



The Newsletter of the
Military Law Task Force of
the National Lawyers Guild

On Watch

Volume XXII, Number 2

June 2011

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Building the Campaign to Defend GI Resisters

Is It Time To Call for Amnesty?

This article continues the discussion of GI resistance in recent On Watch articles concerning AWOLs, the Coffeehouse movement and the case of Bradley Manning. Further articles and letters on the topic are welcome.

U.S. Occupations Winding Down?

Ten years after the U.S. invasion of Afghanistan, nearly 100,000 U.S. troops remain there, with a roughly equal number of “contractors,” or mercenaries. The Taliban insurgency has grown, along with broad, diverse resistance to the U.S./ NATO occupation, and large majorities of people in Afghanistan, the U.S. and Europe think it is time for all foreign troops to leave. In Canada, popular opposition has forced the hawkish Conservative prime minister, Stephen Harper, to pledge that all Canadian combat troops will soon be withdrawn. The same goes for Britain, where another Conservative prime minister has promised to withdraw British troops. Similar pressures are being felt by all the European governments that have contributed troops to the occupation of Afghanistan.

In the wake of the U.S. assassination of Osama bin Laden, 52% of adults in the U.S. believe it is time to pull out of Afghanistan, per a June 8, 2011 BBC World News

America poll (35% believe the US should stay according to exiting plans, but only 14% are confident that U.S. policies in Afghanistan will be successful, per the same poll). The White House and Pentagon are now involved in a very public debate about just how fast to draw down troops. President Obama has pledged to begin a gradual withdrawal of U.S. troops from Afghanistan beginning in July of this year (2011), with all troops to be withdrawn by the end of 2014. The President is said to be considering deeper cuts, but Defense Secretary Gates is publicly calling for a more gradual reduction, so as not to lose the very tenuous gains that the U.S. military is claiming.

Responding to strong public opposition to the costly U.S. occupation of Iraq, President Obama, who campaigned for the presidency on a platform of ending the U.S. war there, has committed himself to withdraw all but a small residual force from Iraq by the end of 2011. However, sustained insurgencies in both Afghanistan and Iraq are giving the U.S. security establishment pause – and/or an excuse – to extend the timetable for withdrawal. Furthermore, the construction of large permanent U.S. military bases in both Iraq and Afghanistan have raised doubts about the ultimate intentions of the U.S. Nonetheless, a variety of external and internal



pressures – including the pending U.S. presidential election in 2012 – may lead to an actual winding down of both U.S. occupations.

Toll on Troops: 6,400 dead; 40,000 wounded; 330,000 veterans with PTSD

These unpopular U.S. occupations have taken a heavy toll on the U.S. military, particularly on the largely working class men and women who have been sent to fight against entrenched resistance movements. Over 6,400 U.S. troops have been killed and well over 40,000 have been wounded, many with critical, life-altering losses of multiple limbs, eyesight, and hearing, as well as serious brain damage.

These numbers do not include hundreds of thousands of active duty GIs and veterans who suffer from the psychological trauma of the violence of war and/or undetected brain injuries from the explosion of Improvised Explosive Devices (IEDs), the weapon of choice of anti-occupation resistance fighters. According to the RAND Corporation, over 330,000 veterans of the U.S. occupations of Iraq and Afghanistan suffer from serious Post Traumatic Stress Disorder (PTSD). Roughly an equal number suffer from Traumatic Brain Injury

(TBI), with a large number suffering from a combination of the two, many of whose symptoms are similar. It is widely understood that neither the U.S. military nor the Veterans Administration is providing adequate care to these wounded troops and veterans, and that the social consequences of alcohol and drug abuse, broken families, violence and suicide are rampant.

Resistance in the Military

Acts of antiwar resistance within the military have been widespread, if not necessarily reaching the levels that were seen during the Vietnam War. The military has been careful to hide this resistance and much of it also covert in its nature, so it may well be years before we know its extent. What we do know from talking to veterans of these occupations is that many GIs, after experiencing the violence and futility of war, have sought to minimize their contact with the armed resistance by refusing to carry out dangerous missions, by refusing to kill innocent civilians, by refusing to go “outside the wire” (leaving the relative safety of their fortified bases), and by purposefully carrying out safe patrols, what soldiers in Vietnam called “search and avoid” missions. The primary motivation of the GIs in these occupations – why they fight and why they avoid fighting – is often stated as getting themselves and their buddies home safe.

