

## DEOMI News Highlights

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

### **Beard and turban approved for Sikh airman [Kristine Froeba, *Air Force Times*, 6 June 2019]**

- For the first time, the Air Force has granted a Sikh airman permission to wear a turban, beard, and long hair, following the practices of his faith.
- Airman 1st Class Harpreetinder Singh Bajwa, a crew chief at McChord Air Force Base, Washington, is now the first active airman who has been authorized to adhere to Sikh religious grooming and dress principles while serving in the Air Force.
- In 2018, the Air Force granted its first [religious accommodation beard waiver](#) to a Muslim airman, allowing him to wear a beard while in uniform. Previously, the only exceptions for active-duty personnel were medical waivers. There are also exceptions for Air Force Reservists serving less than 30 days.

[Beard and turban approved for Sikh airman](#)

### **House defense bill doesn't include Pentagon proposal to make sexual harassment stand-alone military crime [Rebecca Kheel, *The Hill*, 3 June 2019]**

- A Pentagon request to make sexual harassment a stand-alone crime in the military justice system came too late for the House Armed Services Committee to include it in its annual defense policy bill, committee staff said Monday.
- The Pentagon in May asked Congress to make sexual harassment a stand-alone crime in the Uniform Code of Military Justice as part of list of recommendations from the Sexual Assault Accountability and Investigation Task Force created at the urging of Sen. Martha McSally (R-Ariz.), who recently disclosed she was raped by a superior officer while serving in the Air Force.
- The [Senate's version](#) of the defense policy bill, known as the National Defense Authorization Act (NDAA) includes the requested provision.

[House defense bill doesn't include Pentagon proposal to make sexual harassment stand-alone military crime](#)

### **This report says Black and Hispanic service members are more likely to face trial [Meghann Myers, *Military Times*, 31 May 2019]**

- Men in the military are much more likely to go to court-martial than women, according to recently compiled data, and Black or Hispanic service members of either gender are more likely to face a trial than their White counterparts. However, once service members get to trial, the likelihood of a conviction is nearly the same across all demographic backgrounds.
- Those are the key findings of a Government Accountability Office study released Thursday. But the GAO acknowledges the report, spurred by lawmakers concerned by [racial inequity](#) in the military justice system, does not have enough information to reach any major conclusions about the data.
- Throughout the services, according to the report, men were as much as six times more likely to face a trial, while Black service members were about twice as likely to have their charges referred and Hispanic troops were about one-and-a-half times as likely. But overall, the report found, the inconsistent ways in which the services report and track gender, race, and ethnicity make it difficult to mine the data available for these disparities.

[This report says Black and Hispanic service members are more likely to face trial](#)

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# Culture

## Chasing demons: 75 years on, D-Day haunts, drives its vets

By John Leicester and Raf Casert

The Associated Press, June 3, 2019



*World War II veterans from the United States salute as they pose in front of Les Braves monument at Omaha Beach in Saint-Laurent-sur-Mer, Normandy, France, Monday, June 3, 2019. France is preparing to mark the 75th anniversary of the D-Day invasion which took place on June 6, 1944. (AP Photo/Rafael Yaghobzadeh)*

OMAHA BEACH, France (AP) — They are back, some for the first time since war stole their innocence 75 years ago on Normandy's D-Day beaches.

They are back on battlefields where the World War II veterans saw friends killed, took lives themselves, were scarred physically and mentally and helped [change the course of history](#).

Given the painful memories, given their unfamiliarity with the country they liberated, given the difficulty of traveling abroad, why are Americans and veterans from other Allied nations in their 90s coming back for this week's anniversary of the June 6, 1944, invasion of Normandy?

For many, [returning is a duty](#), a way to honor fallen comrades and fulfill promises they made as young men never to forget each other. Some buried their memories for decades but feel a compulsion to face their demons before going to their graves. Many fear the world is forgetting and want young people to hear their stories one last time.

The inevitability of all veterans of the 1939-1945 war being gone soon is acting as a clarion call. From across the globe, people are converging on Normandy to follow in the footsteps of, perhaps even rub shoulders with, the remaining men and women who made a military success of D-Day.

Here, in their own words, [veterans explain why they're back](#) for this week's anniversary:

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Jerry Deitch thinks he'll be able to keep his nerves in check but isn't sure. The survivor of Utah Beach, one of the five D-Day beaches, had always refused to go back to Normandy.

"I said, 'No,' I said, 'I don't think I can handle it. I'll get too emotional,'" he says.

Now 93 years old, Deitch decided he must see where good friends died and revisit the spot by a seawall where he was hit by a piece of shrapnel that left a fist-sized dent in his helmet.

Deitch, who is from Nevada, was 18 years old when he landed and says "after the first day I felt like I was 30. I went in a little boy and came out a man. You grow up fast."

Serving in a U.S. combat demolition unit, his job was to clear obstacles and blow up strong points that could slow the Allied advance inland. The shrapnel that dented Deitch's helmet gave him a concussion; he was evacuated back to England.

"I know exactly where I was when I was hit. Exactly the spot. I see it in my mind all the time," he said.

Long unable to speak to his family about his experiences, he recently started writing down his recollections so they'll know, when he's gone, what he went through. "I did a few chapters just before I came here," Deitch says.

"It changed my life, yeah," he said of D-Day. "It taught me to be very tolerant. God gives us free will; you've got to use it."

Having long kept his war to himself, Deitch thanks people for listening to his recollections now.

<https://www.apnews.com/2fc25bc5585b4db9ba4bd12cb41e3b0d>

“I feel better when I speak about it,” he said. “If you have demons, face them.”

His wife, Selma, felt the trip would be too arduous and stayed home. They’ve been married 71 years.

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Russell Pickett, 94, has made several return visits to Normandy. He says coming back helps him cope with the horrors he’s lived with since he was a 19-year-old in the first wave of American troops aiming for Omaha Beach, the bloodiest of the D-Day landing zones.

The former private in the 29th Infantry Division was immediately injured and he still suffers from post-traumatic stress disorder.

“For a long time, I really didn’t want to come back, and I kind of dreaded it,” he said. “I can’t say that I really enjoy the whole thing, you know? When I head back on the beach and all that kind of stuff, sometimes it does things to you. But like this, you can see kind of what we was fighting for and, you know, that makes a little difference.”

With a flamethrower strapped to his back, Pickett was wounded when an explosion tore at the landing craft transporting him onto a beach which was sprayed by German machine-gun and artillery fire.

He blacked out and woke up on the water’s edge, next to a dead body and unable to move his legs. Plucked out of the water by another landing craft, he was hospitalized in England and then returned to Normandy, where he fought in the dense hedgerows that slowed the Allied advance and was injured again.

Pickett says he long tried to deal alone with his trauma before finally seeking medical help.

“I’ve got it now where I can handle it pretty well, because you live the war almost every night, you see? And you don’t get rid of it, no matter what you do,” he says. “I would love to forget it, totally forget it, but no way, especially when you go through a battle like D-Day.”

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The last time Leila Morrison saw Omaha Beach was when she landed on it in 1944, three months after D-Day, when she came to nurse soldiers injured in combat.

“I felt as though when I stepped on that sand I was stepping on sacred grounds because so many people had given their all for it. It was just plain sand,” she recalls.

At the end of the war, she nursed survivors of the Buchenwald concentration camp.

“I want to tell the French and the whole world how great it is that we do have our freedom, and we have so many privileges in America that other places don’t have,” Morrison says.

“Every day is a memorial day for me. I see those young fellas that didn’t make it. So many of them, and I am thankful over and over again.”

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Helen Patton, a granddaughter of famed American tank commander Gen. George S. Patton Jr., is back in Normandy for the 75th anniversary with a message that younger generations should enjoy the liberties so many soldiers fought and died for.

Presiding Monday at a game of American football played close to the landing beaches, she quoted from a poem written by her grandfather during World War I to convey the idea that part of honoring those sacrifices is relishing life:

“When I sit in my tank and wait for the hour for the great barrage to come down, I wish to god there was one more day for raising hell in town.”

*Leicester reported from Blay, France. || Follow all the AP’s coverage of D-Day at*  
<https://apnews.com/WorldWarII>

# D-Day at 75: Nations honor aging veterans, fallen comrades

By Raf Casert, John Leicester and Elaine Ganley

The Associated Press, June 6, 2019



*People on a tank watch fireworks in Arromanches in Normandy region of France, Thursday, June 6, 2019. World leaders and veterans gathered Thursday in France to mark the 75th anniversary of the D-Day landings. (AP Photo/Rafael Yaghobzadeh)*

[AP VIDEO: D-Day at 75: Veterans, memory of fallen honored](#)

OMAHA BEACH, France (AP) — Standing on the windswept beaches and bluffs of Normandy, a dwindling number of aging veterans of history’s greatest air and sea invasion received the thanks and praise of a world transformed by their sacrifice.

The mission now, they said, was to honor the dead and keep their memory alive, 75 years after the D-Day operation that portended the end of World War II.

“We know we don’t have much time left, so I tell my story so people know it was because of that generation, because of those guys in this cemetery,” said 99-year-old Steve Melnikoff of Maryland, standing at Colleville-Sur-Mer, where thousands of Americans are buried.

“All these generals with all this brass that don’t mean nothing,” he said. “These guys in the cemetery, they are the heroes.”

Thursday’s anniversary was marked with eloquent speeches, profound silences and passionate pleas for an end to bloodshed.

French President Emmanuel Macron and U.S. President Donald Trump praised the soldiers, sailors and airmen who took part in the invasion, codenamed Operation Overlord, saying it was the turning point that ended Nazi tyranny and ensured peace for Europe.

“You are the pride of our nation, you are the glory of our republic, and we thank you from the bottom of our heart,” Trump said of the warriors who took part in what he called the ultimate fight of good against evil in World War II.

“They battled not for control and domination, but for liberty, democracy and self-rule,” Trump said in a speech at the Normandy American Cemetery overlooking Omaha Beach, the bloodiest of five landing beaches.

Macron saluted the courage, generosity and strength of spirit that made them press on “to help men and women they didn’t know, to liberate a land most hadn’t seen before, for no other cause but freedom, democracy.”

He expressed France’s debt to the United States for freeing his country from the Nazis. Macron awarded five American veterans with the Chevalier of Legion of Honor, France’s highest award.

“We know what we owe to you, veterans, our freedom,” he said, switching from French to English. “On behalf of my nation I just want to say ‘thank you.’”

About 160,000 troops were took part in D-Day, and many more fought in the ensuing Battle of Normandy. Of those 73,000 were from the United States, while 83,000 were from Britain and Canada. Troops started landing overnight from the air, then were joined by a massive force by sea on the beaches of Omaha, Utah, Juno, Sword and Gold, carried by 7,000 boats.

<https://www.apnews.com/567d5642eef242119ff75aeda3a2371c>

“The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you,” Gen. Dwight D. Eisenhower had said in his order of the day. “The tide has turned! The free men of the world are marching together to victory.”

On Wednesday, a commemoration was held in Portsmouth, England, the main embarkation point for the transport boats. Then the dignitaries came to the bluffs and beaches of Normandy, where veterans recalled what they saw 75 years ago.

“The water was full of dead men, the beach had burning landing craft,” said Jim Radford, 90, a British D-Day veteran from Hull, describing the scene near Gold Beach, where British landed.

He was there again to watch the unveiling of a statue at Gold Beach, where a memorial to British fighters is to be erected.

At dawn Thursday, hundreds of civilians and military alike from around the world gathered on Omaha Beach.

Dick Jansen, 60, from the Netherlands, drank Canadian whisky from an enamel cup on the water’s edge. Others scattered carnations into the waves. Randall Atanay, the son of a medic who tended to the dying and wounded, waded barefoot into the water, bonding with his dad, who has since died.

Up to 12,000 people attended the ceremony at the Normandy American Cemetery, with U.S. veterans, their numbers fast diminishing as years pass, the guests of honor.

A 21-gun salute thundered into the waters below the cemetery, on a bluff overlooking Omaha Beach, and across the rows of white crosses and Stars of David. The final resting places of more than 9,380 of the fallen stretched out before the guests.

Britain’s Prince Charles, his wife, Camilla, and Prime Minister Theresa May attended a remembrance service at the medieval cathedral in Bayeux, the first Normandy town liberated by Allied troops after D-Day.

Hundreds of people packed the seaside square in the town of Arromanches to applaud veterans of the Battle of Normandy that ensued. A wreath was placed outside the town’s D-Day Museum.

Gratitude was a powerful common theme.

Macron thanked soldiers “so that France could become free again” at the Gold Beach ceremony with May and uniformed veterans laid the cornerstone of the memorial that will record the names of thousands of troops under British command who died in Normandy.

“If one day can be said to have determined the fate of generations to come, in France, in Britain, in Europe and the world, that day was the 6th of June, 1944,” May said.

As the sun rose that morning, not one of the thousands of men arriving in Normandy “knew whether they would still be alive when the sun set once again,” she said.

[Passing on memories](#) is especially urgent, with hundreds of World War II [veterans now dying](#) every day.

Canadian Prime Minister Justin Trudeau hailed those who “took a gamble the world had never seen before.”

Speaking at Juno Beach where 14,000 Canadians came ashore, Trudeau lauded the resulting world order including the United Nations and NATO that have helped preserve peace.

But postwar tensions were evident. Not invited to the remembrance was Russian President Vladimir Putin, who had been present for the 70th commemoration of D-Day.

<https://www.apnews.com/567d5642eef242119ff75aeda3a2371c>

On Wednesday, German Chancellor Angela Merkel said it was a “gift of history” that she was able to participate in the ceremony on Britain’s southern coast. Some 22,000 German soldiers are among those buried around Normandy.

The D-Day invasion was a defining moment of military strategy complicated by unpredictable weather and human chaos in which soldiers from the U.S., Britain, Canada and other [Allied nations applied relentless bravery to carve out a beachhead](#) on ground that Nazi Germany had occupied for four years.

The Battle of Normandy hastened Germany’s defeat less than a year later.

Still, that single day cost the lives of 4,414 Allied troops, 2,501 of them Americans. More than 5,000 were injured. On the German side, several thousand were killed or wounded.

From there, Allied troops would advance, take Paris in late summer and race with the Soviet Red Army to control as much German territory as possible by the time Adolf Hitler died in his Berlin bunker and Germany surrendered in May 1945.

The Soviet Union also fought valiantly against the Nazis — and lost more people than any other nation in World War II — but those final battles would divide Europe for decades between the West and the Soviet-controlled East, the face-off line of the Cold War.

“War is the most idiotic thing that man ever created,” said Charles Levesque, 93, who served in the Pacific theater. “Our enemies now are our friends, and our friends are our enemies. It doesn’t make any sense.”

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*Associated Press writers Sylvie Corbet and Alex Turnbull in Colleville-sur-Mer, France, Milos Krivokapic and Adam Pemble in Ver-sur-Mer contributed. Ganley reported from Paris.*

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*Follow all of the AP’s coverage of D-Day at <https://apnews.com/WorldWarII>*



# Fighting Germans and Jim Crow: Role of black troops on D-Day

By Rebecca Santana

The Associated Press, June 4, 2019



*World War II veteran Johnnie Jones, Sr. poses for a portrait at his home in Baton Rouge, La., Tuesday, May 28, 2019. Jones, who joined the military in 1943 out of Southern University in Baton Rouge, was a warrant officer in a unit responsible for unloading equipment and supplies onto Normandy. He remembers wading ashore and one incident when he and his fellow soldiers came under fire from a German sniper. He grabbed his weapon and returned fire along with the other soldiers. It's something that still haunts his memories. (AP Photo/Gerald Herbert)*

## [AP VIDEO: Veteran recalls fighting Germans, discrimination](#)

BATON ROUGE, La. (AP) — It was the most massive amphibious invasion the world has ever seen, with tens of thousands of Allied troops spread out across the air and sea aiming to get a toehold in Normandy for the final assault on Nazi Germany. And while portrayals of D-Day often depict an all-white host of invaders, in fact it also included many African Americans.

Roughly 2,000 African American troops are believed to have hit the shores of Normandy in various capacities on June 6, 1944. Serving in a U.S. military still-segregated by race, they encountered discrimination both in the service and when they came home.

But on Normandy, they faced the same danger as everyone else.

The only African American combat unit that day was the 320th Barrage Balloon Battalion, whose job was to set up explosive-rigged balloons to deter German planes. Waverly Woodson Jr. was a corporal and a medic with the battalion. Although Woodson did not live to see this week's 75th anniversary — he died in 2005 — he told The Associated Press in 1994 about how his landing craft hit a mine on the way to Omaha Beach.

“The tide brought us in, and that’s when the 88s hit us,” he said of the German 88mm guns. “They were murder. Of our 26 Navy personnel there was only one left. They raked the whole top of the ship and killed all the crew. Then they started with the mortar shells.”

Woodson was wounded in the back and groin while on the landing craft but went on to spend 30 hours on the beach tending to other wounded men before eventually collapsing, according to a letter from then-Rep. Chris Van Hollen of Maryland. Van Hollen, now a U.S. senator, is heading an effort to have Woodson posthumously awarded the Medal of Honor for his actions on D-Day. But a lack of documentation — in part because of a 1973 fire that destroyed millions of military personnel files — has stymied the effort.

Another member of the unit, William Dabney described what they encountered on D-Day in a 2009 Associated Press interview during the invasion’s 65th anniversary.

“The firing was furious on the beach. I was picking up dead bodies and I was looking at the mines blowing up soldiers. ... I didn’t know if I was going to make it or not,” said Dabney, then 84, who passed away last year.

Linda Hervieux detailed the exploits of the 320th in her book “Forgotten: The Untold Story of D-Day’s Black Heroes, at Home and at War.” She said the military resisted efforts to desegregate as it ramped up for World War II. Instead they kept separate units and separate facilities for black and white troops.



*World War II veteran Johnnie Jones Sr. says he remembers wading ashore, and one incident when he and his fellow soldiers came under fire from a German sniper. He grabbed his weapon and returned fire along with the other soldiers. It's something that still haunts his memories. (AP Photo/Gerald Herbert)*

“This was a very expensive and inefficient way to run an army. The Army ... could have ordered its men to integrate and to treat black soldiers as fully equal partners in this war. The Army declined to do so,” she said. The Army wanted to focus on the war and didn’t want to become a social experiment, Hervieux said, but she notes that when African American soldiers were called on to fight side by side with whites, they did so without problems.

By the end of World War II, more than a million African Americans were in uniform including the famed Tuskegee Airmen and the 761st Tank Battalion. The Double V campaign launched by the Pittsburgh Courier, a prominent African American newspaper, called for a victory in the war as well as a victory at home over segregation, including in the military.

