

THE 14TH ANNUAL
WOMEN AND THE LAW
CONFERENCE



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MILITARY

FRIDAY, FEBRUARY 21, 2014

SCHEDULE

8:30 am - 9:00 am	Check-in
9:00 am - 9:15 am	Welcome
9:15 am - 9:45 am	<p>Gretchen Means, Sexual Assault and Complex Litigation Highly Qualified Expert for the United States Marine Corps LSSS-West</p> <p><i>The Comparative Anatomy of Military Sexual Assault Prosecution</i></p>
9:45 am - 10:30 am	<p>Ruth Bader Ginsburg Lecturer: Captain Stacy A. Pedrozo, JAGC, US Navy, Commanding Officer of the Naval Justice School</p> <p><i>Sea Change: Women in the 21st Century U.S. Military</i></p>
10:30 am - 10:45 am	Break
10:45 am - 12:15 pm	<p>Panel Discussion: <i>Do Recent Statistics on Sexual Assault in the Military Warrant Further Changes to the Uniform Code of Military Justice?</i></p> <p>The morning panel will explore the political and legislative dimensions of recent highly-publicized statistics on sexual assault in the military, including whether changes to the Uniform Code of Military Justice are likely to be effective in combating these crimes. The panel will discuss the rights of accused service members and the implications of the potential removal of the discretion of the military convening authority in courts martial, and will discuss factors unique to the prosecution of sexual assault cases under the military justice system.</p> <p>Moderator: <i>Colonel Jane L. Siegel, USMC (Ret.)</i></p> <p>Panelists: <i>Gretchen Means</i> <i>Brigadier General David M. Brahms, USMC (Ret.)</i> <i>Kathleen Gilbert</i> <i>Major Melanie Mann, USMC</i></p>
12:15 pm - 1:30 pm	Lunch break
1:45 pm - 3:00 pm	<p>Keynote Speaker: Vice Admiral Nanette M. DeRenzi, JAGC, US Navy, Judge Advocate General of the United States Navy</p>
3:00 pm - 3:15 pm	Break
3:15 pm - 4:15 pm	<p>Panel Discussion: <i>Women's Service in Elite Combat Forces</i></p> <p>The afternoon panel will explore the feasibility of women integrating into the elite forces of the U.S. military. A panel consisting of both active and former active-duty service members will discuss issues such as equipment and standards along with lessons learned when the military has previously integrated underrepresented service members into various communities.</p> <p>Moderator: <i>Jennifer E. McCollough</i></p> <p>Panelists: <i>Rear Admiral Patrick E. McGrath, US Navy (Ret.)</i> <i>Kristen Kavanaugh</i> <i>Lieutenant Commander Renee May, USNR</i> <i>Rear Admiral Garry J. Bonelli, US Navy (Ret.)</i></p>
4:15 pm	Dean's Wrap-Up
4:30 pm	Reception (8 th Floor)

2014 KEYNOTE SPEAKER



Vice Admiral Nanette M. “Nan” DeRenzi
*Judge Advocate General’s Corps,
United States Navy Judge Advocate General*

Vice Admiral Nanette M. DeRenzi is the 42nd Judge Advocate General of the Navy. As the Judge Advocate General, Vice Admiral DeRenzi is the principal military legal counsel to the Secretary of the Navy and Chief of Naval Operations, and serves as the Department of Defense Representative for Ocean Policy Affairs (REPOPA). She also leads the 2,300 attorneys, enlisted legalmen, and civilian employees of the worldwide Navy JAG Corps community. Vice Admiral DeRenzi was born in Philadelphia, and raised in Pennsauken, New Jersey. She graduated Magna Cum Laude from Villanova University in 1983. She was commissioned through the JAG Corps Student Program

and, in 1986, graduated from the Temple University School of Law. She later earned a Master of Laws degree (Environmental Law) from the George Washington University School of Law.

Before her appointment to flag rank, she served as the senior Staff Judge Advocate for Commander, U.S. Southern Command; Special Assistant for Legal and Legislative Matters to the Secretary of the Navy; Legislative Counsel for Environmental Programs in the Navy Office of Legislative Affairs; and Executive Assistant to the JAG. In command, she served as Commanding Officer, Naval Legal Service Office, North Central.

Afloat, Vice Admiral DeRenzi served as the Fleet Judge Advocate to Commander, U.S. 7th and 3rd Fleets, as well as Staff Judge Advocate to Commander, Carrier Group 7.

Vice Admiral DeRenzi began her career as a litigator, first as a defense counsel and later as a trial counsel (prosecutor) in Newport, Rhode Island, followed by assignments in appellate defense and civil litigation in Washington, D.C.

Vice Admiral DeRenzi is admitted to practice before the courts of the State of New Jersey and the Commonwealth of Pennsylvania. She holds various decorations and awards, including the Navy Distinguished Service Medal, Defense Superior Service Medal, the Legion of Merit (four awards), the Meritorious Service Medal (four awards), and the Navy and Marine Corps Achievement Medal (two awards).

THE 14TH ANNUAL WOMEN AND THE LAW CONFERENCE: WOMEN AND THE MILITARY

The 2014 Women and the Law Conference gathers together a slate of luminaries in military leadership to explore the unique forces shaping women’s access to power and justice in the U.S. military. The conference focuses on a number of issues, including whether new statistics on sexual assault in the military warrant further legislative changes to the Uniform Code of Military Justice, and explores the topic of women serving in elite combat units. The conference will provide insight on leadership and military justice from some of the nation’s most powerful lawyers in uniform.