Returning veterans, disgusted by U.S. military operations in Iraq and Afghanistan, have been organizing to oppose these occupations and to help address the unmet needs of active duty GIs and veterans. In 2004, some of these veterans founded Iraq Veterans Against the War, with assistance from Veterans For Peace and others. GI coffeehouses have been established near several military bases, most notably Fort Lewis,

Washington (Coffee Strong) and Fort Hood, Texas (Under the Hood), two of the largest Army bases from which tens of thousands of troops have deployed to Iraq and Afghanistan. Iraq Veterans Against the War is now conducting Operation Recovery, a “campaign to stop the deployment of traumatized troops.”

Many GI’s, having witnessed the horrible violence of modern warfare, including the routine killing of civilians – men, women and children – have declared themselves to be Conscientious Objectors and sought discharges or re-classification to non-combat duties. Many other GIs have sought medical discharges due to their PTSD or other physical injuries. The U.S. military, desperate for warm bodies to staff multiple occupations, has been very stingy about granting such discharges, leading many GIs to leave the military of their own volition and without official permission (AWOL from the Army: “Away Without Official Leave,” UA from the Marines: “Unauthorized Absence”).

Since the U.S. invasion of Afghanistan in October 2001, tens of thousands of U.S. troops have gone AWOL or UA. This has been the most visible and quantifiable form of resistance. While perhaps the majority of these AWOL troops have returned to military control, it is safe to say that thousands remain at large and in legal jeopardy.

Thousands of AWOL troops are living “underground” in the United States, some of them quite openly. Generally speaking, the policy of the Army and the Marines is not to aggressively pursue them. Many have been captured after being stopped by the police for routine traffic violations, and many more have chosen to turn themselves in to the military to get their situations resolved. The first choice of the Army and Marines has been to re-integrate returning

**Military Law
Task Force**

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AWOL's into their units and to return them to war. If that is not feasible, the military's second choice has been to administratively discharge the returning AWOL's with punitive "other than honorable" discharges.

But returning AWOL GIs who left the military when facing orders to deploy or re-deploy to war, or who have spoken publicly against the occupations, have been court-martialed for desertion and refusing orders, and given prison sentences ranging from six months to two years.

U.S. War Resisters Seek Sanctuary in Canada

Beginning with the January 2004 arrival in Toronto of conscientious objector Jeremy Hinzman, hundreds of AWOL troops have fled to Canada. A popular campaign calling on the Canadian government to grant sanctuary to Iraq war resisters has won majority popular support among Canadians (64%). But the Conservative government of Prime Minister Stephen Harper, which is particularly hostile to U.S. war resisters, has refused to do so. Immigration Minister Jason Kenney has publicly called them "phony refugees." The Conservative government has succeeded in deporting several war resisters back to the U.S., where they have been court-martialed for desertion and impris-

oned for up to two years. The War Resisters Support Campaign in Toronto estimates that between 200 and 300 GIs, mostly young men and a few young women, are currently seeking sanctuary in Canada. More than fifty have applied for political asylum. None has yet to win this status, but their legal appeals continue, including attempts to remain in Canada on "humanitarian and compassionate" grounds. In the meantime, a number of the war resisters are successfully immigrating to Canada via marriage.

The Conservative government of Canada has now won three consecutive national elections, and recently achieved a majority government for the first time, leading to fears of accelerated attempts to deport U.S. war resisters. However, the New Democratic Party (NDP), which has given solid support to U.S. war resisters, tripled its seats in the Parliament in the recent election, and has for the first time become the official opposition. It is hoped that the NDP will be an effective counter-balance to the Conservatives and will continue to fight effectively for sanctuary for U.S. war resisters, but the Conservative majority will be in power for the next four years.

While the Conservatives have been unfriendly to U.S. war resisters, the Canadian people have been providing

them with sanctuary. The War Resisters Support Campaign has provided the resisters with material support, including housing and modest weekly allowances, as well as legal, political and moral support. Many war resisters have been empowered to speak out publicly against the wars and on behalf of their own sanctuary. As mentioned above, some resisters have been able to gain residency through marriage. Others have found at least a temporary haven in Canada – several months or years when they were neither at war nor in prison. This has been especially valuable to those who are raising young families.