During World War II, it was unheard of for African American officers to lead white soldiers and they faced discrimination even while in the service. Black troops were often put in support units responsible for transporting supplies. But during the Normandy invasion that didn’t mean they were immune from danger.

Ninety-nine-year-old Johnnie Jones Sr., who joined the military in 1943 out of Southern University in Baton Rouge, was a warrant officer in a unit responsible for unloading equipment and supplies onto Normandy. He remembers wading ashore and coming under fire from a German sniper. He grabbed his weapon and returned fire along with the other soldiers. It’s something that still haunts his memories.



*World War II veteran Johnnie Jones Sr. was a warrant officer in a unit responsible for unloading equipment and supplies onto Normandy. (AP Photo/Gerald Herbert)*

“I still see him, I see him every night,” he told the AP recently. In another incident, he remembers a soldier charging a pillbox, a selfless act that likely ended the soldier’s life. “I know he didn’t come back home. He didn’t come back home but he saved me and he saved many others.”

After defending their country in Europe, many African American troops were met with discrimination yet again at home. Jones remembers coming back the U.S. after the war’s end and having to move to the back of a bus as it crossed the Mason-Dixon line separating North from South. He recalls being harassed by police officers after returning to Louisiana.

“I couldn’t sit with the soldiers I had been on the battlefield with. I had to go to the back of the bus,” said Jones, who went on to become a lawyer and civil rights activist in Baton Rouge. “Those are the things that come back and haunt you.”

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Follow Santana on Twitter at <https://twitter.com/ruskygal>

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# Most Americans say US right to fight WWII while 1 out of 5 don't know

By Chad Garland

Stars and Stripes, June 5, 2019



*American soldiers landing off the coast of France under heavy Nazi machine gun fire, June 6, 1944.*

Most Americans believe the United States was right to participate in World War II but many are either skeptical or don't know, according to a poll released ahead of the 75th anniversary of the D-Day invasion that kicked off the liberation of Europe.

The U.S. entry into the war, which was prompted by the Japanese attack on Pearl Harbor in December 1941, was "completely justified" or "somewhat justified," said 66% of those polled by a YouGov online survey whose results were released Tuesday. Twenty percent said they didn't know and 14% said it was "not very" or "not at all" justified.

Still, the survey found that among those questioned the Allied campaign in WWII received the most support, followed by the American Revolution, which six out of 10 said was justified.

Conducted on May 21-22, the poll asked 1,200 U.S. citizens 18 or older about their views on war in general and specific conflicts that America fought since the country's split from the British Empire in 1776.

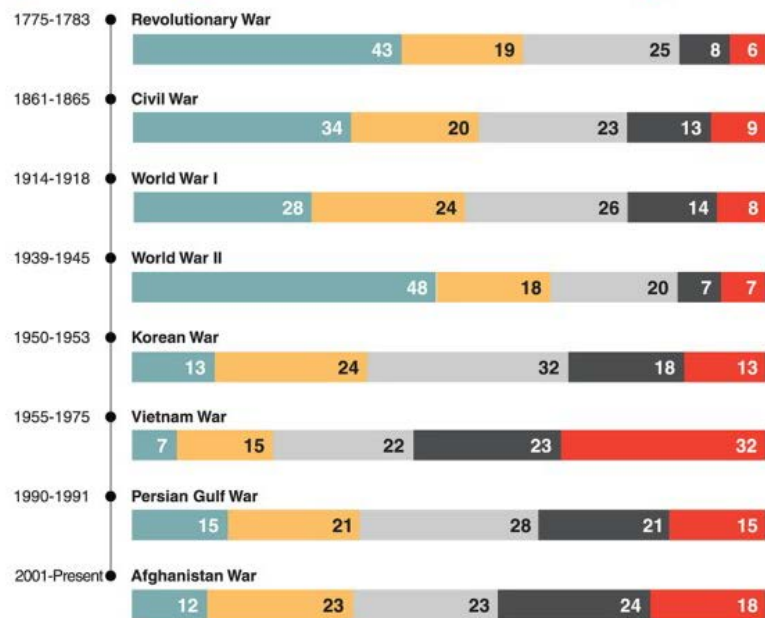
Few Americans feel there is never a reason for war — fewer than one out of 10 said so — but most said wars are rarely justified.

## America's thoughts on war

Based on what you know about each of the following American military involvements, how justified, if at all, do you believe the United States' role was?

Percentage who responded:

Completely justified    Somewhat justified    Don't know    Not very justified    Not at all justified



SOURCE: YouGov.com

NOVA AMI-RAW/Stars and Stripes

Slightly more than half said the Civil War and World War I were justified. Less than half of the participants believed major U.S. military interventions since 1945 — the Korean War, Vietnam War, Persian Gulf War and Afghanistan — were worth fighting, while between roughly a quarter and a third in each case said they didn't know.

It's unclear whether this reflected conflicted feelings or a lack of awareness about the wars.

Respondents were not asked about the Iraq War from 2003 to 2011 or the campaign against the Islamic State that began in 2014.

America's split on WWII was generational, with those born in the past 40 years least likely to support America's role in the struggle.

Among millennials, defined as the generation born between 1982 and 1999, 19% said it was unjustified, along with 17% of those born later. About 12% of Generation Xers and Baby Boomers held the same views.

<https://www.stripes.com/news/most-americans-say-us-right-to-fight-wwii-while-1-out-of-5-don-t-know-1.584631>

Millennials, however, were least likely to have qualms about America's involvement in Vietnam, with 25% of them defending it at least somewhat and 43% opposing it. By comparison, 80% of the generation born between 1928 and 1945, and 64% of Baby Boomers found it unwarranted.

Americans were evenly divided on the Persian Gulf War, launched after Saddam Hussein's Iraqi forces invaded Kuwait in 1990, with both 36% of those polled supporting it and opposing it, and 28% saying they didn't know.

The U.S. invasion of Afghanistan after 9/11 and its ongoing mission there was seen as unwarranted by 42% of those polled, the second-highest percentage after the Vietnam War. Thirty-five percent supported it.

Republicans and Democrats differed on most wars, with Republicans more likely to justify them, but the divide was most pronounced with their views on Afghanistan. Of Republicans, 55% supported it, whereas 56% of Democrats opposed it.

And, while a majority of Americans believe another world war will happen by 2059, less than half believe that the U.S. is as effective working with its military allies today compared to the international cooperation that made the Normandy landings possible on June 6, 1944.

The number who said they anticipate a world war in the next 40 years dipped slightly, from 64% last year to 59% this year.

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# Stonewall Riot Apology: Police Actions Were ‘Wrong,’ Commissioner Admits

By Michael Gold and Derek M. Norman  
The New York Times, June 6, 2019



*Crowds near the Stonewall Inn several days after the raid on June 29, 1969. Credit Larry Morris/The New York Times*

***The commissioner, James O’Neill, said he was sorry on behalf of the New York Police Department for officers’ actions during a seminal 1969 clash outside a gay bar.***

The violent police raid at the Stonewall Inn in New York City in 1969 is widely regarded as a seminal event in the gay rights movement. But police officials had long refused to admit that officers’ behavior and the raid itself were not justified, leaving a rift between law enforcement and gay-rights supporters that seemed to deepen distrust over the years.

On Thursday, as people around the world began commemorating the 50th anniversary of the clash, New York’s police commissioner took a step toward making amends, issuing an unusual official apology on behalf of the Police Department for the actions of officers during the Stonewall uprising.

“The actions taken by the N.Y.P.D. were wrong — plain and simple,” the commissioner, James P. O’Neill, said during an event at Police Headquarters.

It was an admission that gay rights leaders said was momentous and unexpected, if overdue.

“To have the N.Y.P.D. commissioner make these very explicit remarks apologizing, it’s really moving,” said Corey Johnson, the City Council speaker, who is gay and who had a day earlier called for a police apology.

Still, some cautioned the Police Department that its future actions needed to back up its words.

“The history of police violence and criminalization of L.G.B.T.Q. people sadly continues to this day,” said Richard Saenz, an attorney at Lambda Legal, a national civil rights organization.

Politicians and gay rights leaders had stepped up their calls for Mr. O’Neill to apologize in recent months, urging a public reckoning as New York hosts World Pride, a global gathering that is taking place in the city this year to commemorate the 50th anniversary of the Stonewall uprising.

During a safety briefing related to World Pride at Police Headquarters, the commissioner offered the formal apology that Police Department officials, including Mr. O’Neill himself, had said for years was unnecessary.



*New York’s police commissioner, James P. O’Neill, apologized on Thursday on behalf of the Police Department for officers’ actions during the Stonewall rebellion. Credit Gabriela Bhaskar for The New York Times*

“I think it would be irresponsible to go through World Pride month, not to speak of the events at the Stonewall Inn in June of 1969,” Mr. O’Neill said. “I do know what happened should not have happened.”

“The actions and the laws were discriminatory and oppressive, and for that, I apologize,” he added.

<https://www.nytimes.com/2019/06/06/nyregion/stonewall-riots-nypd.html>

The auditorium erupted in applause.

The Stonewall uprising began shortly after midnight on June 28, 1969, when officers with the now-defunct Public Morals Squad raided the Stonewall Inn, a gay bar on Christopher Street in Greenwich Village.

The police said they had arrived to disperse the bar's patrons because the Stonewall Inn had violated liquor laws. Eight officers and an inspector arrived at the club and ordered about 200 people to line up and show their identification. Some were asked to submit to anatomical inspections.



*The Stonewall Inn in Greenwich Village was the site of a 1969 clash that is widely regarded as a turning point for the modern gay rights movement. Credit Mike Segar/Reuters*

The officers' behavior that night would quickly become a stain on the department and an electrifying force for the L.G.B.T. movement.

"They came in the bar. They slammed people against the wall. They shoved people, and they hurled insults that you can probably imagine," said Mark Segal, 68, who participated in the protests that night.

The best things to do in N.Y.C. during the hottest season of the year. This limited-edition newsletter will launch before Memorial Day and run through Labor Day.

Stonewall patrons, fed up with longstanding harassment at the hands of law enforcement, pushed back.

As officers conducted the raid, a crowd gathered outside, shouting "gay power." Lesbian, gay, bisexual and transgender people who were forced out of the bar that night taunted the police. Some threw bottles and stones.

The ensuing clash lasted for about an hour, but days of street protests followed, resulting in arrests, injuries and property damage.



*Celebrations followed a rebellion that lasted for several days. Credit Fred W. McDarragh/Getty Images*

Mr. O'Neill's comments signaled a remarkable moment in the city's history, a long-awaited acknowledgment of the Police Department's role in harassing gays in past decades.

In the 1960s, it was common for the police to raid gay bars, arrest cross-dressers and harass customers, often on the pretext of cracking down on prostitution or other organized crime activities.

Over time, the department's attitudes toward L.G.B.T. people have shifted, but anti-gay attitudes remained rampant in the police force for decades after the Stonewall uprising. In 1978, the president of the city's largest police union said in an [op-ed in The New York Times](#) that having gay police officers was an "unworkable" idea.

As social attitudes and norms changed, so did the Police Department. In a watershed moment in 1982, Sgt. Charles H. Cochrane started the first Gay Officers Action League chapter, an association of gay police officers.

The department now boasts of hundreds of L.G.B.T. officers in its ranks, and [since 1996](#), gay police officers have marched in uniform in New York City's pride parade — an event that started to commemorate the uprising at Stonewall.

In his remarks on Thursday, Mr. O'Neill proclaimed that times had drastically changed since the raid.

<https://www.nytimes.com/2019/06/06/nyregion/stonewall-riots-nypd.html>

“I vow to the L.G.B.T.Q. community that this would never happen in the N.Y.P.D. in 2019,” Mr. O’Neill said. “We have, and we do, embrace all New Yorkers.”

The Police Department had resisted calls for an apology in the past. In 2016, at a news conference discussing security for that year’s Pride March, William J. Bratton, the commissioner at the time, [said he did not believe an apology was necessary](#).

The following year, a day after the Pride March, Mr. O’Neill [also declined to apologize](#). “I think that’s been addressed already,” he said. “We’re moving forward.”

Still, allegations of bias have persisted in the department.

“A lot more action has to be done to undo the history of discrimination and current N.Y.P.D. practices,” said Tina Luongo, a lawyer with the Legal Aid Society.

In 2017, an internal watchdog found that the city’s police officers still lacked proper training in how to interact with L.G.B.T. victims and complainants.

A lawsuit filed in January by a transgender woman accused police officers of ridiculing her during her arrest and charging her with incorrectly filling out her gender on an official form.

Mr. Saenz said that transgender people, especially transgender women of color, were particularly vulnerable to police misconduct.

A [national survey of nearly 28,000 transgender Americans](#) conducted in 2015 found that 58 percent of respondents had experienced some form of mistreatment by police.

Mara Keisling, the executive director of the National Center for Transgender Equality, said in a statement that she believed that police officers in New York continued to harass and abuse transgender people.

“The N.Y.P.D. must commit itself to the true change in practices and policies necessary to address the crisis of violence facing transgender people,” she said.

Even so, she thanked Mr. O’Neill for his apology.

At the Stonewall Inn, [now a national monument](#), dozens of people were present on Thursday paying homage to the history that had taken place there.

Stacy Lentz, 49, a co-owner of the Stonewall Inn since 2006, called Mr. O’Neill’s remarks a strong first step toward improving relationships between the police and the L.G.B.T. community.

“For the police commissioner to apologize like that — it’s just incredible,” Ms. Lentz said.

But she said there was room for improvement.

“The battle that was started here is not over,” she added. “But today was about visibility, and visibility saves lives.”

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*This year marks the 50th anniversary of the Stonewall uprising. It also brings the WorldPride celebration to New York City for the first time. Join us as we explore L.G.B.T.Q. history and culture. [See all articles»](#)*

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*Ali Watkins contributed reporting.*

*A version of this article appears in print on June 7, 2019, on Page A1 of the New York edition with the headline: After 50 Years, Police Apology For Stonewall.*

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# **Discrimination**



# Intel Community Watchdog Now Runs Revamped Whistleblower Center

By Charles S. Clark

Government Executive, June 4, 2019



*By Lightspring / Shutterstock.com*

A year after his swearing in as the central inspector general for the 17-agency intelligence community, Michael Atkinson laid out details of how the IC's new Center for Protected Disclosures is functioning.

In the latest [semiannual report](#) covering the IG's work from October 2018 to March 2019, his newly assembled team described the center—which was announced in the semi-annual report [released last fall](#)—as focusing on three functions:

- Receiving and processing whistleblower complaints through an intelligence community-wide confidential hotline program accessible by phone or in-person;
- Providing community outreach and guidance to employees who believe they suffered reprisal because they made a protected disclosure (acting through a Source Support Program Manager who provides guidance to whistleblowers, as well as an Intelligence Community Whistleblower Working Group); and,
- Administering requests by employees and IC contractors for the IG to review allegations of reprisal under Presidential Policy Directive 19, Protecting Whistleblowers with Access to Classified Information (PPD-19), which details special requirements on intel community workers for balancing the duty to report fraud, waste or abuse while protecting government secrets.

The new center is Atkinson's follow-up to the discontinued intelligence community IG outreach and education program run by whistleblower ombudsman Dan Meyer, before he was [eased out last year](#) under controversial but murky circumstances.

Meyer—who had come to the IC watchdog to help with interagency coordination after it was rocked by the Edward Snowden disclosures—had worked with whistleblowers at the Defense Department's IG office. With the title [executive director for intelligence community whistleblowing](#) and source protection under Atkinson's predecessor Chuck McCullough, Meyer [described his program](#) as a “robust outreach and training program to further educate IC personnel on whistleblower protections.”

The reorganized center proceeds similarly, though with perhaps a more streamlined approach. The center benefited from key meetings with specialists from the Office of the Director of National Intelligence's General Counsel, Civil Liberties, Privacy and Transparency office, where issues such as visitor confidentiality and whistleblower protections were shared.

The whistleblower protection's [website](#) has been polished and stresses the basics while “improving transparency,” it said. And the ODNI's principal deputy inspector general attended a panel discussion hosted by ODNI's Strategy and Engagement Directorate to give specialists “an organizational overview highlighting their mission resources and complainant reporting channels and processes.”

Finally, the IG's team has met with general counsels of all the intelligence agencies to fulfill a congressional mandate to examine policies and procedures in whistleblower investigations, including reprisal investigations and senior leader misconduct investigations within IG offices. The report stressed that unresolved internal cases will be sent out to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency rather than being handled in-house.

<https://www.govexec.com/management/2019/06/intel-community-watchdog-now-runs-revamped-whistleblower-center/157485/>

The report included a note of praise from sometime critic Sen. Chuck Grassley, R-Iowa, who thanked the IG for fulfilling a vow from his confirmation hearing and promptly delivering in November 2018 to the Senate Judiciary Committee, the Senate Select Committee on Intelligence, and the House Permanent Select Intelligence Committee two long-sought now-declassified 2014 congressional notifications on whistleblower communications prepared by the intelligence IG and monitored by the CIA.

The most recent numbers on use of the center's hotline show a current rise during the Trump administration: 251 complaints in 2016, 369 in 2017, 563 in 2018 and a 2019 rate that so far is accelerating.

Much of the IG's semi-annual report addresses its audit and investigative work in program performance in such areas as artificial intelligence and cybersecurity. In November 2018, it said, the ICIG began an ongoing audit of ODNI's management of privileged users of ODNI systems to test controls that deter misuse. (Privileged users are authorized and trusted to perform security-related functions for information systems that ordinary users are not authorized to perform).

Dan Meyer, now a national security law partner with Tully Rinckey PLLC, read the new report and told *Government Executive* that intelligence IG "direct outreach to employees of the 17 intel agencies seems to be in decline. And it is not clear whether the [intelligence IG] is still able to use training to centralize the formation and application of investigative standards," he said, speaking on his own behalf. "Also, six years into the program, and we still do not see much evidence of substantiated reprisal. And where are the common standards for reviewing security clearance reprisal under Part B of PPD-19?"

Rob Johnson, a former deputy IG at the intelligence community, noted that the report contains "no discussion of resources and no description of the outreach in any detail, so it's hard to compare with what the old program was."

Irvin McCullough, a national security analyst at the nonprofit Government Accountability Project whose father is the former intelligence community IG, also commented on the lack of detail and the outsourcing to CIGIE.

Civil society groups are "still concerned with this watchdog's decision to not review certain allegations against other watchdogs within the intelligence community," he said via email. "Whistleblowers who make protected disclosures against IGs should be treated like all other whistleblowers within the intelligence community, meaning they deserve an external review panel if local IGs refuse to review their cases. We're grateful that the IC IG is addressing this issue through the IC IG Forum, but this semiannual report does not lay out a plan to investigate and adjudicate wrongdoing within IG offices that are clearly subject to IC IG oversight."

