA Gymnastics)

Beleaguered USA Gymnastics has named a new president and CEO — its fourth in two years — as the sport's governing body battles criticism that it ignored and even enabled widespread sex abuse by former team doctor Larry Nassar.

Li Li Leung's appointment was [announced on Tuesday](#). She has a long history in athletics, both as a child gymnast and a sports business professional, most recently serving as a vice president of the NBA. She said she hopes to use that experience to help transform the culture for athletes and "rid our sport of the opportunity for abuse to occur again."

"Like everyone, I was upset and angry to learn about the abuse and the institutions that let the athletes down," Leung said in a statement. "I admire the courage and strength of the survivors, and I will make it a priority to see that their claims are resolved."

In a call with reporters, Leung conceded that taking on the new role would likely be her greatest personal and professional challenge.

John Manly, an attorney representing Nassar survivors, objected to Leung's appointment, saying in a statement that survivors had been excluded from the process. He dismissed Leung as "a consummate insider."

USA Gymnastics is the subject of dozens of lawsuits brought on by hundreds of Nassar survivors. It [has conceded](#) that "USA Gymnastics is one of the organizations that let them down."

Nassar, who has been sentenced to decades behind bars on [multiple sex abuse charges](#), has a history long entangled with USA Gymnastics. In 1986, he joined as an athletic trainer, eventually rising to medical coordinator, before retiring in 2014, [according to a timeline compiled by the Lansing State Journal](#).

Hundreds of women and girls, including high-profile Olympic gymnasts, have accused him of sexually abusing them under the guise of medical treatment. As Nassar stood trial, his accusers stepped forward to detail not only their stories of abuse but also a system that enabled it. A picture emerged of powerful organizations working to protect Nassar, instead of the athletes. The ensuing fallout has ensnared the [United States Olympic Committee](#) and [Michigan State University](#), where Nassar also worked.

But USA Gymnastics in particular has come under scathing criticism, and in recent months its leadership has filtered through a revolving door.

In January 2018, [the entire board announced its resignation](#). In October, Steve Penny, a former president, [was arrested](#) and charged with the felony of tampering with evidence of Nassar's abuse during the investigation, [according to the indictment](#). Two other USA Gymnastics presidents served short tenures before being [forced out](#) over accusations of missteps relating to Nassar.

[By December](#), USA Gymnastics filed for [Chapter 11 bankruptcy](#). And the [U.S. Olympic Committee has been working](#) to revoke its status as the sport's governing body.

<https://www.npr.org/2019/02/19/695924991/seeking-to-bounce-back-from-nassar-fallout-usa-gymnastics-names-new-president>

On Tuesday, Leung said she wants to help rebuild USA Gymnastics, with her first priority being an "equitable" resolution to the lawsuits it faces. Next, she is seeking to create "an athlete-led, athlete-driven organization where safety is central to everything we do."

"For me, this is much more than a job: It is a personal calling, for which I stand ready to answer."

[Leung](#) began competing as an elite gymnast as a girl. In 1988, she represented the U.S. at the Junior Pan American Games. While a student at the University of Michigan, she competed for the school's gymnastics team, later working for its athletics department. She has worked as the NBA's vice president of global partnerships since February 2015.

Manly, the survivors' attorney, said he was dubious about Leung's sports marketing experience.

"That is exactly the wrong background to implement change to protect children," Manly said. "However, she's the right pick to protect USAG/USOC secrets and change nothing. That's precisely why the USOC/USAG leadership selected her."

But Leung said on the call with reporters that she had sought the position herself.

"I have bled, I have sweated, I have cried alongside my teammates," Leung said, "and it breaks my heart to see the state that the sport is in today."

Her first day on the new job is March 8.

VA Approves Fewer Male Veterans' Claims for PTSD Related to Sexual Trauma

By Patricia Kime

Military.com, February 21, 2019



A sailor from Navy Expeditionary Combat Command carries a pair of shoes, painted teal to symbolize victims of sexual assault, as she participates in a "Walk a Mile in Their Shoes" command event on board Joint Expeditionary Base Little Creek, April 25, 2018. (U.S. Navy photo/Lisa Reese)

The Department of Veterans Affairs approves claims for post-traumatic stress disorder related to military sexual assault at significantly lower rates for men than women -- a gap the former director of the VA's Center for Women Veterans says shows "systematic discrimination" against men in an era of #MeToo.

[In an editorial published Feb. 11 by The Hill](#), Kayla Williams, a senior fellow and director of the Military, Veterans and Society Program at the Center for a New American Security, said the Veterans Benefits Administration (VBA) has closed a gap that once existed between approval rates for combat-related PTSD and claims for military sexual trauma (MST), but a disparity still exists between the genders for MST-related claims.

The grant rate in 2018 for sexual-trauma PTSD claims was 57.7 percent for women and 44.7 percent for men. While those rates represent a large increase from the respective 41 percent and 26.9 percent approval rates in 2011, they show a continued lack of understanding within the VBA of the scope of the problem among men, Williams said in an interview Feb. 14.

Women in the military, who make up just 15 percent of the total force, do get assaulted at higher rates, statistics show. But more than half of all survivors of sexual assault in the military are men. And male victims are less likely to report sexual assault, often dismissing an incident as hazing or harassment, according to Williams.

Because they are less likely to report, men don't have a paper trail or proof to back their disability compensation claims for MST-related PTSD, which are subsequently dismissed, she said.

She added that there is a cultural bias within the VBA that "doesn't think this happens to men."

"This is thought of as a women's problem," Williams said. "Even when I've talked to senior leaders in the military, I raise certain [hazing] practices -- you've heard of 'tea-bagging' -- and they don't realize it's sexual assault. For someone who has been a victim of sexual assault as a child or anyone who doesn't want someone's genitals pressed onto their face, it is sexual assault."

In 2011, the VA launched a concerted effort to close the gap between PTSD claims granted for military sexual trauma and those granted for combat and other causes. The effort raised the approval rate for MST claims by 20 percentage points. In 2018, the approval rate was 56.6 percent for MST-related claims while the PTSD grant rate for other traumas was 54 percent.

<https://www.military.com/daily-news/2019/02/21/va-approves-fewer-male-veterans-claims-ptsd-related-sexual-trauma.html>

Williams said she noticed the gender disparity for MST claims while serving as director of the women's center from 2016 to 2018, adding that she told VBA officials of the difference but "they didn't believe they had a problem."

She did not raise her concerns with higher-ups, saying that it isn't a secretarial-level concern.

She believes the VBA could solve the problem by training claims reviewers specifically on male military sexual trauma and bias. She also recommends that supervisors conduct spot checks of claims.

"If you look at the improvements that VA was able to make in accepting women's claims, I really think this is a solvable problem. ... Men deserve equitable disability compensation from VA," she said.

The VA did not respond to a request for comment

-- *Patricia Kime can be reached at Patricia.Kime@Military.com. Follow her on Twitter at @patriciakime.*