Many of the resisters are combat veterans – they were deployed to Iraq and Afghanistan and went AWOL only after being ordered back to war. Thus, many war resisters are also suffering from PTSD.

Rodney Watson, an African American veteran of the Iraq occupation, was ordered deported from Canada in September 2009. In an extraordinary act of resistance, he sought sanctuary in the First United Church in downtown Vancouver, BC, where he has been living, along with his wife and young son, for almost two years. Rodney, who converses online with his many Canadian and U.S. supporters, can be contacted at his Facebook page, War Resister in Sanctuary.

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It should be mentioned that the Canadian sanctuary campaign is specifically for Iraq war resisters, and not for GIs who refused to deploy to Afghanistan. This reflects the political reality in Canada, which still has its own troops in Afghanistan, despite the steady opposition of most of the Canadian people. Nonetheless, several Afghanistan war resisters are known to be living in Canada, and legal help is available to them as well.

More Support Needed for GI Resisters

Many U.S. peace groups have provided legal and political support to war resisters, especially AWOL GIs and those seeking discharge from the military. Oakland, California-based Courage To Resist has done an outstanding job publicizing the struggles

of GI resisters and providing them with political and material support (see www.couragetoresist.org).

Courage To Resist is currently spearheading a remarkable campaign in support of Bradley Manning, an Army intelligence analyst who is accused of releasing classified information to Wikileaks. Manning is charged with releasing an Army video showing U.S. soldiers in an Apache helicopter gunning down unarmed civilians, including two Reuters reporters and two young children, in Baghdad, Iraq. The infamous Collateral Murder video has been viewed over 11 million times on YouTube. Army prosecutors have also charged Manning with releasing U.S. military diaries of the Iraq and Afghanistan occupations, and thousands of cables from U.S. embassies around the world.

Many thousands of individuals in the U.S. and around the world have contributed funds for the legal and political defense of Bradley Manning, and also have demonstrated their support in the streets. Veterans For Peace and Iraq Veterans Against the War have rallied in support of Manning. Civil disobedience actions at the White House and at the Marine Corps Brig at Quantico, Virginia, were instrumental in Manning's transfer from Quantico, where he had endured near-torturous conditions. Manning is now being held at the military prison at Leavenworth, Kansas, where his treatment is reported to be more humane.

The charges against Manning include "Aiding the Enemy," a capital offense that can be punished by life in prison or even the death penalty. His court martial is expected to take place in



MLTF's NLG Convention CLE

Using Civil Practice to Represent GI's:

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Thursday, Oct. 13 - 8:30am - 12:30pm

Cost: Guild attorneys \$75; other attorneys \$100; law students and legal workers \$25; scholarships available.

For further info, phone MLTF at 619-463-2369 or email to nlg.mltf@gmail.com.

Membership meeting: Thursday, 1:30 to 5:00. In addition to steering committee elections, the meeting will discuss priorities and specific projects for the next year.

Countering Military Recruitment Workshop: Saturday Oct. 15 (afternoon, exact time TBA). We will look at legal and activist strategies for counter-recruitment.

Stay tuned for more news about MLTF events at the conference. You will not want to miss them!



December of this year, by which time he will already have been imprisoned for 19 months. For information on how you can join the campaign to support Bradley Manning, contact the Bradley Manning Support Network at www.bradleymanning.org.

Less dramatic but also very impressive is the longstanding counseling support that the GI Rights Hotline has provided to GIs who are AWOL, who wish to be discharged from the military, or who have other grievances with the military – such as sexual harassment and assault. Leading groups in this effort include the Center on Conscience and War, the Military Law Task Force of the National Lawyers Guild and the War Resisters League, among many others.

Legal resources for returning or captured AWOL GIs are scarce, however, or prohibitively expensive. There is a great need for qualified lawyers who are willing to work for not much more than their expenses. There is also a great need for a more muscular political campaign to support GIs who are facing court martial. As more AWOL GIs return from Canada or surface from underground in the U.S., the current level of legal and political support will need to be substantially increased.

Time to Call for Amnesty?