## **RELATED**

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- [Senator Predicts Clash with Intel Chief Over Fired Whistleblower Advocate](#)

July 11, 2018 [1 Comment](#)

## Jury awards \$1.8M to ex-cop who says chief made gay jokes, slammed military and drew penis on photo

By Anthony G. Attrino

NJ.com, May 31, 2019



*Courtesy of Matthew A. Peluso*

*Kenneth Hagel, a member of the Navy Reserves for more than 30 years, claims he was harassed and discriminated against while a police officer in Sea Girt.*

A Monmouth County jury has awarded \$1.8 million to a former Sea Girt police officer who said the police chief discriminated against him because of his military service, refused to promote him to sergeant and peppered him with homophobic insults.

Kenneth Hagel, 50, of Point Pleasant, was a Sea Girt police officer and a member of the U.S. Navy Reserves in Lakehurst for more

than 30 years. In addition to monthly training throughout the United States, Hagel has been deployed to Kuwait, Guam, and Spain, according to court documents.

The former cop claimed in a lawsuit filed in 2014 that Chief Kevin Davenport falsely believed he was gay and discriminated against him because he was in the military and required to leave his police job periodically for training and overseas deployments.

Hagel filed suit in Monmouth County Superior Court against Davenport, the police department and the borough. The Navy man claimed the chief engaged in a pattern of sexual harassment and discrimination.

“The trouble started when Davenport was promoted to sergeant and took over scheduling,” said Hagel’s attorney, Matthew A. Peluso of Princeton.

Davenport became acting chief in July 2013 and soon after was promoted to police chief. That’s when the harassment and discrimination escalated, the attorney said.

“Mr. Hagel and another witness testified about numerous acts and statements of discrimination by Davenport against Mr. Hagel,” Peluso wrote in court papers.



*Sea Girt PD*

*Sea Girt Police Chief Kevin Davenport*

Davenport said Friday he could not comment on the allegations contained in the lawsuit. “I wish I could comment but unfortunately I’m not in a position to comment at this time,” he said.

Reached by phone Friday, borough Administrator Lorraine Carafa said she had “no comment” on the lawsuit or the jury’s verdict.

Hagel’s lawsuit claimed Davenport:

- Created a mock license plate with the words “I’m Gay” and taped it over the rear license plate of Hagel’s car
- Said all Navy guys are gay because “everyone knows what Navy guys are like and do on their ships”

<https://www.nj.com/news/2019/05/jury-awards-18m-to-ex-cop-who-says-chief-made-gay-jokes-slammed-military-and-drew-penis-on-photo.html>

- Called Hagel and other military personnel “pussies” and called Hagel a “handjob” in front of junior officers with the intention of demeaning him
- Unlawfully accessed national law enforcement databases to conduct illegal searches on Hagel
- Told Hagel that Sea Girt would never hire or promote another military person
- Had a Sea Girt police officer confirm that Hagel was really at military drills because he thought Hagel was lying and also had Hagel followed by private investigators
- Cut out photos of Hagel’s face, “drawing a penis going into Mr. Hagel’s mouth and then attaching it to a photo of a scantily clad woman and then placing these photos in different locations in the Sea Girt PD headquarters”
- Told another officer that Hagel was gay and bisexual and having an affair with another male police officer and that the officer was having an affair with Hagel’s wife

Hagel claimed he was wrongfully denied a promotion to sergeant at least twice because of anti-military discrimination and sexual orientation discrimination. He claimed that because of Davenport’s behavior and actions, fellow officers falsely believed he was gay.

The jury on Tuesday found Davenport had engaged in anti-military and false sexual orientation discrimination against Hagel with regard to the sergeant promotional process in 2013-14.

They awarded Hagel \$262,800 in compensatory damages for lost salary and benefits, \$500,000 in emotional distress damages and \$1 million in punitive damages, after finding that Davenport and the borough “engaged in egregious conduct against” Hagel, his attorney said.

*[Anthony G. Attrino](#) may be reached at [tattrino@njadvancemedia.com](mailto:tattrino@njadvancemedia.com). Follow him on Twitter [@TonyAttrino](#). Find [NJ.com on Facebook](#).*

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# Moulton proposes plan to restore benefits to vets discharged under 'don't ask, don't tell'

By Tal Axelrod

The Hill, June 6, 2019



*Rep. Seth Moulton (D-Mass.) © Greg Nash*

Democratic presidential hopeful Rep. [Seth Moulton](#) (D-Mass.) on Thursday [unveiled a plan](#) to restore benefits to troops who were discharged under the Clinton-era “don’t ask, don’t tell” policy.

The congressman said over 100,000 gay service members missed out on the GI Bill and other health benefits after they were less-than-honorably discharged under the policy, which barred openly gay or bisexual people from serving in the military. It was repealed in 2010.

The plan from Moulton, an Iraq War veteran, would shift the burden of appealing discharges away from veterans and instead make it the responsibility of the military’s correction and discharge review boards.

“The military record correction and discharge review boards will examine the discharge status of everyone to determine who was separated for sexual orientation or ‘homosexual activity.’ Unless the military can produce records to justify the discharge on other grounds, each veteran’s status will be automatically upgraded to honorable—restoring the benefits that they earned and so rightly deserve,” Moulton said in a statement.

The proposal would also ensure that the review boards work with veterans with newly upgraded discharge status to help them understand their benefits and update the records of deceased service members to reflect the honorable discharge.

Moulton noted statistics that say veterans who received an other-than-honorable discharge face difficulties finding employment and disproportionately fall into homelessness.

“For too long, our country has discriminated against LGBTQ veterans who put their lives on the line for our freedom. It’s time to fix this injustice for good, and that’s exactly what I will do as President,” he said.

The Massachusetts Democrat, who launched his White House bid in April, has languished in early primary polls. He is seeking to leverage his foreign policy chops and military experience to differentiate himself in a [crowded Democratic primary field](#).

# No Pentagon Penalty After Defense Worker Claims Hostile Workplace

By Anthony Capaccio

Bloomberg.com, June 5, 2019



*Ellen Lord*

*Photographer: Julia Schmalz/Bloomberg*

The Pentagon's top weapons buyer declined to impose disciplinary action recommended by the inspector general against [Leidos Holdings Inc.](#) for allegedly retaliating against a woman who complained of a hostile work environment at a subcontractor.

Ellen Lord, the under secretary of defense for acquisition, “disagreed with the substantiation of the complaint and declined to take further action,” Inspector General Glenn Fine’s office disclosed Tuesday in its latest semiannual [report](#).

Fine found the worker’s complaint valid in a January 2018 report. Fine determined that Leidos dropped the woman from a follow-up contract for the Office of Economic Adjustment “in reprisal” after she complained to the Defense Department and Leidos that a supervisor at the subcontractor she worked for made “inappropriate sexual and racial comments to her.”

“We found that” Leidos “had motive to exclude” her, the inspector general said in the report.

[Read More: Leidos’s Treatment of a Whistle-Blower Gets Pentagon Review](#)

Lieutenant Colonel Mike Andrews, a spokesman for Lord, said in a statement that her decision against taking action “does not mean” she “takes issue with the fundamental factual findings of the IG report, nor does it mean that she condones, in any way whatsoever, the creation of a hostile work environment.”

Instead, Lord disagreed that there was a legal basis for the inspector general’s recommendation that she order Leidos, a major Pentagon information technology contractor, to “put the employee in as good a place as she would have been had the non-selection for follow-on work not occurred,” Andrews said.

Fine said in a statement that “we stand by the report’s conclusions, and we believe that the law and the facts fully support the finding of reprisal against Leidos.”

Leidos didn’t respond to a request for comment on Tuesday. In a policy statement on its website, the Reston, Virginia-based company says “we believe diversity and inclusion create cohesive and collaborative teams” and shape “how we recruit talent.” The subcontractor wasn’t identified.

Leidos provides the Pentagon and the Department of Homeland Security with scientific, engineering, systems integration, cybersecurity and technical services expertise.

# Diversity

## Enlisted ‘doctor-airman’ with PhD earns her commission

By Stephen Losey

Air Force Times, June 7, 2019



*Then-Airman 1st Class Cynthia Schroll, a radiochemistry technician with the Air Force Technical Applications Center at Patrick Air Force Base in Florida, discusses the requirements of her job. Schroll was recently commissioned as a second lieutenant. (Susan Romano/Air Force)*

Until last month, former Airman 1st Class Cynthia Schroll had a patent to her name, two books she authored, a resume full of academic and technical expertise, and a PhD in analytical chemistry. But there was one thing this wildly accomplished airman didn't have: [her commission](#).

That changed on May 30, when she [pinned on her gold bars](#) and became one of the Air Force's newest second lieutenants.

According to a story posted online Tuesday by the Air Force Technical Applications Center, located at Patrick Air Force Base in Florida, Schroll knew without a doubt she wanted to serve in the Air Force. With her raft of accomplishments — which included stints as a contract research assistant at Pacific Northwest National Laboratory and teaching chemistry at the University of Cincinnati — her drive and her skill set, she would appear to be a shoe-in to [become an officer](#).

But the timing doesn't always work out, she said.

“My recruiter told me it could take up to two years to be accepted to [Officer Training School], and there was no guarantee that I would even be accepted,” Schroll, an Ohio native, said in the release. “I knew I wanted to be in the Air Force, so the best way for me to do that was to enlist.”

She began basic military training at Joint Base San Antonio-Lackland in Texas in 2017, and was then picked for highly demanding and technical special instruments training, or SPINSTRAS, at Goodfellow Air Force Base in Texas. SPINSTRAS requires airmen to spend more than 85 training days learning electronic principles, applied sciences, computer and network phenomenologies, mathematics, and intelligence, surveillance and reconnaissance fundamentals, until they become specialists in highly in-demand scientific applications.

While she was in tech school, she drew the attention of Chief Master Sgt. Michael Joseph, the command chief of the Air Force Technical Applications Center at Patrick, which is the Defense Department's only nuclear treaty monitoring center.

“I had heard about her academic background and her impressive credentials, and I knew she'd be a great fit for AFTAC,” Joseph said in the release. “I paid her a visit at Goodfellow AFB and asked her to join our team.”

The Air Force said she dove into her job as a radiochemistry technician in the center's Ciambrone Radiochemistry Lab with enthusiasm, and took pride that what she did helped the center's senior scientists and national decision-makers. The lab quickly realized she was a “go-to” airman who could get things done.

- [Patrick AFB's secret lab watches for nuclear explosions worldwide](#)

Joseph and the center's commander both knew that Schroll would make an ideal officer, and started looking for ways to get her into OTS.



<https://www.airforcetimes.com/news/your-air-force/2019/06/07/enlisted-doctor-airman-with-phd-earns-her-commission/>

But that was easier said than done, the release said. For years, the Air Force has had very specific processes for commissioning enlisted airmen, and Schroll didn't fit into any of those categories. Leaders from the 25th Air Force, to which AFTAC belongs, realized something needed to be done and started looking for a way to make it happen.

"In the end, it came down to numerous phone calls and email messages between [Air Force Personnel Center] Command Chief Ken Lindsey and his team, and the leadership here at AFTAC, who collectively worked out the details," Joseph said. "It was a huge team effort, but well worth it."



*Newly commissioned 2nd Lt. Cynthia Schroll shakes hands with her Officer Training School instructor, 1st Lt. Claire Krokker, on May 30, as members of her flight look on. (Susan Romano/Air Force)*

Schroll began her two-month OTS course at Maxwell Air Force Base in Alabama April 1 — and she soon found out how different it was from basic training.

"I didn't realize how mentally unprepared I was until I got here," Schroll said. "The two programs have completely different philosophies. BMT is all about indoctrination and disciplined

followership; OTS is all about risk management and stepping up as a leader. The only real similarity between the two courses is you march everywhere for pretty much everything."

On graduation day, her father, Stephen, her brother Brandon, and Brandon's girlfriend, Traci, were on hand to pin on her bars and celebrate her commissioning. And when it came time for Schroll to give an enlisted airman her first salute and the traditional silver dollar — a military custom that dates back to colonial times — she chose Chief Joseph. For Schroll, there was really no other choice — Joseph had looked out for her all along, and went the extra mile to bring her story to higher-ups' attention.

"I will forever be indebted to him, and it was my honor to present my silver dollar to him," Schroll said.

*[Stephen Losey](#) covers leadership and personnel issues as the senior reporter for Air Force Times. He comes from an Air Force family, and his investigative reports have won awards from the Society of Professional Journalists. He has traveled to the Middle East to cover Air Force operations against the Islamic State.*

## 'Failure is not an option': Infantry officer becomes first woman in her division with EIB

By Chad Garland

Stars and Stripes, June 6, 2019



*1st Lt. Shelby DePriest, an infantry soldier with 1st Battalion, 8th Infantry Regiment, 3rd Armored Brigade Combat Team, 4th Infantry Division, crosses the finish line of the Expert Infantryman Badge 12-mile ruck march, completing the last portion of EIB testing on Saturday, June 1, 2019. EIB candidates had three hours to complete the march and carried a minimum 35-pound ruck.*

*LIANE HATCH/U.S. ARMY*

Despite the desert heat, dozens of soldiers in Kuwait last week earned the prestigious Expert Infantry Badge, including one of the first women to receive the decoration since women began making inroads into combat arms fields previously closed to them.

An initial field of over 300 soldiers who started training for the weeklong skills test at Camp Buehring was narrowed to fewer than 180, including three women, who made it to the first official event — a fitness test — on May 27. About one-third of them earned the EIB six days later, after completing a 12-mile ruck march and final test event earlier that morning, the Army said in a statement this week.

1st Lt. Shelby DePriest of Fort Carson, Colo.-based 1st Battalion, 8th Infantry Regiment, 3rd Armored Brigade Combat Team, 4th Infantry Division, was the only woman among the 61 finishers and the first woman in her division to earn the special skills badge since the unit began incorporating female infantry officers into its ranks less than two years ago.

DePriest had told her mentors that “failure is not an option,” which kept her going, she said, even though it was tough to stay motivated through early mornings and late nights of training and testing.

“I had to live up to that promise,” said DePriest, who serves as a operations battle captain. “I was absolutely terrified to go back to my office without the EIB.”

She was one of just 27 from her brigade to earn the badge — another 34 from seven other units in the Central Command area of responsibility also qualified as infantry experts. The 3rd ABCT hosted the test while deployed to Kuwait.

The coveted special skills badge, which the U.S. Army created during World War II to honor infantry troops, can play a significant role in a combat arms soldier’s career progression. Rigorous tests, made up of nearly three-dozen pass or fail events, are conducted annually throughout the service.



*1st Lt. Shelby DePriest with 1st Battalion, 8th Infantry Regiment, 3rd Armored Brigade Combat Team, 4th Infantry Division, applies camouflage face paint during patrol lane testing for the Expert Infantryman Badge at Camp Buehring, Kuwait on Friday, May 31, 2019. Upon completion of testing, DePriest became the first female EIB awardee in the 4th Infantry Division.*

*LIANE HATCH/U.S. ARMY*

Conditions in Kuwait were “extremely harsh,” including 12-hour days in 110-degree heat during two weeks of training and the weeklong test, officials said.

<https://www.stripes.com/news/failure-is-not-an-option-infantry-officer-becomes-first-woman-in-her-division-with-eib-1.584859>

“This EIB was harder, from a conditions standpoint, than any other that I have seen or participated in,” said Command Sgt. Maj. Timothy Chrysler, senior NCO for the 8th Infantry Regiment’s 1st Battalion, in the Army’s statement.

Sgt. Alan Garcia, an infantryman who earned the badge last week, had some advice for others: “If you’re going to go for your EIB, I recommend not doing it in Kuwait.”

Still, the pass rate — about 35% — was about double the average across the Army since new standards were introduced last fall, a review of Army data from September through early March shows.

Officials at Fort Benning, Ga., which runs the testing program, could not immediately say how many U.S. women in total had passed the test, but in late 2017 the first six American women reportedly earned the badge at Fort Bragg, N.C.

Female U.S. troops only recently became eligible to wear the badge after the Pentagon struck down regulations barring them from infantry jobs over three years ago.

Army National Guard Maj. Michelle Roberts is believed to have been the first woman to pass the test back in 2011. She only received a certificate of completion since the badge is reserved for soldiers in infantry or Special Forces job, an Army statement said at the time. At least three women in South Korean infantry units who earned the EIB since 2014 were eligible to wear it, however.

article continues below

Since January 2016, the Army has transferred more than 1,000 women into combat arms specialties and at least 500 now serve in every one of the service’s active brigade combat teams, down to the company level, Army G-1 Lt. Gen. Thomas Seamands said in a statement late last month.

Eighty female officers are now assigned to infantry or armor positions at forts Carson, Bragg and three more of the Army’s largest bases — Fort Hood, Texas; Fort Bliss, Texas; and Fort Campbell, Ky. — Seamands said, and officials plan to open assignments to women this year at Fort Stewart, Ga.; Fort Drum, N.Y.; Fort Riley, Kans.; Fort Polk, La.; and Vicenza, Italy.

DePriest commissioned in 2017 after completing ROTC at Western Illinois University, where she was an art major, and arrived at Fort Carson in January following initial training. She welcomed the new opportunities for female soldiers.

“The Army’s taking the right steps,” she said. Regardless of gender, “they just want leaders to be competent.”

For her, earning the EIB was a “stepping stone” that validated her readiness to take on the job of platoon leader, for which she’s been groomed and coached for over the past 19 months, she said. She expects to take charge of her first platoon later this month.

“I’m finally getting my time to shine,” she said. “It’s a really good moment.”

Shortly after earning the badge for her infantry skills, she got her first Army Commendation Medal, this one for a different set of skills — her artistic abilities — employed to “brighten up Kuwait” with a unit mural on one of the base’s t-walls.

“I’m bringing a little flair to the infantry world,” she said.

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# In a Male-Dominated Administration, Pentagon Chief Seeks More Women

*But critics are skeptical that Patrick Shanahan will fill senior Defense posts with female nominees after a series of resignations.*

By Lara Seligman

Foreign Policy, June 3, 2019



Acting U.S. Secretary of Defense Patrick Shanahan, left, gestures as International Institute for Strategic Studies CEO John Chipman looks on in Singapore on June 1. ROSLAN RAHMAN/AFP/Getty Images

The Pentagon is still a largely male-dominated place, and Patrick Shanahan, U.S. President Donald Trump's nominee for secretary of defense, is pushing hard to change that by filling top posts with female candidates, his chief of staff said.

But some critics are skeptical. "The Trump administration has created the most male-dominant administration since Reagan," said Loren DeJonge Schulman, a former Pentagon official who now researches national security and defense reform at the Center for a New American Security. "The Defense Department is among the worst, if not the worst, in establishing women as leaders at all levels of the Department, civilian and military."

Women have climbed the ranks of the U.S. national security world in recent years. Director Gina Haspel occupies the top post at the CIA. Of America's five largest defense contractors, three are now led by women: Marillyn Hewson of Lockheed Martin, Phebe Novakovic of General Dynamics, and Kathy Warden of Northrop Grumman. Meanwhile, Leanne Caret is the CEO of Boeing's defense business.

On Capitol Hill, women from both parties have driven new policies aimed at changing the military's male-dominated culture. Texas Republican Rep. Kay Granger is the ranking member of the House Appropriations Committee after previously chairing its powerful defense subcommittee, and Republican Sen. Martha McSally and Democratic Sen. Tammy Duckworth, both veterans, have made their mark on the Senate Armed Services Committee.

But in the halls of the Pentagon, women have not kept pace. There are currently [just four](#) Senate-confirmed women serving in top U.S. Defense Department positions, and only one of six undersecretaries of defense is female. Overall, out of 53 positions confirmed or awaiting confirmation at the department, 46 went to men, according to the *Washington Post's* [tracker](#).

Shanahan, a former Boeing executive who spent three decades in the aerospace and defense industry, wants to close that gender gap, his chief of staff, Eric Chewning, told *Foreign Policy*.

"Shanahan comes from that environment, where he values having that kind of broad perspective," Chewning said. "We are looking to bring on board a leadership team that reflects that broader thinking and diversity."

But Shanahan is not off to a great start. Since he took over from James Mattis in January, the Defense Department has actually [lost](#) several of its highest-ranking women. Air Force Secretary Heather Wilson, whose relationship with Shanahan was notoriously rocky, left her post at the end of May to be the next president of the University of Texas at El Paso.

Meanwhile Dana White, Mattis's chief spokeswoman and one of the few people of color in the upper ranks of the Pentagon, stepped down in January. Phyllis Bayer, the Navy civilian in charge of energy, environment, and installations, resigned in March.

<https://foreignpolicy.com/2019/06/03/in-a-male-dominated-administration-pentagon-chief-seeks-more-women-shanahan-defense/>

“When I was at Pentagon in 2009, the office that oversaw the [Quadrennial Defense Review] had a direct line of four women reporting to one another in leadership roles, up to Secretary [Robert] Gates,” said DeJonge Schulman, referring to the U.S. military’s main public document. “There is nowhere in the Department of Defense where that is possible today.”

DeJonge Schulman said she hears from former colleagues of “gross and open misogyny” from senior officials’ offices.

Shanahan is nonetheless charging ahead. To start, last month he chose Barbara Barrett, the former chairwoman of the nonprofit Aerospace Corporation who served in 2008 and 2009 as President George W. Bush’s ambassador to Finland, out of a handful of White House candidates to replace Wilson at the helm of the Air Force. (Trump was the one to formally announce her appointment.)

Barrett, who developed an interest in aviation as a child, is an instrument-rated pilot and trained as an astronaut. She has been a [reliably Republican donor](#).

“What we really liked about her background is she is someone who has been active in the national security space for a while, with experience in both the private and public sector,” said a senior U.S. defense official familiar with Shanahan’s thinking.

Shanahan also plans to appoint Elaine McCusker to take over for David Norquist, who is expected to be nominated for deputy secretary of defense, as the Pentagon’s comptroller, the official said. McCusker is currently serving as acting comptroller. Similarly, Lisa Hershman, the acting chief management officer of the department, will likely get the nod for the permanent job, the official added.

Kathryn Wheelbarger, the acting assistant secretary of defense for international security affairs, is also being considered for a top position, the official said. And Jennifer Santos, the vice president for Air Force and Defense Department innovation at Cypress International, a consulting firm, will take over Chewning’s old job as the head of the Pentagon’s industrial policy office.

The Pentagon has many empty posts to fill, including assistant secretary of defense for nuclear, chemical, and biological defense programs; the director of Cost Assessment and Program Evaluation; the undersecretary of defense for personnel and readiness; and more.

“Secretary Shanahan’s focus in building the team is in identifying the right assortment of experiences, skill sets, and personalities across the top of the Department,” said Shanahan’s spokesman, Lt. Col. Joseph Buccino.

Despite rumors to the contrary, Shanahan is not considering Mira Ricardel, who served as deputy national security advisor until she was reportedly ousted after a dispute with the first lady, for any top position, the official said. Shanahan and Ricardel overlapped at Boeing.

Shanahan wants to take advantage of the number of vacancies at the Defense Department right now to increase diversity, the official said.

“If you think about the DoD as a \$700 billion company, that \$700 billion company represents a very broad set of the American people,” the official added. “So we want to make sure we have a leadership team ... that brings a diversity of perspectives and represents the U.S. military.”

But promises to bring more diversity to the Pentagon are not enough, DeJonge Schulman said.

“If Secretary Shanahan wants to make a dent in the severe deficit of women in his leadership team and the culture of the Pentagon, he has to do more than appoint one woman as secretary of the Air Force,” she said.

*Lara Seligman* is a staff writer at Foreign Policy. Twitter: [@laraseligman](#)

# Sephora closes US stores for 1-hour diversity training

By Alexandra Olson

The Associated Press, June 5, 2019



*Sephora employees gather in one of the company's closed stores, in New York, Wednesday, June 5, 2019. Sephora is closing its U.S. stores for an hour Wednesday to host inclusion workshops for its employees, just over a month after R&B star SZA said she had security called on her while shopping at a store in California. (AP Photo/Richard Drew)*

NEW YORK (AP) — Sephora closed all of its U.S. stores for an hour Wednesday to host “inclusion workshops” for its 16,000 employees, just over a month after R&B star SZA said she had

security called on her while shopping at a store in California.

The beauty retailer said the training had been in development months before SZA’s experience, which undermined the company’s efforts to cast itself as a champion of diversity. Sephora, which apologized to SZA last month, said the incident “does reinforce why belonging is now more important than ever.”

In addition to the store closures, the company said it would close its distribution centers and corporate office for the workshops to discuss what it means to belong in the context of “gender identity, race and ethnicity, age abilities and more.” The stores will open to customers following the training.

Sephora provided few details about its workshops, which were closed to the public. The company said there would be more training in the future for employees but did not answer questions about what would be taught, who would conduct the workshops and or how they were designed.

Employees at a Manhattan location gathered at the front the store Wednesday wearing black T-shirts with Sephora’s new tagline “We Belong to Something Beautiful,” helping themselves to Starbucks coffee as they listened to a speaker. Employees would not speak publicly about the session.

Whether diversity training works is up for debate. Some businesses are rethinking their approach to anti-bias training in the wake of academic studies suggesting such programs have done little to improve workplace diversity, and in some cases, can backfire.

Sephora’s initiative follows the closing of the more than 14,000 Starbucks stores in the U.S. last year for anti-bias training sessions after an uproar over the arrest of two black men for sitting at a Philadelphia Starbucks without ordering anything. That incident triggered protests, threats of boycotts, and eventually prompted the Philadelphia Police Department to announce a new policy on how to confront people accused of trespassing on private property.

While Starbucks also kept its training private, it released training materials showing that that employees were asked to break into small groups to talk about their experience with race. The program was developed with the NAACP Legal Defense and Education Fund.

Public reaction was more muted when SZA tweeted on April 30 that a Sephora employee had called security to make sure she wasn’t stealing. SZA, who once appeared in an ad for the Fenty makeup line that Sephora carries, identified the employee only as “Sandy Sephora.” Sephora responded with an apologetic tweet, saying it takes such complaints seriously.

Sephora billed the workshops as part of a new diversity-focused marketing campaign.

The company, which is owned by luxury group Moët Hennessy Louis Vuitton LVMH, has long made diversity part of its brand. Two years ago, the company helped launch Rihanna’s Fenty line, known for its range of foundations that range from pale to deep brown shades.

<https://apnews.com/0d88084cce4647ba8aa7b2f5af2a3727>

Sephora cited forming employee resource groups and hosting “inclusive mindset training for all supervisors” as part of its workplace diversity initiatives.

In 2016, a pair of sociologists, Alexandra Kalev of Tel Aviv University and Frank Dobbin of Harvard University, published a paper in the Harvard Business Review based on a study suggesting that the effects of diversity training rarely last and in some cases foster resentment, in part because many companies use “negative messaging” in their training.

The study, which analyzed 30 years of data from more than 800 U.S. companies, found that the number of black and Asian managers declined among firms that relied on mandatory diversity training. The study found better results among companies where training was voluntary.

The Harvard Review paper said nearly all Fortune 500 companies use diversity training of some sort. Various firms have revamped their approach in recent years, including making it part of the onboarding process for all new employees, in part so that it will not be perceived as a punitive measure for bad behavior.

Audra Jenkins, chief diversity and inclusion officer at the employment agency Randstad US, said her company redesigned its own training program, which it now calls “conscious inclusion.” She said every new employee is automatically registered for the training, which uses e-learning gamification to help people recognize bias and help them navigate them.

Jenkins said Sephora was right to send a swift message to its employees and customers in an era when social media amplifies missteps, but she cautioned that it can only be considered a first step.

“You have to come out publicly or you will get the backlash instantly,” Jenkins said. “But one day is not enough to deal with years of issues. It cannot just be a message that goes away quickly because the employees will figure that out quickly.”

# **Human Relations**



# Poll: Some younger workers view aging workforce negatively

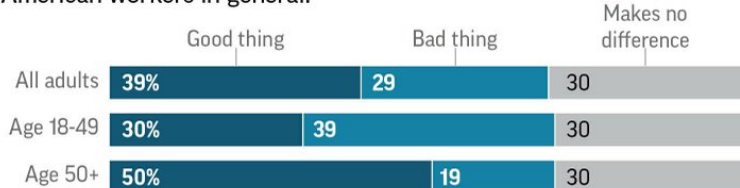
By Andrew Soergel

The Associated Press, June 6, 2019

## Poll: Some see harm in aging workforce

**Q:** Do you think people staying in the workforce longer is **mostly a good thing** or **mostly a bad thing** for each of the following, or does it make no difference?

American workers in general:



The U.S. economy:



Results based on interviews with 1,423 U.S. adults conducted Feb. 14-18. The margin of error is  $\pm 3.7$  percentage points for the full sample, higher for subgroups.

SOURCE: AP-NORC Center for Public Affairs Research

AP

medicine you're as effective a worker (at 65 years old) as you are at 50," says Katie Otting, a 29-year-old living near San Diego. "If some 65-year-old is in a position that he's not ready to quit because he wants a better pension and there's someone else ready to take that job, they're not going to replace him."

An aging population, elevated health care costs and lingering financial uncertainty following the Great Recession all are believed to be contributing to America's steadily graying workforce. Nearly 20% of Americans over the age of 65 were employed or actively looking for work last year, up from less than 12% two decades prior, according to the Bureau of Labor Statistics.

But the increased prevalence of older workers has led some to believe seniors are holding back the country's economic momentum by remaining in the workforce. Men were slightly more likely than women to cite the aging workforce as a problem for U.S. workers (32% to 27). And about a third (34%) of more affluent respondents earning more than \$100,000 annually said the same, slightly more than the 24% of those earning less than \$30,000 who said so.

By contrast, about 6 in 10 Americans age 60 and over say the trend has actually been a good thing for the economy, compared with 3 in 10 Americans under 30 who think that.

About a third of Americans under 50 who have noticed the trend in their own workplace believe the aging workforce has negative implications for their own careers.

"One of the myths that's out there causing younger and older people to butt heads is the idea that 'Oh, it's because these older people are on the job preventing me from getting the job I want,'" says Steve Burghardt, a 74-year-old professor of social work at the City University of New York who thinks Americans are "looking for someone younger or someone older to blame" for inequality, job displacement and other economic problems.

CHICAGO (AP) — Some younger workers aren't particularly thrilled to see a rising share of older Americans forgo retirement and continue working, according to a recent poll by The Associated Press-NORC Center for Public Affairs Research.

The poll found that workers under the age of 50 were significantly more likely to view America's aging workforce as a negative development when compared with their older counterparts. About 4 in 10 respondents ages 18 to 49 and 44% of the youngest respondents ages 18 to 29 said they consider the trend to be a bad thing for American workers. Just 14% of those age 60 and over said the same.

"I don't think in things like IT and

<https://www.apnews.com/31f75b8f3cfd4895b9c35aaec1050219>

Research is mixed on the aging workforce's overall impact on the U.S. economy. Adam Ozimek, a senior economist at Moody's Analytics, says his prior research efforts have suggested a growing population of older workers can slow productivity and ultimately hamper wage growth for the rest of the labor market.

But he says there's little evidence to suggest that the presence of older workers is "crowding younger workers out of promotions," noting that many of the workers who would naturally move up and replace positions currently held by baby boomers are not millennials but rather middle-aged members of Generation X.

"In anxious times, we look for scapegoats. And old people are a ready scapegoat, especially if you are forced out of having a public presence or are forced (out of a job)," says Ashton Applewhite, a New York-based writer and ageism activist.

The idea that older workers are keeping jobs away from younger Americans, preventing them from moving up the corporate ladder into higher ranking, higher paying positions, is not a new one. But economists say it doesn't have much basis in economic reality.

"The more of those seniors continue to work, that means they're also spending. And that spending helps build a rich economy that gives you jobs and lots of opportunities," says Andrew Chamberlain, chief economist at employment hub Glassdoor.

But Chamberlain and Ozimek say it might be easier to believe older workers are holding back their younger counterparts when looking at the economy on a smaller scale. One particular company, for example, may only employ one chief of marketing. Should that person choose to remain in the workforce until he or she is 80 years old, lower ranking employees may perceive a lack of upward mobility.

A comparable job may be ripe for the taking elsewhere, Chamberlain says, but it may be at another company or in another city that would require a move that many employees may be unwilling to make.

"They feel like their opportunities are only within that firm," Chamberlain says. "I think it's just simple confusion. I think people are mixing up (opportunities) just inside one company versus the overall job market."

Meanwhile, many older workers are coming to terms with the fact that they'll need to remain in the workforce to keep their heads above water or maintain their current lifestyles.

Mitch Rothschild, 61, lives and works in New York City and says he expects he is "probably going to have to work until I die." He says the aging workforce is less of an economic problem and more of a financial reality to which workers of all ages need to adapt.

"Hey, look, I wished I'd been skiing in the Alps since I was 40," he says. "But you think I'm going to stop working a year from now and rely on Social Security for the next 20 years? No."

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*EDITOR'S NOTE — Andrew Soergel is studying aging and workforce issues as part of a 10-month fellowship at The Associated Press-NORC Center for Public Affairs Research, which joins NORC's independent research and AP journalism. The fellowship is funded by the Alfred P. Sloan Foundation.*

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*The AP-NORC Center survey of 1,423 adults was conducted by The Associated Press-NORC Center for Public Affairs Research with funding from the Alfred P. Sloan Foundation. It was conducted Feb. 14 to 18 using a sample drawn from NORC's probability-based AmeriSpeak Panel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 3.7 percentage points. Respondents were first selected randomly using address-based sampling methods and later were interviewed online or by phone.*

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Online: AP-NORC Center: <http://www.apnorc.org>

# Miscellaneous

# Abandoned and homeless, Marine recruit overcomes adversity and ships to boot camp

By Shawn Snow

Marine Corps Times, June 4, 2019



*James Gordon was recruited out of Marine Recruiting Substation Brandon near Tampa, Florida. (Marine Corps)*

James Gordon is no stranger to adversity.

Adopted around the age of 3 by a Jamaican family that moved to the United States a few years ago, the 18-year-old future Marine and current green-card holder has been trying to navigate the often arduous trek for immigrants seeking to succeed in their new country.

After meeting Marine Staff Sgt. Donald A. Rich, a recruiter, around the Christmas holiday, Gordon made the decision to enlist in the Corps, with a boot camp ship date following his graduation from Riverview High School in Tampa, Florida.

But that plan nearly came crashing down when Gordon's adopted father decided to leave his son at Marine Recruiting Substation Brandon, just east of Tampa, several weeks before Gordon's ship date to the Parris Island, South Carolina, recruit depot, Rich told Marine Corps Times.

One night, Gordon's adopted father just started "bringing all his stuff" in the recruiting station and told the recruiters that Gordon was no longer "allowed to come home," Rich said.

Homeless and abandoned several weeks before his high school graduation and entry date into the Corps, Gordon's uphill battle to become a Marine got much steeper.

The recruiters at the Brandon station told Marine Corps Times that Gordon had zero discipline issues and was well-liked by staff and teachers at his high school, where he maintained a nearly 4.0 grade-point average.



*James Gordon swears the oath of enlistment before shipping out to boot camp. (Marine Corps)*

Gordon always "kept a smile on his face" and had a certain "charisma" about him, said Eric Scott, Riverview High School's 9th grade assistant principal for student affairs.

He was a quiet kid, but came out of his "shell the last couple of years," Scott said.

"James was a well-liked young man that did the right thing all the time. He was a student assistant in the office and was always willing to help out where needed," said David Ramos, Riverview's 10th-12th grade assistant principal for student affairs

The recruiting station's staff noncommissioned officer in charge, GySgt. Cheops Dieujuste, said he had a "lengthy" conversation with Gordon's father that night. But, as the evening closed out, Gordon's father wouldn't allow his son back into the house.

"He's not staying in my house, he can move to a hotel," Dieujuste recounted Gordon's father saying to him.

Dieujuste says the father paid to put his son up in a hotel for three days, but Gordon had nearly a month to go before he graduated high school and shipped to recruit training.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/06/04/abandoned-and-homeless-marine-recruit-overcomes-adversity-and-ships-to-boot-camp/>

“He’s your guys’ problem now. You guys figure out what to do with him,” Dieujuste says Gordon’s father told him.

The recruiters at the Brandon station started shelling money out of their own pockets to keep Gordon in the hotel and even drove him back and forth to school every day.

Dieujuste says his wife cooked food for Gordon and they helped him with groceries.

A local Tampa charity, dubbed [Marine Families](#), also pitched in to ensure Gordon had food and shelter before heading to recruit training.

Cyd Deathe, the founder and executive director of the Marine charity, told Marine Corps Times that the organization helped negotiate an extended stay rate at the hotel for Gordon, and in less than 24 hours they raised more than \$2,000 to help cover lodging and food costs.

Gordon lived in the hotel from May 3 to June 2 and shipped to Parris Island Monday, Dieujuste said.

“I truly hope he achieves his dreams of becoming a Marine,” Ramos said. “He will undoubtedly add a can-do spirit to the Corps, and will absolutely be his brother’s keeper while serving.”

Deathe says that the group plans to send Gordon letters while he is at boot camp, and that some may visit him when he graduates.

Gordon’s job in the Corps will fall under the service management occupational field, his recruiters said.