As President Nixon began to withdraw U.S. troops from Vietnam in 1972 and 1973, a campaign was launched calling for unconditional amnesty for all Vietnam war resisters, including draft resisters, deserters, veterans with less-than-honorable discharges and all those who had been arrested for protesting against the war. National and local peace groups, churches, civil liberties organizations and veterans groups (e.g. Vietnam Veterans Against the War), joined together to form a broad coalition, the National Council

for Universal and Unconditional Amnesty (NCUUA). After several years of persistent organizing, the amnesty campaigners won widespread support, including from mainstream, grassroots Democrats. In 1976, Jimmy Carter ran for president on a platform of pardoning draft resisters, and he fulfilled this pledge as his very first act as president in January 1977. President Carter then ordered the military to establish a program that would allow AWOL GI's to voluntarily return to military control and to be discharged in an atmosphere of leniency. Carter even ordered a case-by-case review of Vietnam-era less-than-honorable discharges.

While Carter's program fell far short of the movement's demand for "universal, unconditional amnesty," it was still a remarkable achievement that allowed many resisters to legalize their status and normalize their lives. Might this be the right time for the peace movement to launch a similar campaign?

Because there is no draft, and the lives of middle class sons and daughters are not on the line, we would expect less support for amnesty from middle class America and the Democratic Party. We could probably expect a less broad and less muscular campaign. Nonetheless, the Vietnam amnesty movement and the Carter pardon are strong precedents for us to call upon, and many progressive organizations would likely rally to the cause.

An amnesty campaign could bring further awareness of the plight of our GI resisters and more legal and political resources would become available to them. It would also provide a contextual framework for all the work that is being done on behalf of GI resisters.

Different political approaches would probably exist side by side, as they did during the Vietnam amnesty movement. Some of us would take the

moral high ground and argue that it is right – and legal – to resist an unjust war, as thousands of GIs have done. While others would say it is time to get these wars behind us and to reconcile the nation. But we would all be calling for an end to the punishment of war resisters. This could create a climate once again of treating returning AWOLs leniently, with or without an order from the president to do so.

Much more discussion is needed of this and other possible approaches to supporting our GI resisters. We can also tap into the impressively broad support that is being manifested for Bradley Manning, the accused Wikileaks whistleblower. We can appeal to people to show the same concern, to take the same kind of political action, and to give the same kind of generous contributions.

We must also continue reaching out to active duty service members, reservists, and National Guard troops with much needed information and support. Nobody can do this better than veterans, especially recent veterans of the Iraq and Afghanistan occupations. Arguably, we could send no stronger message to would-be GI resisters than to mount a campaign for amnesty for all those who are currently in jeopardy for resisting unjust wars and occupations.

In 1968, Gerry Condon refused Army orders to deploy to Vietnam, for which he was court-martialed and sentenced to 10 years in prison and a Dishonorable Discharge. But Gerry was able to escape from Fort Bragg, North Carolina and leave the U.S. For six years he lived in Sweden and Canada, where he organized against the war and for amnesty for all war resisters. Gerry is an active member of Veterans For Peace and co-chair of its GI Resistance Working Group. He serves on the steering committee of the Bradley Manning Support Network.



“Lock and Load” Follow-Up

Arm Yourself for Challenging Involuntary Discharges

BY KATHLEEN GILBERD

This is written as a follow-up to Teresa Panepinto's excellent article, "Lock and Load," in the Fall, 2010 issue of On Watch. She provides a valuable checklist of documents and information for servicemembers to gather at the point of discharge in case they may later seek discharge review or VA benefits.

GIs facing discharge for misconduct or other reasons which might lead to a less than fully honorable discharge, or for reasons which might be stigmatizing in themselves, such as personality disorder or unsatisfactory performance, often face significant command pressure to waive their rights and accept what they get. They may be told that an automatic upgrade after six months will take care of the problem. They may be told that demanding rights and contesting the character of or reason for discharge is fruitless, will stretch the discharge process out for many months, and will probably lead to a worse discharge. “Why, son, I've seen these chapter 15 [misconduct] discharges for 18 years, and I've never seen an admin board help. And getting a JAG involved will just make things worse.”

Challenging an involuntary discharge by demanding counsel, making a statement or, when an OTH is warranted or the member has served for six years or more, demanding an administrative discharge board hearing can make a significant difference in the outcome. If the challenge is not

successful, it nonetheless creates an important paper trail for use in discharge review. These records are among those most likely to be lost or deleted when GIs are discharged, so that saving them, asking counsel for a copy of his or her file, and obtaining tapes or a verbatim transcript of the admin board hearing, are important for later upgrade or VA cases. (See *On Watch*, Vols. XIX, No.5 and XX Nos. 1 and 4, for discussion of involuntary discharge proceedings and admin boards.)