Attempts to reach Gordon’s father were unsuccessful.

*[Shawn Snow](#) is the senior reporter for Marine Corps Times and a Marine Corps veteran.*

# Army investigators warn of schemes to blackmail soldiers for Bitcoin or steal social identities for romance scams

By Kyle Rempfer

Army Times, June 3, 2019



*The Army is warning troops of online scams using soldiers' information and photos. (Stock photo)*

[Army Criminal Investigation Command](#) has recently seen a resurgence of scammers that use [fake Common Access Cards](#) and send blackmail letters to soldiers in an effort to extract cash payments, officials said in a release last week.

These schemes include “trust-based relationship scams,” also known as romance scams, as well as impersonation crimes such as sales schemes and advance fee schemes, Army CID said in a [command posting](#) last week.

[Army CID](#)'s computer investigation unit is frequently notified of online scammers who claim to be service members and use an unsuspecting soldier's name and social media photos to increase their credibility to victims.

Soldiers should protect themselves by conducting regular internet searches for their names and image searches for their profile pictures to ensure scammers aren't hijacking their identities, CID officials said.

“By monitoring your social media identity, you can protect your Army family and your reputation,” Special Agent Marc Martin, deputy director of operations for CID's Computer Crime Investigative Unit, said in the posting. “The criminals will use factual data from official websites and Soldiers' personal social media sites, then prey on vulnerable people's trusting nature and willingness to help the Soldier.”

A new scam that is emerging involves a criminal who sends a letter to a soldier through the mail demanding payments or else compromising information about the victim or their family will be made public.

The letter will claim to be from someone who knows the victim, but does not specify the type of misconduct or crime that the victim allegedly committed. The letter will often demand large payments in Bitcoin, officials said.

- [Ever heard of 'deep fake' technology? The phony audio and video tech could be used to blackmail US troops](#)

Scammers have been using fake CAC cards to make their scheme appear more legitimate for some time, as well, but the Army CID posting said the tactic has started to gain prominence lately in order to add a layer of legitimacy to some scams.

“At first glance it could look almost legitimate, but if you look closely you will notice errors such as incorrect pay grades and other inaccurate markings,” Martin said in the DVIDS posting.

If a soldier finds their identity is being used for a scam, they should immediately contact the social media company the fake account is hosted on and report the profile.

Scammers often change up the spelling on names and replace characters with dashes, spaces and other characters in order to trick search results.

“Be on the lookout for simple changes such as zeros (0) used instead of the letter 'O' or a number one (1) instead of the letter 'l,’” the Army CID posting reads.

<https://www.armytimes.com/news/your-army/2019/06/03/army-investigators-warn-of-schemes-to-blackmail-soldiers-for-bitcoin-or-steal-social-identities-for-romance-scams/>

“Always remember that effectively searching yourself requires creativity because of the misspelled names and other identifying information slightly different to disguise the criminal activity or just because the scammer doesn’t have command of the English language,” [CID officials said](#).

“Criminals will hijack photographs found on the Soldiers official and personal social media page and create a similar or identical biography.”

*[Kyle Rempfer](#) is a staff reporter for Military Times. He trained and served as an Air Force special tactics operator from 2010 to 2015. Kyle's reporting focuses on the unified combatant commands.*

# Misconduct



# AFSOC one-star falsely claimed flight hours, disrespected subordinates, IG found

By Stephen Losey

Air Force Times, June 1, 2019



*Brig. Gen. Brenda Cartier, shown here as a colonel assuming command of the 58th Special Operations Wing in 2016, received a letter of counseling after an inspector general investigation found she falsely claimed flight hours for which she received flight pay, and disrespected her subordinates. Cartier is now director of operations for Air Force Special Operations Command at Hurlburt Field, Florida. (Dennis Carlson/Air Force)*

Brig. Gen. Brenda Cartier, now the director of operations at [Air Force Special Operations Command](#) headquarters at Hurlburt Field, Florida, received a letter of counseling after an inspector general investigation found she failed to treat subordinates with dignity and respect in her previous position, and falsely claimed flight hours on an MC-130J in 2017.

The March 2019 report, which the Air Force provided at Air Force Times' request, also found that Cartier received \$250 in flying incentive pay as a result of the flight hours she improperly claimed in July 2017. The IG report reviewed allegations about Cartier's actions while she was a colonel, in command of Air Education and Training Command's [58th Special Operations Wing](#) at [Kirtland Air Force Base in New Mexico](#).

Cartier's promotion to brigadier general took effect in August 2018, but an official ceremony marking her promotion is scheduled for June 14, Air Force spokeswoman Ann Stefanek said in an email. She was first nominated to receive her star in November 2017, and is AFSOC's [first female air commando one-star](#).

"After reviewing the report of investigation and considering the details of Brigadier General Cartier's career, the Secretary of the Air Force [Heather Wilson] determined her promotion to the rank of brigadier general was in the best interest of the Air Force," Stefanek said.

Stefanek said Cartier declined to comment further.

The IG concluded Cartier knowingly made a false official statement, with an intent to deceive. Although Cartier told investigators she didn't care about the \$250 flight pay, the report noted that her falsely claimed flight hours resulted in a material gain for that month.

The IG began investigating Cartier in August 2018, after members of the 58th filed complaints that she had created a toxic command climate and falsely claimed flight hours for pay, among other allegations, the report said.

As wing commander of the 58th from June 2016 to July 2018, Cartier was responsible for 2,600 airmen who train 20,000 students each year to be special operations, combat search and rescue, nuclear support, and distinguished visitor aircrews, as well as survival specialists and combat rescue officers, the report said.

Cartier, who held a basic qualification as a combat systems officer on the MC-130J, had to record at least four hours of "primary time" as a CSO each month to receive \$250 in monthly "conditional" flight pay, the report said. On July 25, 2017, Cartier and a few other commanders traveled on an MC-130J from Kirtland to Joint Base San Antonio-Randolph in Texas. Cartier showed up that day in her airman battle uniform — not the flight suit one would normally wear when planning to perform aircrew duties, which added to the crew's doubt that she intended to perform aircrew duties.

<https://www.airforcetimes.com/news/your-air-force/2019/06/01/afsoc-one-star-falsely-claimed-flight-hours-disrespected-subordinates-ig-found/>

She also did not attend the pre-flight brief with the rest of the aircrew, the report said, and sat in the passenger, or auxiliary, CSO seat, to the right of the primary CSO. She did not tell the crew before or during the flight that she intended to earn primary flight hours. An instructor CSO who was also on board was supervising the other CSO, but not Cartier.

“I just assumed that she was going to be a passenger,” one witness, whose name was redacted from the report, told investigators.

Cartier told investigators that she was on the headset during the flight to listen to flight communications, and described her CSO activities as to “monitor take-off and landing ... watch the instruments, watch the fuels, just keep an eye on what the pilots are doing.”

One unidentified witness said that at the end of the 4.2-hour flight, Cartier said “I’m logging four hours of primary time,” which left 0.2 hours for the other CSO. Air Force regulations allow two CSOs on a flight to split primary flight hours between them, but do not allow CSOs to claim the same hours.

Cartier denied asking the crew to mark her down for four hours, and the IG said the evidence could not establish that she did so.

“I don’t fly for pay, and I don’t fly for hours,” Cartier told investigators. “I didn’t need time or want time. I just wanted experience with my crew.”

- [Kirtland Air Force Base begins construction on helicopter simulator](#)

But, the IG concluded that she did ask for “some hours” — and that she did not perform CSO duties during the flight. As a result, the IG said, Cartier was not entitled to log any time or receive the pay she that she did as a result of those hours.

After Cartier’s November 30, 2018, interview, she asked the Host Aviation Resource Management, or HARM, Office to adjust her record to split the 4.2 hours to reflect she earned 2.1 primary hours, and 2.1 other hours.

“Col. Cartier should have reasonably known she did not perform four primary hours on the 25 Jul 17 mission,” the report said. “Col. Cartier had multiple means to confirm her flight hours. ... At a minimum, Col. Cartier should have informed the HARM Office of the discrepancy during her 31 Oct 17 record review.”

### **Personal attacks or constructive criticism?**

The report also found that Cartier sometimes failed to treat her subordinates with dignity and respect, and sometimes referred to them profanely and demeaningly.

The IG said that airmen under Cartier’s command painted very different pictures of what working for her was like.

Some described Cartier as a “friendly and cordial” leader who “cared about airmen,” “took care of us ... listened, understood,” and was a “decent and kind” commander. Three witnesses called her a mentor.

But others described her as a “toxic” leader, who could be “mean and demeaning,” “short with people,” and who played favorites.

“I don’t think she realizes how toxic or how abrasive she can be, despite I have given her feedback,” said one former squadron commander, whose name was also redacted. When that officer left Cartier’s command, the report said, her subordinates gave her a farewell gift of a “flak vest” that was inscribed, “Thank you for always donning your flak jacket and fighting for us.”

<https://www.airforcetimes.com/news/your-air-force/2019/06/01/afsoc-one-star-falsely-claimed-flight-hours-disrespected-subordinates-ig-found/>

The report concluded Cartier repeatedly referred to one officer — who at the time was going through the end of a marriage — as a “f---ing idiot” in private conversations with his subordinates.

“Although Col. Cartier used the profane and disparaging language in the privacy of her office, the repeated references were disrespectful to [redacted] and inappropriate to share with those subordinate to him,” the report said. “Col. Cartier’s disparagement became both pervasive and personal.”

Cartier denied using that language to describe the officer.

“Wow, no,” Cartier told investigators. “I mean that’s not terminology I would use.”

Witnesses also testified that in public meetings, Cartier treated that officer poorly. If the officer spoke up, witnesses said, Cartier would discredit him by saying, “I didn’t ask you,” or “We don’t really need to know the answer to that.”

“It was pretty consistent, to the point where [redacted] stopped going to the meetings,” a witness said.

Investigators also found that on another occasion, Cartier publicly chastised an airman for giving a bad briefing, and said something along the lines of “next time bring me a human that can answer my questions.”

Cartier acknowledged to investigators that she was displeased with the quality of the briefing and that she would publicly call out a subordinate for subpar work, but said it would be unlikely for her to say “send a human.” Cartier said she was more likely to say “send somebody who can brief.”

Regardless of how she may have phrased it, the IG found that Cartier made a public, derogatory statement in the wing conference room in front of 12 squadron commanders, directors of operations and assistant directors of operations.

“Whether Col. Cartier said send ‘a human’ or send ‘someone,’ the statement had a lasting, negative effect on [redacted] and others present at the meeting, with witnesses recalling this instance as an example of Col. Cartier failing to treat a subordinate with dignity or respect,” the report said.

Investigators concluded the two incidents showed that Cartier failed to treat subordinates with dignity and respect, in violation of Air Force regulations governing commanders’ responsibilities.

“These two instances represented personal attacks, rather than constructive criticism, of her subordinates,” the report said.

Cartier issued a response to investigators, in which she said being a wing commander was one of the greatest honors and responsibilities in her Air Force career, and expressing regret that some airmen under her command did not feel welcomed.

“I feel bad about the times that I made people not feel included because that’s not how I want to lead,” Cartier wrote in her response, part of which was quoted in the report.

“I’m sorry ... that people felt that way, I have more work to do. ... [I]t’s been my goal and my ... deep honor to be able to serve the airmen I have and make them feel like they are a part of the Air Force and [that] when they walk down the hall and they look at the leadership pictures, they see their Air Force reflecting back on them.”

*[Stephen Losey](#) covers leadership and personnel issues as the senior reporter for Air Force Times. He comes from an Air Force family, and his investigative reports have won awards from the Society of Professional Journalists. He has traveled to the Middle East to cover Air Force operations against the Islamic State.*

# APNewsBreak: Navy probing claims against war college leader

By Jennifer McDermott and Michelle R. Smith  
The Associated Press, June 7, 2019



*This image provided by the U.S. Navy shows Rear Adm. Jeffrey Harley, president of the U.S. Naval War College in Newport, R.I. Dozens of emails, which span from December 2017 to May 2019, were shared with The Associated Press by people at the war college who said they were concerned about Rear Adm. Harley's leadership and judgment. (U.S. Navy via AP)*

NEWPORT, R.I. (AP) — The military is investigating the president of the U.S. Naval War College amid allegations that he spent excessively, abused his hiring authority and otherwise behaved inappropriately, including keeping a margarita machine in his office.

Multiple current and former college employees told The Associated Press they have raised serious concerns for over a year about Rear Adm. Jeffrey Harley's conduct at the helm of the elite school that grooms future admirals and generals.

Dozens of emails and other documents obtained by the AP show the college has struggled to make payroll under Harley's leadership and spent about \$725,000 annually on raises while facing an annual shortfall of \$5 million or more.

Harley has also sent a series of emails to hundreds of students, faculty and staff that raised eyebrows, including offers of "free hugs" and games of Twister in his office.

In an interview with the AP last month, Harley blamed the fiscal strain on the Navy not fully funding new missions the college has taken on. And he said the emails merely reflected his lighthearted leadership style.

A small group of longtime college employees filed an anonymous complaint in April 2018 with the Navy's office of the inspector general.

The group members said they "hold no ill-will" toward Harley but that "his destructive and ethically challenged leadership style is destroying the college," according to a copy shared with the AP by two of the workers.

They, along with two other current employees and one former worker, spoke about their concerns with Harley on condition of anonymity because they feared professional retaliation.

Two of them told the AP that they and others were interviewed by investigators in September, but nothing happened. The group contacted the inspector general again in January with additional allegations of Harley flouting Navy rules and norms.

"The drinking continues. Morale is at an all-time low," the employees wrote in a January email. "Your biggest concern should be, however, the financial situation at the college."

They said they heard nothing again from investigators until last month, after the AP asked the Navy about Harley's conduct.

The Navy confirmed this week that it has received multiple complaints about Harley's behavior. It has not taken action against him so far.

"We do not comment on ongoing investigations," Navy spokeswoman Lt. Christina Sears said.

<https://apnews.com/b74f7065d23347778311680ac6d3896b>

Harley said he could not discuss any investigation: “That’s Navy business. But I think you’d be surprised to know that on any given day about 85 officers are under investigation,” he said.

He declined Wednesday to answer a series of questions about additional allegations — including his use of a margarita machine — and sent a campus-wide email downplaying the complaints, saying they were from “a few individuals.”

“All the decisions questioned in the allegations were subject to legal review either before or after the fact, and I believe that all of my decisions are within my authorities,” Harley wrote.

Founded in 1884 when the Navy was still transitioning from wooden ships to steel, the waterfront college in the well-heeled sailing community of Newport has served as a pre-retirement post for distinguished wartime commanders, including Vice Adm. James Stockdale, the Vietnam prisoner of war and Medal of Honor recipient.

Previously an assistant deputy chief of naval operations in Washington, Harley assumed command in July 2016 at the post-graduate institution, which graduates about 1,600 students each year and employs around 700 faculty and staff.

Harley himself acknowledged in a campus email in February that the school had to make across-the-board cuts to ensure it met payroll. Just last week, he asked for more cutbacks in travel budgets.

All five current and former employees blamed that in part on substantial raises — as much as \$10,000 to \$15,000 per year — that Harley appeared to grant unilaterally to some faculty, rather than consulting the college’s other senior leaders, as is customary.

Harley has told staff and faculty in emails this spring that the college was remedying pay gaps between men and women, balancing pay between departments and creating a system to avoid future disparities.

The employees also complained that Harley had hired unqualified people to high-paying jobs, sometimes exploiting a federal rule meant to allow colleges to quickly hire qualified professors. They questioned Harley’s spending of tens of thousands of dollars on certain contractors and others, who they said brought little benefit to the college.

Among the other allegations made with the inspector general’s office is that Harley drinks on duty. The employees alleged that Harley has a margarita machine in his office, and that “he moves the machine to suit his mood,” sometimes to a dining area for school leaders.

“He has invited members of the staff to his office for afternoon drinks, setting his employees up to either comply because he’s the boss or uncomfortably decline his offer because they do not want to drink during the workday,” the staffers said in their complaint.

Harley has also sent campuswide [emails](#) inviting people to his office for a game of Twister, in which players contort around one another on a mat, or for “free hugs (if desired).”

Workers called his often-rambling emails unbecoming of an admiral and said they left people wondering how Harley was spending his time and school resources.

In an email sent May 12, Harley boasted about a new portrait of himself, painted on velvet. He attached photos showing the picture hanging in a campus building among those of other college presidents.

“He preferred cats, Star Trek, red wine, baseball and was positively obsessed with achieving the perfect hair day,” according to a label he said he mounted with the picture.

Harley, who is bald, said the portrait was made by a professor who paid for it himself and gave it to Harley as a joke. He called it a way to poke fun of himself.

<https://apnews.com/b74f7065d23347778311680ac6d3896b>

In last month's interview, Harley called himself quirky and said he tries to use humor to break the tension in what can be a high-pressure environment. As a leader, he said, he will hug back appropriately. He said he does not actually own Twister.

"I do not believe there's anything in those emails that are derogatory, unethical, immoral or illegal," he told the AP.

Harley said he's making decisions in the best interest of the Navy and the college, and he believes his tenure has been extended for a fourth year at the war college, though the Navy is considering hiring a new president who would be a civilian. That would be a first for the college, and it could shorten Harley's time in Newport.

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*Smith reported from Providence, Rhode Island. McDermott can be reached at*

*<https://twitter.com/JenMcDermottAP> . Smith can be reached at: <https://twitter.com/MRSmithAP> .*

# The inside story on why Air Boss barred paddles from wagering boozy ‘bottle bets’ with nuggets

By Geoff Ziezulewicz

Navy Times, May 31, 2019



*Before the bottle bet ban took effect, a T-45C Goshawk, assigned to Training Air Wing 2, prepares to land on the flight deck of the aircraft carrier Harry S. Truman, which was underway in the Atlantic Ocean for Carrier Qualifications. (Navy)*

For decades, landing signal officers have stood on air strips and flattop decks, assessing student pilots coming in for landings, grading how those freshly winged aviators handle carrier qualifications, a penultimate step in a Navy fighter pilot’s schooling.

But many of those officers, known as LSOs, had been making so-called “bottle bets” with their charges.

And according to documents obtained by Navy Times, the long-time practice was both widespread in that tiny world of trainers and almost completely unknown to outsiders.

But in a message to the aviation community early last year, Vice Adm. [DeWolfe “Bullet” Miller III](#) outlawed the tradition, consigning bottle bets to naval aviation’s storied past.

“Practices like bottle bets with landing signal officers casts those in positions of leadership and mentoring as betting against the success of their charges, clearly not our intent,” Miller wrote.

“And practices where instructors expect to receive gifts from their students do not reflect who we are.”



*A T-45C Goshawk assigned to Carrier Training Wing 1 in 2017 performs a touch-and-go on the flight deck of the aircraft carrier Dwight D. Eisenhower while Ike was underway in the Atlantic Ocean. (Navy)*

Navy Times received a redacted copy of the [Naval Inspector General](#)’s probe into the now prohibited practice.

It offers a peek into the often-closed community of aviators and what ultimately killed off a boozy tradition that had lasted generations.

It all began with a wager.

The LSOs taking students through carrier qualifications — or CQ — made bets with their students regarding a variety of landing criteria, from hitting the correct target wire to catching it on their initial hook-down pass.

When students flying the [T-45 Goshawk](#) training aircraft or F/A-18 strike fighters didn’t hit the marks, they’d owe their LSO a bottle of booze.

Or several.

Also known as “Paddles” in homage to their lower-tech predecessors who used ping pong-like rackets to guide pilots to safe landings, LSOs would make off with bottles of top-shelf liquor bought by their CQ pupils.

In at least one squadron, students were told in recent years that they would not get their carrier qualification stamp in their logbook until they settled up the bottle bets, according to the records obtained by Navy Times.

<https://www.navytimes.com/news/your-navy/2019/05/31/the-inside-story-on-why-air-boss-barred-paddles-from-wagering-boozy-bottle-bets-with-nuggets/>

At least one pilot reported that some students were uneasy with the practice but worried it would be career suicide if they refused to go along, records show.

This was all in addition to “party bets,” where all the students had to win wagers for actions such as hitting the target wire on five of the first 10 hook-down passes when landing on a carrier.

“You are only required to take the party bet, however your reputation as a quiche eater will endure if it is the only bet you take,” one squadron’s official LSO bet briefing sheet included in a 2017 whistleblower complaint about the practice notes.



*An incoming Douglas Dauntless dive bomber makes a satisfactory approach to the flight deck of an aircraft carrier and the pilot gets the signal to cut his engine from the Landing Signal Officer. The waving "paddles" of the Landing Signal Officer are the guides of incoming pilots, and their semaphored signals are final authority in all landings. If the Landing Signal Officer is dissatisfied with the approach, he signals a "wave-off" and the pilot zooms up to go around again. (Drawing, charcoal and gouache on paper; by Lawrence Beall-Smith in 1943. The gift from Abbott Laboratories now resides in the collections of the U.S. Naval History and Heritage Command)*

By November of that year, the whistleblower — a pilot — had had enough of bottle bets, according to the records.

The name and job description of the pilot who first spoke out against bottle bets are redacted in the copy of the Naval Inspector General’s probe obtained by Navy Times, as are names of the

involved squadrons and other aviators.

But it’s clear that the whistleblower initially reported the beef against bottle bets to the U.S. Fleet Forces Inspector General in November 2017.

The following month, the pilot wrote to Sen. Mark Warner’s office for more help.

The whistleblower told the Virginia Democrat that the Fleet Forces IG complaint got pushed down to the Naval Air Force Atlantic IG, despite the pilot’s contention that bottle bets were a problem extending to training and fleet replacement squadrons nationwide.

Rumors quickly swirled throughout the aviation community that someone had squealed about the tradition.

“Numerous students have shared with me that they are not okay with ‘bottle bets,’ but they are afraid that it could harm their careers if they do not participate,” the pilot wrote.

“Based on the fleet-wide reaction to my report, they have good reason for concern.”



*Santa Claus gives the signal to launch a T-45C Goshawk from Training Air Wing Two on the flight deck of the aircraft carrier George Washington in late 2016. George Washington was underway in the Atlantic Ocean. (Navy)*

The pilot alleged that bottle bets were going on at fleet replacement and training squadrons across the country, from the “Gladiators” of Strike Fighter Squadron 106 in Virginia to Naval Air Station Whidbey Island where the “Vikings” of Electronic Attack Squadron 129 fly Washington’s skies.



<https://www.navytimes.com/news/your-navy/2019/05/31/the-inside-story-on-why-air-boss-barred-paddles-from-wagering-boozy-bottle-bets-with-nuggets/>

“Every command that conducts CQ most likely carries out ‘bottle bets,’ to include VFA-122 at NAS Lemoore, VAQ-129 at NAS Whidbey Island, VT-7 and VT-9 at NAS Meridian, and VT-21 and VT-22 at NAS Kingsville,” the complainant wrote.

The Naval Inspector General substantiated the allegation and wrote in its final summary that the evidence suggested “a systemic problem.”

“This practice is condoned by squadron leadership through active participation,” the pilot wrote.

“Instructors pressure students into participating by threatening to withhold pilot logbook stamps that certify completion of CQ, and to undermine the reputation of any student who does not agree to their bets.”

And that breaks ethics and federal regulations regarding gifts between employees, the pilot wrote.

“Tradition is not an acceptable justification or defense to continue a practice that violates federal law and exploits subordinates,” the pilot wrote.

While the practice was supposed to be voluntary, the culture inside naval aviation suggested otherwise, according to the pilot.

“The very nature of the instructor-student relationship, the high pressure inherent in carrier qualifications, and the significant role an individual’s reputation plays in his or her potential for advancement makes it very unlikely that a student will refrain from going along with ‘bottle bets,’” the pilot wrote.

Because LSO instructors are the sole arbiters of whether a student pilot lands properly during the carrier qualifications phase, refusing to go along could prematurely end a young aviator’s career, the pilot wrote.

“The potential consequences of failing CQ places tremendous pressure on students to participate,” the whistleblower continued.

“A new pilot’s reputation is a common source of discussion throughout flight training and considered a vital component for future advancement and a successful career.”



*A T-45C Goshawk assigned to Carrier Training Wing 1 in early 2017 prepared to launch from the flight deck of the aircraft carrier Dwight D. Eisenhower while Ike was underway in the Atlantic Ocean. (Navy)*

The pilot included undated squadron bottle bet spreadsheets in his complaint that showed nine students owed at least 43 bottles to their instructors.

That spreadsheet states that a bottle should cost “\$40 max,” while two bottles owed equals a “Nice Bottle” and three owed equals a “High End Bottle.”

“PILOTS GET EXACT BOTTLE ORDER FROM LSO!” the spreadsheet’s author mandated.

The pilot suggested in his complaint that some LSOs could bank booze worth thousands of dollars throughout several CQ phases each year.

Records submitted with the complaint include an official “LSO Bet” form that laid out how the bottle bet system worked at one squadron, but its name was redacted in the documents obtained by Navy Times.

“Attached is the Bet Sheet breakdown for our most recent CQ detachment for the agreement that you all signed,” a message from an unidentified member included in the complaint states. “You can see your bets and whether you won/loss, at the bottom you can see the fines assessed against you for your various infractions.”

Infractions were listed separately from landing bets on the spreadsheets attached to the complaint.

<https://www.navytimes.com/news/your-navy/2019/05/31/the-inside-story-on-why-air-boss-barred-paddles-from-wagering-boozy-bottle-bets-with-nuggets/>

One sheet showed booze owed for telling “the longest joke ever” and another for “not offering Paddles a beer at debrief.”

Another message noted that in one group, only one student won a bet. What was wagered, however, wasn't spelled out in the message.

“CQ logbook stamps will not be issued until BOTH parties in each crew have fulfilled their bets,” one message states. “YOU HAVE TO GET YOUR LOGBOOK STAMPED PRIOR TO LEAVING THE SQUADRON.”

In the letter to Warner, the whistleblower wrote of being past a point in Navy career where a bottle bet would need to be paid, and the pilot wrote of never taking one. That suggested the aviator once served as an LSO.

“I understand that there may be a lot of sentimentality and tradition with these ‘bottle bets,’” the whistleblower continued. “However, it certainly would not be excusable if they involved cash, and the law does not differentiate between the two.”

- [Bullet's bold blueprint to save Navy aviation](#)

After substantiating the pilot's claims, Naval Inspector General investigators worried they might have uncovered a larger problem and briefed both Chief of Naval Operations Adm. John Richardson and “Air Boss” Miller.

About a month after he became the sea service's top aviator, Miller released a Feb. 24, 2018 “Personal For” message that banned bottle bets across the Navy.

“Ours is an inherently risky, yet exhilarating and rewarding profession, and naturally our culture manifests itself through a variety of customs and practices,” Miller's message states.

“But every now and then, drift sets in and we find ourselves wavering away from our professional roots.”

He stressed that naval aviators must celebrate the triumphs in their unique and adrenaline-fueled profession, but they still should do the right thing “every time.”

“The relationship between instructors and students, teachers and learners, senior aviator to junior nugget is truly unique,” Miller wrote.

“I encourage recognition of those events where we have reached our theoretical limit — like landing a burdened aircraft on a dark and stormy night with a pitching deck.”

*[Geoff Ziezulewicz](#) is a senior staff reporter for Military Times, focusing on the Navy. He covered Iraq and Afghanistan extensively and was most recently a reporter at the Chicago Tribune. He welcomes any and all kinds of tips at [geoffz@militarytimes.com](mailto:geoffz@militarytimes.com).*

[https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f\\_story.html](https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f_story.html)

# Leaked Navy emails show top officers struggling with how to handle a former governor ensnared in scandal

By Dan Lamothe

The Washington Post, May 31, 2019



[Watch Missouri Gov. Greitens' full resignation announcement](#)

May 29, 2018 / 5:36 PM EDT

*Missouri Gov. Eric Greitens resigned on May 29, 2018 amid allegations of sexual misconduct and campaign fundraising violations.*

The year was just beginning when a Trump administration official contacted the Navy with a question about former Missouri governor Eric Greitens, a veteran of the wars in Iraq and Afghanistan who had resigned from office amid a sexual misconduct scandal and criminal investigation.

Joseph D. Kernan, a retired admiral and Navy SEAL, knew Greitens from their time in the military. Now the Pentagon's undersecretary of defense for intelligence, Kernan wanted to know whether there was a way in which Greitens could return to military life, according to documents and emails obtained by The Washington Post.

It was not a simple question for the service.

Greitens, 45, admitted to having an extramarital affair but denied accusations that he coerced the woman involved into a sexual act and threatened to publicize a photo of her partially nude if she ever went public with their relationship.

The charges were dismissed amid allegations of prosecutorial misconduct, and Greitens had a decorated past that included hunting al-Qaeda in combat, founding the veterans nonprofit the Mission Continues and publishing a best-selling book that discussed his service.

Four months later, the Navy is still weighing what to do with Greitens and how it should handle other cases involving alleged misconduct in the future.

While the door has been opened to Greitens continuing to serve, the Navy has not decided whether it will allow him to take a position outside of his home state that he might desire, three Navy officials said, who like others spoke on the condition of anonymity because of the sensitivity of the situation.

Greitens's potential reemergence in the military, [first reported by the Kansas City Star](#), has left the Navy facing questions about its judgment in an era in which sexual assault statistics in the military have drawn outrage.

But in a move that has not previously been reported, the case also has prompted the chief of naval operations, Adm. John Richardson, to call for a new 30-day review of how the service handles personnel cases involving personal misconduct allegations, including Greitens's.

Richardson, writing May 26 in an email to other admirals, said the "recent events involving the transition of Mr. Greitens" have "excited a persistent frustration of mine that I want to address more comprehensively." The Navy's policies and practices for addressing personal misconduct are "too cumbersome and slow," creating situations where officials end up retaining people "we'd rather see dismissed from our ranks."

Such decisions, Richardson concluded, weaken "the ethical fiber of our Navy" and put the service "in a situation that is hard to explain to ourselves, and even more difficult to explain to the American people."

[https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f\\_story.html](https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f_story.html)

In an interview with The Post, Richardson acknowledged sending the email and said he wants to know whether the Navy needs more agility to handle cases of alleged misconduct that fall short of criminal matters.

“It’s a much more broad thing that I think might have been stimulated by this discussion of the Greitens case, but it’s really been simmering,” said Richardson, who will retire this summer. “We have been poking at this issue at different directions for some time.”

Richardson, asked about the status of Greitens’s future in the Navy, cited the review. “It will all be a part of this thing,” he said.

The admiral’s comments underscore how sensitive it has become for Greitens to put on a uniform again.

The former governor, once seen as a rising star in the Republican Party and as potential presidential timber, resigned last June after he was charged with two felonies: invasion of privacy and tampering with computers. In addition to the accusation involving the nude photograph, prosecutors said he had illicitly used the donor list of the Mission Continues for political fundraising.

Both charges were dropped, but Greitens resigned under threat of impeachment after a Missouri state investigative committee found the woman credible, [according to a report the panel issued](#). As he left office, Greitens echoed a refrain of President Trump, who endorsed him in his gubernatorial run, calling the prosecution a “political witch hunt.”

Greitens, reached by The Post on Thursday, declined to comment.

A former senior defense official acknowledged speaking extensively with Greitens about where he might fit and confirmed making inquiries on Greitens’s behalf about whether there was a home for him on the National Security Council’s staff as a military officer.

Warren Lockette, another former defense official and friend of Greitens, said the former governor has been wrestling with what to do with his life and is still driven to serve others.

“This feeling of service and what he gets out of it, it doesn’t go away,” said Lockette, who served during the Obama administration. “I’m hoping that wisdom prevails, and the politics step aside, and he is allowed to do what he does so well.”

In January, Kernan — and days later, Greitens — approached the Navy about the former governor returning to active duty. The Navy’s top admiral overseeing personnel, Vice Adm. Robert Burke, spoke with Greitens, and the possibility of Vice President Pence requesting him by name for a military assignment was raised, military documents said.

An official close to Pence denied that the vice president had any interest in bringing on Greitens.

“He was never under consideration to join our staff for any role, nor do we have any knowledge of any discussion within the administration of him joining in any role,” the official said.

The former senior defense official assisting Greitens said they never brought up the possibility of serving under Pence, and he said he is not sure how that idea was raised.

Through a spokesman, Kernan declined to comment on his interest in Greitens’s career.

Emails viewed by The Post outline a case in which some admirals expressed concerns about Greitens. In January, an early assessment of whether the service should bring Greitens back on active duty prompted the senior officer in charge of recruiting, Rear Adm. Brendan McLane, to recommend against it.

[https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f\\_story.html](https://www.washingtonpost.com/world/national-security/navy-review-launched-after-missouri-governor-who-resigned-amid-scandal-gets-new-military-assignment/2019/05/31/0b0f4742-8221-11e9-95a9-e2c830afe24f_story.html)

“The sexual nature of the charges are not in line with our Navy Core Values, and the campaign finance violations not only do not inspire trust and confidence in his integrity, but also represent a real risk from a security clearance perspective,” McLane wrote.

Greitens was informed he would not be able to transition to active duty. He shared afterward that the charges had been dropped and asked whether he could actively serve instead as a reserve intelligence officer, documents show.

At the time, he was a member of the Individual Ready Reserve, a part of the service in which members are not paid or required to train and are often referred to as former service members. Greitens sought a shift to the Selective Reserve, which would allow him to take a new role more quickly and with less screening.

The Navy ultimately allowed Greitens to become a general unrestricted line officer at a support center in St. Louis at his current rank, lieutenant commander. It is not clear what role he would fill with that job.

Documents show that the Navy SEALs, with whom he had served previously, were not interested in bringing him back, citing his age and concerns about his character. But Lockette said Greitens actually was not interested in returning as a SEAL anyway.

Burke wrote to other admirals that an investigation confirmed that all charges were dropped against Greitens without a plea agreement and noted the ongoing investigation into whether prosecutors acted legally.

Burke defended the manner in which the Greitens case was vetted and handled.

“I write Senators and Congressmen several times a month telling them why we can’t do a favor for this or that constituent — based on our team sticking to the established standards and process,” wrote Burke, who was just confirmed by the Senate as the Navy’s next No. 2 officer. “I recommend against bending the process in the other direction because of some incomplete or inaccurate press reporting.”

*Anne Gearan and Julie Tate contributed to this report.*

*[Dan Lamothe](#) joined *The Washington Post* in 2014 to cover the U.S. military and the Pentagon. He has written about the Armed Forces for more than a decade, traveling extensively, embedding with each service and covering combat in Afghanistan numerous times. [Follow](#)*

# Navy captain's lust for teenager rightly brought him eight years in prison, court rules

By Nancy Montgomery

Stars and Stripes, June 6, 2019



*Then-Cmdr. Alan Dorrbecker, delivers a speech at a change of command ceremony in Guantanamo Bay, Cuba, Aug. 24, 2011. An appeals court last week affirmed the verdict and 8-year prison sentence handed to Capt. Dorrbecker for attempted sexual abuse.*

*COURTESY U.S. NAVY*

A Navy captain who brought wine, a piggy bank and condoms to a purported sleepover with an adolescent he met at a Naples base library [was properly found guilty](#) of attempting to sexually abuse and assault a child, the Navy's appellate court ruled.

The court affirmed May 29 the verdict and eight-year prison sentence handed to Capt. Alan Dorrbecker at a court-martial in Norfolk, Va., two years ago.

Dorrbecker, a married submarine commander in his forties, had argued in his appeal that his actions could have constituted only the lesser crime of attempted enticement of a minor to engage in sexual activity.

The court ruled that Dorrbecker's journal and emails to Navy investigators posing as the girl — who happened to be the daughter of Naval Criminal Investigative Service employees — demonstrated his intent to commit the crimes.

His arrival at the house for the fake sleepover carrying condoms and lubricant was the “substantial step” toward completion the law requires for attempted offenses, the court said.

Two of three judges on a Navy-Marine Corps Court of Criminal Appeals panel decided that although emails between Dorrbecker and a Navy investigator posing as the girl showed Dorrbecker would not have kissed, caressed or had intercourse with the girl unless she agreed to it, that didn't matter. The girl was 14 or 15, according to court documents.

“If an accused decided to rob a bank and drove up to the bank with a gun in furtherance of his plan, but then abandoned his plan when he saw an armed guard inside the bank, he would still be guilty of attempted bank robbery,” the decision said.

A third judge disagreed with that analysis. Dorrbecker's desire to have sex with the girl “did not constitute the required criminal specific intent to commit sexual assault and sexual abuse of a minor” because the evidence showed that Dorrbecker and the investigator posing as the girl had not agreed to “proceed or not with sex.” They had agreed only to discuss it, court documents stated.

Dorrbecker met the girl in 2015 at the library at Naval Support Activity, Capodichino, in Naples, Italy, where she was a part-time summer hire.

Dorrbecker gave her his email so he could send her information on a website offering free books, and for the next week the two emailed each other about books, music, school and family life, according to court documents.

The girl's parents found out about the emails and agreed that Dorrbecker might be “grooming” the girl for sex. NCIS opened an investigation and a special agent assumed the girl's identity with a new email address, saying her “parents” were monitoring her old address.