Getting Out Earlier May Be Taken As Waiver of Rights

But many members in this situation are ill or injured, frustrated with the treatment they have (or haven't) received, and pretty much at the end of their rope. The prospect of getting out even a few days sooner (when a written statement is made) or a couple of months sooner (when an admin board is conducted) may be too much. Yet these service members will find when they get to a Discharge Review Board or Board for Correction of Military/Naval Records, their waiver of rights is used against them. The boards frequently claim that a waiver of rights in discharge proceedings is an acceptance of the discharge and its characterization, and an acknowledgement that the allegations of misconduct, poor performance, or stigmatizing personality disorder were accurate, since review boards may rely on presumptions that the service record is correct and that military officials acted properly.

A similar problem arises for members who request administrative discharge in lieu of court-martial. Many GIs choose to avoid the possibility of a federal conviction, punitive discharge and possible brig time. In a great many cases, these GIs are also at the end of their rope and want or need to get out. Yet here the review boards are even more strongly biased. Board members commonly feel that these soldiers want to have their cake and eat it, too – they took an 'easy out' to avoid the potentially harsh consequences of a court-martial but now want the good discharge they might have had if they won at court-martial.

In both of these situations, service members pending discharge can document the stresses that cause them to seek a quick discharge instead of exercising their right to an admin board or a trial. When possible, GIs may want to write a mitigating statement directly on the waiver of rights form in admin discharges or include it in their written request for discharge in lieu of trial. They may want to say that they are sick or injured, in pain or emotionally distressed, that they need to go home to get help and to stay away from the stresses of military life in order to get better. They may want to say that they cannot handle the stress of challenging the discharge through an administrative discharge board, or presenting their case at trial. It is always helpful to consult JAG counsel, a civilian attorney or an experienced military counselor in crafting such a statement.

Nothing Bars Additions to Discharge Documentation

Some commands, and even JAGs, may balk at these additions to discharge documentation, although



nothing in the regulations prohibits them--and a request to see the regulation prohibiting additional comments will often solve the problem. Some commands, however, will simply not process the paperwork, or will bully the GI into withdrawing the statement, in which case the member should keep the rejected waiver form, which can still be used as evidence in discharge review. In requests for discharge in lieu of court-martial, service members must be careful not to emphasize near-innocence or psychiatric illness to such an extent that the command feels obligated to order a court-martial.

Whether or not such a statement is made, the letters, e-mail messages or

journals mentioned in "Lock and Load" are also helpful. They can lay out in more detail the reasons for a waiver or a request for discharge in lieu of court-martial, and need not hold back on facts which might cause a command to reject a request for discharge in lieu. Letters to civilian or military counsel, explaining why the GI had to choose not to fight the case may carry a little more weight than letters to family – particularly so if the JAG or civilian attorney will support this with a letter confirming that the GI was indeed ill or in distress, would have wanted to present issues in defense or mitigation, but felt a greater need to get away from the military environment and get medical help beyond that available from the service.

Medical evaluations made right at the point of discharge are more helpful in overcoming the bias created by waivers and discharges in lieu than evaluations written months or years later. The review boards will not always assume that a disorder documented a year later actually existed during active duty. And doctors or mental health professionals can evaluate the GI's ability to handle the stress of admin board or court-martial in their current medical condition, an opinion which will mean more to the review boards if it is written contemporaneously with the waiver.

Kathy Gilbert is a legal worker in San Diego, and co-chair of the MLTF.

Republican-controlled House attempts to delay DADT repeal

Policy remains in full force and effect

BY JEFF LAKE

In the six months since the "Don't Ask Don't Tell" policy was "repealed," the policy continues. This article is a brief summary of the legal and administrative developments concerning the policy since my last update in March, 2011.

As discussed in the last issue of *On Watch*, the various branches of the military are conducting training concerning the repeal of "Don't Ask Don't Tell." For example, the script for the Marine Corps training states, "Sexual orientation remains a personal and private matter. Marines, Sailors and applicants to military service will NOT be asked or required

to reveal their sexual orientation. Sexual orientation is NOT a bar to service entry or continued service. Marines and Sailors will NOT be subject to administrative separation for otherwise lawful homosexual acts, statements or marriage. The Marine Corps does NOT tolerate harassment or violence against any Marine or Sailor, for any reason." (Emphasis in original.) The Marine Corps training is expected to be already completed by early June 2011 and other services are supposed to follow shortly.

The "repeal" of DADT is conditioned on "certification" from the President, the Defense Secretary and the chair of the Joint Chiefs of Staff. The cur-

rent Secretary of Defense, Robert Gates, is leaving at the end of June, 2011. On June 23, 2011, Gates said he would not certify, but had begun, "the pre-certification phase of this." Gates further stated that, "I think our hope would be that we would be in a position, and I underscore the word hope, to provide the certification sometime in the last half of July, early August."

In an attempt to head off certification, the House of Representatives passed an amendment to the Defense Authorization Act which would delay it. The amendment would add the four individual service chiefs to the group which needs to certify the repeal. On June 16, 2011, the Senate Armed Services Committee removed the amendments which had been passed in the House. This probably means that the House amendments will not be part of any final bill. Interestingly, the Senate Committee also included a repeal of Article 125 of

(Continued on page 8)



MLTF collaboration with GI Rights Hotline demonstrated at annual conference for counselors

BY RENA GUAY

Several members of MLTF who work with the GI Rights Hotline were organizers, presenters and attendees at the GI Rights Network Annual Conference, held May 19-22 in Albuquerque, New Mexico. These included James Branun (OK), Kathy Gilbert (CA), Rena Guay (OK), J.E. McNeil (DC) and Dorah Rosen (CA). There was an impressive demonstration of the strength of the Albuquerque peace community, with conference support work (including facilities, transportation, food and entertainment) being done by local groups like

The Albuquerque Center for Peace and Justice, Ragin' Grannies, The Center for Action and Contemplation and The Islamic Center of New Mexico. The conference, the fourth annual such event, was attended by 45 counselors from across the country, as well as a representative from an associate hotline project in Germany.

Workshops: In the introductory remarks on Saturday, GIRN co-chair Steve Woolford of Quaker House noted the ongoing cooperation and collaboration relationship that GIRN

maintains with key like-minded organizations, including MLTF, and that close relationship was evident throughout the weekend. Among the many workshops, panels and other events at the conference, MLTF members served as critical presenters or resource providers. These sessions included

- CLE: Dissent - Reber Boulton
- CLE: AWOL/UA - James Branun
- CLE: CO Habeas and Jail Restraint - J.E. McNeil
- Working with People Who Aren't Ready to Get Out of the Military, J.E. McNeil

(Continued from page 7)

the UCMJ. (Article 125 punishes, by way of court martial, sodomy, which it defines as "unnatural carnal copulation with another person of the same or opposite sex or with an animal.") Repeal of this Article has been recommended by two prior independent commissions which studied the UCMJ, as well as the Pentagon's review of DADT. We shall see if this repeal remains in the final version of the Authorization Act.

The case brought and won by the Log Cabin Republicans against DADT in California Federal Court, continues to wind its way through the Ninth Circuit Court of Appeals. Despite new attempts to move the court to vacate its stay of the injunction issued against DADT last fall, the Court seems reluctant to take any action since "repeal" is pending.

In another case pending in federal court, Air Force Major Margaret Witt has settled her long-running lawsuit challenging her discharge un-

der DADT. Major Witt had won in the Ninth Circuit Court of Appeal and then in September, 2010 U.S. District Court Judge Ronald Leighton ordered the Air Force to reinstate her. The government then filed to appeal the ruling. Under the terms of the settlement, Major Witt will retire with full benefits, the government will drop its appeal and her previous unlawful discharge will be removed from her record. Major Witt now works as a rehabilitation coordinator for the VA in Spokane, Washington and is pursuing a doctorate.

In other legal cases of note, Petty Officer 2nd Class Derek Morado, stationed at Lemoor Naval Air Station, won an administrative panel decision not to recommend his discharge from the Navy. Morado had been outed when another sailor saw a photo of him kissing a man which had been posted on his MySpace page. Katherine Miller, a lesbian cadet who resigned from West Point, was rejected for readmission. Finally, Richard Collins, a former staff ser-

geant in the Air Force and discharged under DADT, is the lead plaintiff in class-action lawsuit brought by the ACLU of New Mexico asking for full separation pay. The ACLU alleges that in the past six years, 142 veterans had their separation pay cut in half due to "homosexuality." The Department of Justice has moved to dismiss the case. The Plaintiffs' response to this motion was filed on June 10, 2011. (For more information, go to <http://www.aclu.org/lgbt-rights/collins-v-united-states-class-action-military-separation-pay>.)