<https://www.stripes.com/news/navy-captain-s-lust-for-teenager-rightly-brought-him-eight-years-in-prison-court-rules-1.584839>

Soon, Dorrbecker started emailing sexually explicit stories he called “tales of the bizarre.” He did not solicit sex or ask for photos of the girl, according to court documents.

Meanwhile, the special agent, acting as the girl, told Dorrbecker that she thought about kissing him and asked if he wanted to kiss her. He said he did.

“As the NCIS operation progressed, the agent initiated sex-related discussions at an increasing rate,” according to court documents.

“The appellant responded to (the girl’s) concerns with detailed and lengthy answers that indicate he was genuinely trying to be helpful to her,” the documents said. “He also increasingly discussed his romantic interests in her.”

Dorrbecker’s journal writings and emails, all admitted as evidence, showed him wrestling with, then justifying his lust for the adolescent girl he inexplicably called “Drops.” “I cannot believe that I am conniving to betray my wife with a teenager,” he wrote in his journal.

Dorrbecker thought his feelings were reciprocated. “Drops has declared her love for me in texts and strongly hinted at it in emails,” he wrote.

“I know the world writ large would condemn me as a monster, a pervert, someone who would prey on the innocence of youth for my own gain,” he wrote in an email. “I would lose my job, most of my life savings, be labeled as a sex offender..., lose my family — all because I want to hold you close, feel your skin, gently caress your cheek, smell the fragrance of your hair.”

In November 2015, Dorrbecker suggested a rendezvous, which the special agent agreed to, but then sent regrets.

Sometime after that the agent suggested Dorrbecker join “Drops” for a sleepover while she was dog-sitting. He agreed the idea was “very, very exciting!!”

Dorrbecker was arrested as soon as he entered the house.

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**previous coverage**

# Two-star general at Nellis fired over suspected unprofessional relationship

By Stephen Losey

Air Force Times, June 5, 2019



*Maj. Gen. Peter Gersten addresses ceremony attendees after taking command of the U.S. Air Force Warfare Center on July 13, 2017, at Nellis Air Force Base, Nevada. Gersten was relieved of command June 2 due to allegations of an unprofessional relationship. (SrA Joshua Kleinholz/Air Force)*

Maj. Gen. Peter Gersten, the commander of the [Air Force Warfare Center](#) at Nellis Air Force Base in Nevada, was relieved of command Sunday over allegations of an unprofessional relationship.

“The Air Force holds leaders to high standards and expects them to uphold the core values of the service at all times,” Air Combat Command spokeswoman Leah Garton said in an email. “There is currently an on-going investigation and additional details will not be released at this time.”

ACC commander Gen. Mike Holmes fired Gersten “due to a loss of confidence in his ability to command based on an alleged unprofessional relationship,” the command said in a Wednesday release.

Brig. Gen. David Snoddy, vice commander of the [warfare center](#), has now assumed command. He will run the [warfare center](#) until July, when Maj. Gen. Charles Corcoran — who was already slated to be the center’s next commander — is scheduled to take over.

Gersten is an F-16 Falcon pilot who graduated from the Air Force Academy in 1989. He has also flown the unmanned MQ-1 Predator, MQ-9 Reaper and RQ-170 Sentinel, and has more than 2,800 flight hours. The Air Force said that 400 of those flight hours were in combat over Iraq, Syria, Afghanistan and Bosnia.



*Maj. Gen. Peter Gersten, who was relieved of command of the Air Force Warfare Center on June 2, 2019, discusses AFwerX, July 31, 2017, at Nellis Air Force Base, Nevada. (Lawrence Crespo/Air Force)*

He has commanded the Air Force Warfare Center since July 2017 and has also held leadership roles in the Pentagon and as deputy commander for operations and intelligence for Combined Joint Task Force-Operation Inherent Resolve.

The Air Force Warfare Center was originally founded in 1966 as the Air Force Tactical Fighter Weapons Center and trains airmen to be ready to fight integrated combat operations while deployed. Nellis’ website said the center is intended to be “the world’s premier proving ground for air, space and cyberspace lethality.”

*[Stephen Losey](#) covers leadership and personnel issues as the senior reporter for Air Force Times. He comes from an Air Force family, and his investigative reports have won awards from the Society of Professional Journalists. He has traveled to the Middle East to cover Air Force operations against the Islamic State.*



# **Racism**

# Judge allows racist FB page as evidence in fatal stabbing

By Michael Kunzelman

The Associated Press, June 5, 2019



*This combination of photos provided by the U.S. Army and the University of Maryland Police Department shows Richard Collins III, right, and Sean Urbanski. Prosecutors can present evidence that Urbanski, a white man charged with fatally stabbing Richard Collins III, on the University of Maryland's campus had racist memes on his cellphone and "liked" a racist Facebook page, a judge ruled Wednesday, June 5, 2019. (U.S. Army, University of Maryland Police Department via AP, File)*

UPPER MARLBORO, Md. (AP) — Racist memes on a cellphone and a [racist Facebook page](#) can be used as evidence in the trial of a white man charged with murder and a hate crime in a black student's fatal stabbing on the University of Maryland's campus, a judge ruled Wednesday.

Sean Urbanski's attorneys argued it would deprive their client of a fair trial if jurors were to see evidence that the 24-year-old liked a Facebook page called "Alt-Reich: Nation" and had at least six photographs of racist memes on his phone.

Prince George's County prosecutors said the racist content found on Urbanski's cellphone point to a motive for the killing, indicating he stabbed Bowie State University student Richard Collins III because he was black.

"These photographs show that the defendant has a bias against black people," said deputy state's attorney Jason Abbott. "These photos show violence against black people."

Urbanski's lawyers argued the material is inflammatory, irrelevant and inadmissible, with no connection between the content and the killing.

"Possessing racially insensitive material is not against the law. It is protected by the First Amendment," said defense attorney William Brennan, who cited a New York Times story that suggested the Facebook page was created as a parody.

But Circuit Court Judge Lawrence Hill Jr. denied the defense's request to exclude the evidence from a trial scheduled to start in late July.

"There are some (memes), or a few, that do suggest some level of violence," the judge said. "It will not be unfairly prejudicial for the state to use this evidence."

Urbanski is charged with first-degree murder and a [hate crime](#) in the May 2017 killing of Collins, 23, who was visiting friends at the University of Maryland's College Park campus when he was stabbed to death at a bus stop.

Hill also refused Wednesday to throw out the hate crime charge. The judge rejected defense lawyers' argument that the racist material extracted from Urbanski's cellphone and the deleted Facebook page are protected speech under the First Amendment.

"Every person has a right of freedom of speech," Hill said. "The defendant is not here for a violation of freedom of speech."

Urbanski is a former University of Maryland student. Collins was commissioned as a second lieutenant in the U.S. Army shortly before his death.

<https://apnews.com/e1c541dd432f4420adc36d895055d6fc>

Authorities said Urbanski approached Collins and two of his friends near a bus stop on the university's College Park campus about 3 a.m. Urbanski said, "Step left, step left if you know what's best for you," and Collins replied, "No," before Urbanski stabbed him once in the chest, according to charging documents.

Brennan, the defense attorney, said witnesses told investigators that Urbanski was extremely drunk and screaming incoherently when he approached the three friends at the bus stop.

"They could not understand what he was saying," Brennan said.

Police determined that Urbanski's blood alcohol content was .10 approximately eight hours after the killing, according to Brennan. He said a defense expert estimates Urbanski's blood alcohol content would have been nearly three times the legal limit of .08 at the time of the fatal stabbing.

Prosecutors said Urbanski stabbed Collins because he was the only black person at the bus stop that night. The friends who were with Collins that night were a white male and an Asian female. Assistant State's Attorney Jonathan Church said Urbanski separately told the white friend and Asian friend to "step left."

"And then he goes straight for Lt. Collins and stabs him in the chest," Church added.

Brennan said there's no evidence that Collins was "selected" because he was black.

Prosecutors showed surveillance video of the killing to the judge on a screen that wasn't visible from the courtroom gallery. After stabbing Collins, Urbanski folded the knife, put it in his pocket and sat down on a bench until police arrived, according to Church.

Prosecutors also showed the judge the racist memes found on Urbanski's phone. One of them "advocates violence against blacks," while another has an image of a noose, a handgun and poison, Church said.

Church said the racist images had been saved in a folder that also contained photos of Urbanski with friends and relatives — "the most intimate details of his life," the prosecutor added.

"They are about who he is and what he is about," Church said.

Urbanski's lawyers also asked the judge to [sever](#) the hate crime charge from the first-degree murder charge and schedule separate trials for each count. Hill rejected that request, too.

# Oregon bill cracks down on racially motivated 911 calls

By Sarah Zimmerman

The Associated Press, June 3, 2019



*In this Jan. 9, 2017 file photo, Rep. Teresa Alonso Leon and Rep. Janelle Bynum, right, high-five after members of the House of Representatives are sworn into office at the Oregon State Capitol in Salem, Ore. Oregon is responding to a number of widely shared videos around the nation showing white people calling the police on African Americans going about everyday activities. The Senate voted 27-1 Monday, June 3, 2019, on a measure co-sponsored by Bynum, allowing victims of such 911 calls to take the caller to court for damages up to \$250. (Molly J. Smith/Statesman-Journal via AP, File)*

SALEM, Ore. (AP) — Oregon moved to crack down on racially motivated 911 calls on Monday, responding to a series of publicized incidents across the country where predominantly white civilians called the police on black people going about everyday activities like napping or barbecuing.

Victims of those police calls would be able to sue the caller for up to \$250, under a measure overwhelmingly approved by state Senate.

The move is a joint effort by the Oregon Legislature’s only three black lawmakers and is meant to “shine a spotlight on an issue African Americans have known for far too long,” according to sponsoring Rep. Janelle Bynum.

“When someone gets the police called on them for just existing in public, it sends a message that you don’t belong here,” said Bynum, the only black member of the House.

A black family in Oakland had the cops called on them for barbecuing in the park. A Yale graduate student was questioned for sleeping in her dorm’s common room. And a pair of black men were arrested in a Philadelphia Starbucks after one of them tried to use the restroom, sparking public outcry and the closure of 8,000 stores across the country for “racial bias” training.

Bynum proposed the legislation after being on the receiving ends of such a call. She was canvassing door-to-door for her re-election campaign last year when a woman called 911 because Bynum looked “suspicious.”

She said although she was able to get an apology from the woman, she realized that most people have no way to hold these callers accountable.

“This creates a legal pathway to justice for those of us who have to worry about getting the cops called on us for existing in public,” she said.

Victims of these calls must be able to prove the caller had racist intent, and that the caller summoned a police officer to purposefully discriminate or damage a person’s reputation.

That’s difficult to prove, said Sen. Alan Olsen, a Republican and one of the few critics of the bill. He adds it could discourage people from reporting crime, making “our communities less safe.”

Sen. Lew Frederick, a black lawmaker and one of the measure’s co-sponsors, said people could still call the police if they suspect a person is committing a genuine crime.

He added that the proposal is about making Oregon “a more equitable community” and formally recognizing the daily hardships faced by minority communities.

<https://apnews.com/992e5de985264f5fb2a4e4b3a5d0f1d1>

People of color fear police for reasons a predominantly white Legislature could never understand, Frederick said. Unnecessarily dispatching the police only heightens those tensions between police and the black community.

“It’s not just an inconvenience when a police officer stops me,” he said. “When a police officer stops me, I wonder whether I’m going to live for the rest of the day.”

Although the measure was approved by the House, the chamber still needs to sign off on a technical change before it heads to the governor.

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**SEE ALSO:**

*USA TODAY* reprinted the article above and added hyperlinks to other related articles [in the text](#).

You can also watch a *USA TODAY* [video](#) about this story.

# This report says black and Hispanic service members are more likely to face trial

By Meghann Myers

Military Times, May 31, 2019



*The 167th Theater Sustainment Command judge advocate general hosts a mock trial with members of the Alabama National Guard. Statistics show that men, and troops of black or Hispanic background, may be more likely to face trial than their counterparts. (Staff Sgt. Katherine Dowd/Army)*

Men in the military are much more likely to go to [court-martial](#) than women, according to recently compiled data, and [black](#) or Hispanic service members of either gender are more likely to face a trial than their white counterparts. However, once service members get to trial, the likelihood of a conviction is nearly the same across all demographic backgrounds.

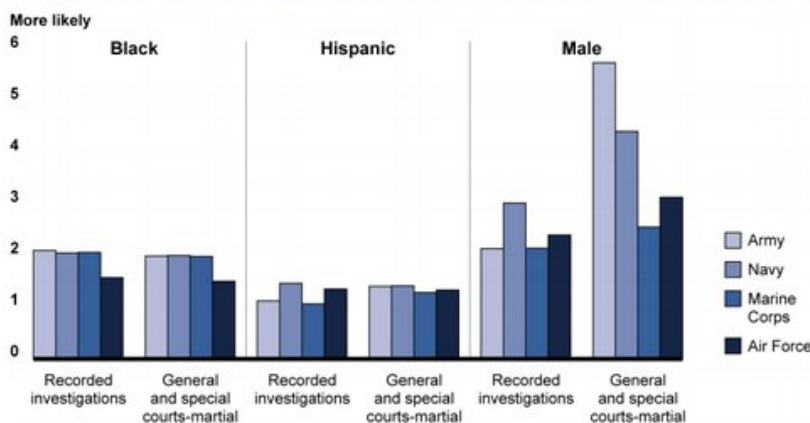
Those are the key findings of a [Government Accountability Office](#) study released Thursday.

But the GAO acknowledges the report, spurred by lawmakers concerned by racial inequity in the military justice system, does not have enough information to reach any major conclusions about the data.

Throughout the services, according to the report, men were as much as six times more likely to face a trial, while black service members were about twice as likely to have their charges referred and Hispanic troops were about one-and-a-half times as likely. But overall, the report found, the inconsistent ways in which the services report and track gender, race and ethnicity make it difficult to mine the data available for these disparities.

One example, the report found, is the large number of potential responses for race and ethnicity across the military services' databases. There are between five to 32 options for race and two to 25 options for ethnicity, "which can complicate cross-service assessments," the report found.

**Likelihood that Servicemembers Were Subjects of Recorded Investigations and Tried in General and Special Courts-Martial, Fiscal Years 2013-2017**



*A Government Accountability Office report release in May shows a disparity in courts-martial ordered for male, black or Hispanic service members. (GAO)*

The study, mandated by Congress in the 2018 National Defense Authorization Act, looked at data from 2013 to 2017, including 258,000 cases of

discipline under the Uniform Code of Military Justice in the Army, Air Force, Navy, Marine Corps and Coast Guard.

What they found, after controlling for race, gender, rank, education — and because the Air Force tracks it, airmen's years in service — was that overall, men are between two and six times more likely to see a court-martial after they've been investigated than women.

<https://www.militarytimes.com/news/your-military/2019/05/31/this-report-says-black-and-hispanic-service-members-are-more-likely-to-face-trial/>

That high end is in the Army, followed by about 4.5 times in Navy, three times in the Navy and just over two times in the Marine Corps.

Black service members of either gender were about twice as likely to see court-martial in the Army, Navy and Marine Corps, and close to 1.5 times in the Air Force. For Hispanic troops, it was about 1.5 times across the services.

However, according to the data, once at general or special court-martial, there was no statistical significance in the outcome — members of all races and ethnicities were convicted at similar rates. In most instances, the report found, minority service members were given the same, or less severe, punishments than their white counterparts.

### **Keeping track**

Beyond those findings, what the GAO report concluded is that the services will have to do a better job tracking these statistics before anyone can determine whether there are demographic disparities in the military's criminal justice system.

In 2017, service members advocacy organization Protect Our Defenders published its own report, concluding that black troops were having [drastically different outcomes](#) under UCMJ, per data obtained by Freedom of Information Act request.

- [Here's what you need to know about the biggest update to UCMJ in decades](#)

The GAO's findings support some of those claims, but their 11 recommendations take aim at the data collection itself. They include:

- That the Army, Navy and Air Force departments should record ethnicity and race data in investigations and personnel databases using the same categories as military justice databases.
- The the Coast Guard should modify its military justice database to be searchable by gender, as well as include race and ethnicity data.
- That Defense Department's annual UCMJ review should consider an amendment to require gender, race and ethnicity as part of its reporting requirements.
- That both DoD and the Homeland Security Department should review cases and track disparities in gender, race or ethnicity.
- That the Army, Navy and Coast Guard should consider collecting complete demographic information for their non-judicial punishment reports.
- That both DoD and DHS should do a joint evaluation to identify demographic disparities, and address the causes.

DoD fully concurred with all but two recommendations, only adding that DHS be looped in on any recommendations directed at all five services, and that any efforts be under the authority of those departments, rather than any offices within them. DHS concurred across the board.

*[Meghann Myers](#) is the senior reporter at Army Times. She covers personnel, leadership, fitness and various other lifestyle issues affecting soldiers.*

# Religion



## Beard and turban approved for Sikh airman

By Kristine Froeba

Air Force Times, June 6, 2019



*Airman 1st Class Harpreetinder Singh Bajwa has become the first active-duty Sikh airman permitted to wear a turban, beard and long hair, following the practices of his faith. (Courtesy of Harpreetinder Singh Bajwa)*

For the first time, the Air Force has granted a Sikh airman permission to wear a turban, beard and long hair, following the practices of his faith.

Airman 1st Class Harpreetinder Singh Bajwa, a crew chief at McChord Air Force Base, Washington, is now the first active airman who has been authorized to adhere to Sikh religious grooming and dress principles while serving in the Air Force.

“I’m overjoyed that the Air Force has granted my religious accommodation,” said Bajwa. “Today, I feel that my country has embraced my Sikh heritage, and I will be forever grateful for this opportunity.”

A first-generation American, born to an immigrant family, Bajwa enlisted in the Air Force in 2017, eager to give back by serving his country. At the time, he was not permitted to practice certain Sikh beliefs due to [Air Force grooming and dress rules](#).

- [A soldier just got authorization to wear a beard because of his Norse pagan faith](#)

Sikhs tie their hair in a bun on top of their head, which is then covered by a turban. In the Rehat Maryada, the code of conduct and conventions for Sikhism, it is explicitly written that Sikh men do not cut their hair, shave and must wear a turban. The Rehat Maryada, however, conflicts with current Air Force regulations on uniform and grooming appearances.

In 2018, the Air Force granted its first [religious accommodation beard waiver](#) to a Muslim airman, allowing him to wear a beard while in uniform. Previously, the only exceptions for active-duty personnel were medical waivers. There are also exceptions for Air Force Reservists serving less than 30 days.

- [First Air Force JAG officer to wear hijab featured in short NBC documentary](#)

Bajwa says he initially asked if he could request a waiver during tech training a year ago in Charleston, South Carolina, and said he was never told “no” by leadership.