Once again, it is important to remember that although it is "repealed," DADT remains in full force and effect. As always, the MLTF will continue to monitor developments concerning DADT and work with our allies for a real repeal.

Jeff Lake is an attorney in San Jose, California. He is a member of the MLTF Steering Committee.



- Policy on Confidentiality for Clients, J.E. McNeil
- Rape and Sexual Assault - Kathy Gilbert
- Beyond Counseling: Organizing in the Network - Kathy Gilbert and Rena Guay

Also on the conference schedule were a number of "listening sessions" at which Hotline counselors could offer direct feedback to GIRN board members; MLTF members who also serve on the GIRN Board of Directors -- Kathy Gilbert and Rena Guay -- were among those who listened to, took notes and answered questions.

Thanks, J.E.!: Since longtime Hotline worker J.E. McNeil's retiring as Director of the Center on Conscience and War and thus will no longer be involved in GIRN's work, she was presented with a handmade certificate signed by many GIRN counselors in thanks for her dedication over the years to educating hotline counselors, assisting with organizational concerns and helping servicemem-

bers. J.E. will maintain her legal practice (although no longer taking military cases).

GIRN Board elections: MLTF co-chair James Branum and member Jim MacKensie were elected to the GIRN Board of Directors. MLTF co-chair Kathy Gilbert, as well as members Rena Guay, and Dorah Rosen, continue their 2-year terms, which expire on June 30, 2012. Clearly, MLTF is well represented within the GI Rights Network!

Following the conference, many of the current and newly elected board members met to discuss and make some decisions regarding GIRN operations. Again, MLTF members were in the mix: Kathy Gilbert, Jim MacKensie and James Branum agreed to help develop a continuing education committee. Rena (and later Dorah Rosen) agreed to create and maintain an active Facebook "Fan" Page for GIRN. (The page can be found at facebook.com/girights.)

On Saturday afternoon, Kathy Gilbert facilitated an informal meeting of MLTF members in attendance.

Although the Albuquerque conference was smaller than others in recent years, it had representatives from nearly all of the member groups in the US -- and a veteran who's working on a new GI Cafe in Germany, carrying on the work begun by the Military Counseling Network there. Participants -- new counselors along with founders of the Network -- were optimistic about ongoing work, with a sense of commitment and optimism as tangible symbols of the Network's maturity.

Rena Guay lives in Oklahoma City and is the Executive Director of the Oklahoma Center for Conscience, which operates the Oklahoma GI Rights Hotline.

Notes by GIRN Secretary Barbara A. Goldberg were used for this article.

For photos of the event by the author, visit <http://snipr.com/girn2011>

NEW

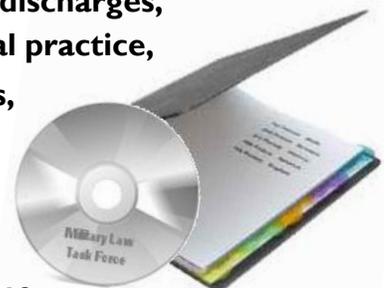
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About the Military Law Task Force

The National Lawyers Guild's Military Law Task Force includes attorneys, legal workers, law students and "barracks lawyers" interested in draft, military and veterans issues. The Task Force publishes *On Watch* as well as a range of legal memoranda and other educational material; maintains a listserv for discussion among its members and a website for members, others in the legal community and the public; sponsors seminars and workshops on military law; and provides support for members on individual cases and projects.

The MLTF defends the rights of servicemembers in the United States and overseas. It supports dissent, anti-war efforts and resistance within the military, offering legal and political assistance to those who challenge oppressive military policies. Like its parent organization, the NLG, it is committed to the precept that human rights are more sacred than property rights.

The Task Force encourages comments, criticism, assistance, subscriptions and membership from Guild members and others interested in military, draft or veterans law. To join, or for more information, please check our website at www.nlgmltf.org or contact the Task Force at:

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