“I asked my military trainer and she helped me find the proper waiver application, then I waited until I reached my next assignment,” he said.

The airman credits the combined efforts of Air Force Leadership, the Sikh American Veterans Alliance and the American Civil Liberties Union for his success in being granted permission three months ago to adhere to his faith in uniform.

“I’m extremely happy I can practice my faith and serve my country,” said Bajwa.

Heather L. Weaver, senior staff attorney for the ACLU, applauded the Air Force’s decision.

“No one should have to choose between following their faith or serving their country,” she said in a news release. “We’re pleased that the Air Force granted our client’s request, and we hope that all branches of the military come to recognize the importance of religious inclusion and diversity.”

Army Lt. Col. Kamal Kalsi Singh, president of SAVA, added: “As one of the first Sikh service members to receive a religious accommodation from the Army, I’m proud to see Bajwa become the first active Airman allowed to wear his Sikh articles of faith while in uniform. Sikhs have a long history of serving in militaries around the world, and I’m confident that Airman Bajwa will represent that tradition honorably.”

# **Sexual Assault / Harassment**

# House defense bill doesn't include Pentagon proposal to make sexual harassment stand-alone military crime

By Rebecca Kheel

The Hill, June 3, 2019



© Getty Images

A Pentagon request to make sexual harassment a stand-alone crime in the military justice system came too late for the House Armed Services Committee to include it in its annual defense policy bill, committee staff said Monday.

"We got the request a little for our process," a committee staffer told reporters. "If something comes later on, then we'll look at it as it happens."

The Pentagon in May asked Congress to make sexual harassment a stand-alone crime in the Uniform Code of Military Justice as part of list of recommendations from the Sexual Assault Accountability and Investigation Task Force created at the urging of Sen. [Martha McSally](#) (R-Ariz.), who recently disclosed she was raped by a superior officer while serving in the Air Force.

The Senate's version of the defense policy bill, known as the National Defense Authorization Act (NDAA) [includes the requested provision](#).

While the House Armed Services Committee's version does not, the panel's personnel subcommittee includes several other provision aimed at tackling sexual assault, staffers said Monday.

The provisions include expanding special victim's counsel to domestic violence victims and increasing criminal investigators in an effort to reduce the duration of investigations, staffers said.

Asked about taking the decision to prosecute sexual assault away from military commanders or studying that possibility — a step supported by some lawmakers and advocates — the staffer said it's "not in the subcommittee" legislation.

Outside of sexual assault, the personnel's subcommittee portion of the NDAA tackles the heated issue of military housing.

A 2018 Reuters investigation, followed by a series of congressional hearings, unveiled instances of black mold, rodent infestation and collapsing ceilings in military housing, prompting bipartisan outrage.

To address the issue, the NDAA would require the military to look at mold mitigations and prevention standards. The bill would also require an evaluation of a rating scale for housing based on health hazards and safety.

Staffers said the readiness subcommittee, whose portion of the bill will be released later Monday, includes other provisions to address housing issues.

The personnel subcommittee's portion of the bill would fund a 3.1 percent pay raise for troops and further authorize the number of troops requested by the administration, staffers said. For active-duty, that means the Army would get 2,000 more soldiers, 1,623 more sailors for the Navy, 100 more troops for the Marines and 2,492 more airmen for the Air Force.

# Overtured West Point rape case sends ‘hugely negative message,’ former Air Force prosecutor says

By Meghann Myers

Army Times, June 5, 2019



*A West Point cadet's overturned rape conviction has raised questions about military justice's handling of sexual assault cases. (Sgt. Uriah Walker/Army)*

A three-judge panel's decision to overturn a [U.S. Military Academy](#) cadet's rape conviction and 21-year sentence has outraged military sexual assault victim advocates.

[Jacob Whisenhunt](#) is free — to return to classes or dis-enroll and return to civilian life — after those judges determined there wasn't sufficient evidence in his case for a conviction. They found that because the victim did not struggle and Whisenhunt made no attempt to cover up their sexual encounter, the circumstances did not amount to rape beyond a reasonable doubt.

That decision further stigmatizes already discouraged survivors of military sexual assault at a time when reports of assault and harassment are on the rise, a former Air Force chief prosecutor told Military Times on Wednesday. The number of cases of unwanted sexual contact in the military has seen a 37 percent increase, to more than 20,000, in the last two years, according to the Defense Department's most recent statistics.

“When people come forward and go through the court-martial process ... it's a horrifically harsh process for them,” said [retired Col. Don Christensen](#), advocacy group Protect Our Defenders. “To go through all that and then to have it overturned, it's not only devastating to that person, it sends a hugely negative message to any other survivor who might come forward.”



*A West Point cadet has been freed from prison after his 21-year conviction was overturned. (Michelle Eberhart/Army)*

Whisenhunt was convicted of three counts of Article 120 sexual assault in May 2017, by a jury of six West Point faculty and staff.

“Especially when you have this kind of victim-blaming opinion,” he added. “That opinion feeds into commanders that might already feel that way, or the rank and file who already believe that way.”

The ability of judges to throw out a conviction based on their own interpretation of the evidence — known as evaluating “factual sufficiency” — is unique to the military justice system, he said, and can be dubious for a number of reasons.

“Based on my multiple decades of experience in the court-martial process, the fact that the court members gave the sentence they did — 21 years, which is one of the stiffest sentences I've ever seen for this kind of a case — that tells me they had no doubt to the accused's guilt,” Christensen said.

The original [appeal](#) focused on reducing his sentence and condensing two of those specifications of assault, because Whisenhunt was charged twice for the same digital penetration incident. But in their decision, the appellate judges opted to throw out all three charges.

“Even though they have the authority, it should almost never be used, because they should be giving great deference to the findings of fact,” Christensen said.

<https://www.armytimes.com/news/your-army/2019/06/05/overtured-west-point-rape-case-sends-hugely-negative-message-former-air-force-prosecutor-says/>

In the case of a court-martial, the facts of the case and the witnesses have been vetted and substantiated by trained criminal investigators, upheld by a local commander and then affirmed by a judge and jury.

“That is what their job is, the foundation of American justice,” he said. “This factual sufficiency that we have in the military is the antithesis of American justice.”

And, regardless of whether defense attorneys request in their appeal to review the evidence, UCMJ requires that the judges do it anyway.

The panel wrote that they doubted Whisenhunt could have assaulted the sleeping cadet, while their squad mates slept nearby during a summer field training exercise, without anyone noticing.

“This is particularly true when there is no evidence that appellant threatened [the victim] or took any steps, such as covering her mouth, to prevent an outcry,” they wrote.

But to Christensen, that finding amounts to an antiquated notion of rape perpetuated by officers who are not educated in the well studied dynamics of sexual assault.

“It reads like something from the ’50s,” Christensen said. “I’ve prosecuted a number of cases where the facts are very similar to what this woman described — even though there were other people around, they just froze, they couldn’t do anything.”

And because of the way the military appoints appellate judges, there is no standard of experience in a court room or in handling rape cases before being assigned to hear these appeals.

“What they said ... is really offensive, that that is why they found there was consent,” Christensen said. “That tells me that these three judges have very little experience. Maybe I’m wrong, but it doesn’t seem like they have very much experience with sexual assault cases.”

### **“A real problem”**

The military assigns appellate judges not based on merit or experience, Christensen said, but through a general assignment process designed to fill vacancies with judges of the proper rank and years in service.

“There is a real problem with the way the military selects appellate judges,” he added. “I say that having been selected as an appellate judge,” adding that at one point in his career, the most experienced sitting appellate judge in the Air Force had one prior year on the bench.

The issue of inexperience comes up often in the larger discussion of military sexual assault. While the fact-finding teams, criminal investigators and prosecuting judge advocates may specialize in those complex crimes, the commanders who levy charges and the judges who hear the cases may not.

“The average JAG isn’t dealing with [any criminal] case every year,” he said. “The average commander’s not even dealing with a case every year. One in 10 commanders is seeing a case go to trial every year.”

The issue dovetails with efforts from Congress, lead by Sen. Kirsten Gillibrand, D-N.Y., to professionalize the process for prosecuting sexual harassment and assault, starting by taking the decision to pursue a case away from a unit commander, who is not explicitly trained in handling them.

It would take more legislation to put sexual assault experts at every step of the process, Christensen said, but it would be a step in the right direction.

- [Defense Department to make sexual harassment a crime](#)

Meanwhile, sexual assault reports are up across the military: Estimates from DoD’s 2018 Sexual Assault Response and Prevention report peg incidents of unwanted sexual contact at 20,500, up from 14,900 during the last survey in 2016.

That’s a 37 percent increase.

<https://www.armytimes.com/news/your-army/2019/06/05/overtured-west-point-rape-case-sends-hugely-negative-message-former-air-force-prosecutor-says/>

“To put it bluntly, we are not performing to the standards and expectations we have for ourselves or for each other,” acting Defense Secretary Patrick Shanahan said in a statement after its May release. “This is unacceptable. We cannot shrink from facing the challenge head on.”

While military leadership have attributed an increase in reporting to a growing comfort with the SAPR system, prosecutions and convictions have not proportionally increased, while feedback about toxic command climates and lack of trust in leadership have increased, per DoD’s survey.

In short, though they might know the processes for reporting harassment or assault, many service members don’t feel their chains of command would take their concerns seriously, or fear they would be retaliated against for speaking up.

Soldiers with concerns about their chains of command should seek an investigation, Army Secretary Mark Esper told Army Times in May.

“We have an aggressive inspector general process to go after that,” he said.

Through [IG hotlines](#), command climate surveys or other anonymous means, service members can raise concerns about their leadership.

“The bottom line is, we hold commanders accountable for what happens in their units — or doesn’t happen,” Esper said. “If you’ve going to empower commanders, you have to hold them accountable, and we take that very seriously.”

However, he did not address whether the Army would consider reviewing sexual assault case decisions unless specifically alerted.

*[Meghann Myers](#) is the senior reporter at Army Times. She covers personnel, leadership, fitness and various other lifestyle issues affecting soldiers.*

# Raiders, SEALs planned sexual assault in Green Beret hazing that led to homicide, Marine says

By Todd South

Military Times, June 5, 2019



*Staff Sgt. Logan Melgar*

The story of how an [Army Green Beret staff sergeant](#) died at the hands of four fellow special operators while on a tour in Bamako, Mali two years ago has evolved over time as leaked information and finally official charges and a guilty plea from one of the defendants laid out details of the man's death.

One of the remaining three co-defendants, a Marine Raider, is set to plead guilty to charges connected to what led to the strangulation death of Staff Sgt. Logan Melgar. But documents obtained by The [Washington Post](#) add new details that were not previously revealed.

- [Marine Raider to plead guilty this week in strangulation death of Army Green Beret](#)
- [Navy SEAL, Marine Raider hazing that killed Army Green Beret left an irreparable hole in the lives of family, friends](#)

The [Post reported](#) Wednesday that through a stipulation of facts document it obtained and verified that not only were the two Navy SEALs and two Marine Raiders going to assault, duct tape and video record the illegal hazing of Melgar, but that they also planned to have a Malian man who was present sexually assault the 34-year-old staff sergeant on video.

Those details were revealed in a statement provided in the documents by Marine Staff Sgt. Kevin Maxwell, who is set to plead guilty Thursday to negligent homicide as part of a plea agreement made with government prosecutors.

[The Post's reporting](#) indicates that the four men, the unidentified Malian man and a British man were in the room with Melgar when the assault and hazing that caused his death occurred.

The sexual assault allegation was never mentioned during a somewhat detailed retelling of the incident by Navy SEAL Chief Petty Officer Adam C. Matthews during his court-martial and plea on May 16.

Matthews' version of events included nearly all of the same accounts, that the four had planned the assault as they drank alcohol at two separate locations in the hours preceding the attack.

The chief had just arrived in country to do a site visit and had learned from a fellow SEAL, Petty Officer Anthony DeDolph, Maxwell and Marine GySgt. Mario Madera-Rodriguez that they'd had problems with Melgar and wanted to teach him a lesson.

The foursome, according to Matthews, then got duct tape and a sledgehammer, awakened Melgar's team leader, a Special Forces sergeant first class who lived with Melgar and the SEALs in shared housing to ask permission. The team leader granted permission but declined to participate and went back to sleep.

Others who testified in the May hearing told a different story, saying that Melgar was fed up with what he called "juvenile" behavior of the SEALs and Marines and couldn't wait to conclude his deployment and return home.

The group used a sledgehammer sometime near 5 a.m. to break open Melgar's door and surprise him. He awakened immediately, and DeDolph, a former professional mixed martial arts fighter, then pounced on Melgar and put him in a choke hold. The other men secured his arms and legs and began to duct tape him.

<https://www.militarytimes.com/news/your-army/2019/06/05/raiders-seals-planned-sexual-assault-in-green-beret-hazing-that-led-to-homicide/>

According to the Post reporting, the Malian man was to sexually assault him while the British man filmed the episode.

But in seconds Melgar stopped breathing.

The four then began attempts to use first CPR then a field expedient tracheotomy to try to revive him before taking him to a nearby clinic where he was pronounced dead.

The SEALs told investigators that they'd been practicing hand-to-hand combat in the residence and lied about anyone else being involved.

The story fell apart as autopsy reports revealed no alcohol or drugs in Melgar's system and other accounts put the Raiders in the room as well.

Matthews pleaded guilty to conspiracy to commit assault, obstruction of justice, unlawful entry and hazing in an agreement that helped him avoid facing a court martial on murder charges. He was reduced to E5, placed in one-year confinement and recommended for a bad conduct discharge.

Maxwell is expected to plead to lesser charges as well. DeDolph and Madera-Rodriguez do not yet have court dates set and their attorneys told Military Times last month that they had not yet sought to negotiate plea deals at that time.

*[Todd South](#) is a Marine veteran of the Iraq War. He has written about crime, courts, government and military issues for multiple publications since 2004. In 2014, he was named a Pulitzer finalist for local reporting on a project he co-wrote about witness problems in gang criminal cases. Todd covers ground combat for Military.*



# A West Point cadet just had his rape conviction overturned, leaving him free to return to the school

By Meghann Myers

Army Times, June 4, 2019



*An aerial view of Washington Hall and the Cadet Chapel at the U.S. Military Academy at West Point, N.Y.*

Two years ago, U.S. Military Academy [Cadet Jacob Whisenhunt](#) was sentenced to 21 years in prison for [raping a sleeping classmate](#). On Monday, an appeals court threw out his conviction, citing lack of evidence to prove that the sex wasn't consensual, given how many people were around at the time.

Whisenhunt, originally from the class of 2019, would now be able to return to class at [West Point](#), as it was his previous duty station and the conviction was the only basis for his dismissal from the Army.

“The defense theory was that the appellant and [the victim] engaged in a consensual sexual encounter while taking active measures to avoid detection,” according to the written decision by three military judges. “In our view, the circumstantial evidence in support of this defense theory severely undercuts the government’s case.”



*Jacob Whisenhunt, a former member of West Point's class of 2019, is free to return to campus after his rape conviction was overturned. (Matthew Moeller/Army)*

The three sexual assault charges stem from a July 7, 2016, incident in which Whisenhunt was accused of assaulting a female cadet in her sleeping bag while she slept during a summer field training event.

Military Times does not identify survivors of sexual assault.

“West Point is aware of the appellate court’s ruling and will take appropriate action,” West Point spokesman Lt. Col. Christopher Ophardt told Army Times on Tuesday.

In this kind of case, Whisenhunt has the option to be fully reinstated at West Point, or request his disenrollment. Because he was charged before he completed two years at the academy, he is not obligated to any further military service or to pay back his education.

The judges surmised that because the woman did not audibly struggle and Whisenhunt took no steps to keep her quiet, hide his identity or remove evidence of the alleged assault, the circumstances did not amount to a rape.

“We have carefully reviewed the evidence and, taking into consideration that the panel saw and heard the witnesses and we did not, we nevertheless conclude that appellant’s convictions are factually insufficient,” according to a written decision by three military judges.

In her testimony, the woman Whisenhunt was convicted of raping said that she froze when she woke up and realized Whisenhunt was assaulting her, according to the decision, though Whisenhunt testified that the intercourse was the result of “escalating and consensual touchings,” and that they both tried to conceal what was going on by holding their breaths when they thought they heard someone walking by.

<https://www.armytimes.com/news/your-army/2019/06/04/a-west-point-cadet-just-had-his-rape-conviction-overturned-leaving-him-free-to-return-to-the-school/>

Further, the appellate judges concluded that because of the noisiness of the survivor's bedding set-up, with their squad mates sleeping nearby, "it is hard to conclude beyond a reasonable doubt that appellant could complete the charged offenses without cooperation or detection."

The judges went on to write that they thought it was unlikely that the survivor wouldn't gasp or cry out when she woke up next to Whisenhunt, which would have alerted others to an assault.

"This is particularly true when there is no evidence that appellant threatened [the victim] or took any steps, such as covering her mouth, to prevent an outcry," they wrote.

And, they added, they did not believe that Whisenhunt would have brazenly assaulted her, knowing that she could easily identify him in a rape report, or that he would have left his semen behind on her bedding, if he had committed a crime.

### **The verdict**

A jury of six West Point staff and faculty convicted Whisenhunt on May 5, 2017, following a four-day trial. A judge sentenced him to 21 years, forfeiture of his pay and a discharge from the Army.

"This verdict and sentence represents the integrity of a process that includes strong victim support systems, thorough investigative efforts with collaboration among the investigators, the staff judge advocate and the special victims prosecutors to move a case to court martial," then-USMA spokesman Lt. Col. Christopher Kasker said in a statement. "In this case the court-martial resulted in a sentence that reflects the seriousness of the crimes of sexual assault and rape."

- [Sen. McSally has ideas about preventing sexual assaults at service academies](#)

At the time, the verdict was seen as a victory in the fight against sexual assaults both in the military and on college campuses. According to an annual Defense Department report released in January, sexual assault reports are up 47 percent in the last three years.

"After a decade-plus of concerted efforts to address sexual harassment and assault, the problem has only gotten worse," said [Rep. Jackie Speier](#), D-Calif., during a House Armed Services Committee in February. "This isn't a blip, a 'me too' bump, or some accident. It's a clear illustration of a destructive trend and systemic problem."

And in May, the day DoD dropped its annual service-wide sexual assault prevention and response report, Sen. Kirsten Gillibrand, D-N.Y., admonished Army Vice Chief of Staff Gen. James McConville during his confirmation hearing to take over as the Army's top officer.

"I am tired of the statement I get over and over from the chain of command: 'We got this, Ma'am. We got this,'" she said. "You don't have it. You're failing us. The trajectories of every measurable are going in the wrong direction."

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