2014 RUTH BADER GINSBURG LECTURER



Captain Stacy A. Pedrozo

*Judge Advocate General's Corps, U. S. Navy
Commanding Officer, Naval Justice School*

From 2005-2009, Captain Pedrozo was the Fleet Judge Advocate, U.S. Pacific Fleet, and the senior Staff Judge Advocate for JTF-519. She was heavily involved in operational planning, strategic law of the sea challenges, Pacific Partnership, and the worldwide sonar litigation. Following that tour, she was assigned to the Naval War College, where she taught the Joint Forces Maritime Component Commander's Course, served as the legal advisor for Global Wargame 09 and assisted the College of Operational and Strategic Leadership in Maritime Operations Center assist visits. She most recently served as the U.S. Navy Fellow at the Council on Foreign Relations in New York where she focused on Law of the Sea issues and the security challenges in the Asia Pacific Region. She is currently serving as the thirtieth Commanding Officer of the Naval Justice School in Newport, Rhode Island.

Captain Stacy A. Pedrozo, a native of the Eastern Shore of Virginia, earned her Bachelor of Arts degree, Cum Laude, from Wake Forest University in 1985 and received her Juris Doctorate from University of Richmond Law School in 1988.

After graduation from Naval Justice School, she served her next several tours in California, Pearl Harbor, HI and Pensacola, FL serving as trial counsel, defense counsel, Special Assistant U.S. Attorney and as the Staff Judge Advocate for two operational submarine squadrons. In June 1995, Captain Pedrozo completed the Command and Staff curriculum at the Naval War College where she graduated with distinction with a Masters Degree in Strategic Policy and International Relations.

Captain Pedrozo spent the next two years aboard the USS CARL VINSON (CVN-70) where she served as the Battlegroup Judge Advocate for Commander Carrier Group THREE. Following that tour, she served as the Head of the Operational Law Department in the Navy JAG International and Operational Law Division and as Assistant Legal Advisor for OPNAV N3/N5. From August 2001 through September 2002 Captain Pedrozo was the Director and Deputy Director of the Navy JAG Administrative Law Division and from October 2002 through May 2005, she served as Executive Officer, Trial Service Office West.

PRESENTERS, PANELISTS AND MODERATORS



Colonel Jane L. Siegel, USMC (Ret.), Moderator

Colonel Jane Seigel has taught trial advocacy around the world since 1984. She has taught lawyers, judges, paralegals and lawyers in the fields of persuasion, trial skills, evidence and Constitutional criminal procedure. She spent 24 years in the Marine Corps as a Judge Advocate during which time she was a prosecutor, a military judge, a Staff Judge Advocate to two commanding generals and as an instructor and department head in Evidence and Criminal Law at the Naval Justice School in Newport, Rhode Island. After retiring from the Marine Corps as a colonel of Marines, she opened her own criminal defense offices near San Diego California, where she exclusively defends active duty service members. She remains the only female Marine Judge Advocate who served as a defense counsel, senior defense counsel, Regional defense counsel and Chief Defense Counsel of the Marine Corps. She teaches trial advocacy and advanced advocacy techniques at Thomas Jefferson School of Law in addition to her private practice.



Brigadier General David M. Brahms, USMC (Ret.), Panelist

Gen. Brahms was nurtured in the Bay State, Newton, MA. He is now being more warmly nurtured in Carlsbad, CA. Gen. Brahms was educated at Harvard College (B.A. Psychology), Harvard Law School (L.L.B.), the National Law School at George Washington University (L.L.M, Law, Psychology and Criminology), and at the Army JAG School. His thesis, in short, was entitled “Is Conscientious Objection a Constitutional Right?”

Gen. Brahms served in the U.S. Marine Corps from January 1963 through September 1988, and retired in the grade of Brigadier General, after serving as the senior Judge Advocate in the Marine Corps. Since retiring, he has practiced as a solo defender concentrating in military law. He is a frequent commentator on military law, veterans’ affairs and other matters. Among the topics of his commentary are the closing of Guantanamo, Don’t Ask Don’t Tell, misuse of psychotropic drugs to treat active duty members and veterans suffering from PTSD, the de facto abandonment of combat veterans, the manipulation and politicization of military law by senior officials, and childhood obesity.

Gretchen Means, Presenter and Panelist

Gretchen Dahlinger Means received a B.S. in Political Science from the University of California, Santa Barbara. She received her J.D. from Hastings College of the Law, University of California, in 1999, graduating cum laude and a member of The Order of the Coif. During law school, Gretchen clerked with the U.S. Attorney’s Office, Northern District of California, and the Sonoma County District Attorney’s Office.

Gretchen joined the San Diego District Attorney’s Office in 2000. For 7.5 years, she was assigned to the Sex Crimes Unit where she handled sexual assaults, Sexually Violent Predator commitments, sex-based homicides, and human trafficking. Gretchen pioneered a new approach to prosecuting gang pimping and authored legislation adding pimping, pandering, and human trafficking to the list of predicate crimes necessary to document criminal street gangs. Gretchen participated on a variety of state and federal task forces dedicated to combatting criminal sexual exploitation and helped form a county-wide, multi-disciplinary group on the topic. She provided 24-hour support to law enforcement in the region. Gretchen also developed and facilitated annual training on sexual assault prosecution for area prosecutors, both civilian and military.

In January 2013, Gretchen became the Sexual Assault and Complex Litigation Highly Qualified Expert for the United States Marine Corps LSSS-West. She is tasked with developing sexual assault protocol, training and mentoring on the west

coast. Specifically, Gretchen works directly with military prosecutors, commands and law enforcement on all stages of case investigation and prosecution; liaisons with civilian agencies including prosecutorial entities and law enforcement; identifies gaps and needs in training and protocol; and advises on best practices and procedures. Gretchen's position is part of the re-organization of the USMC to better deliver legal services and elevate the practice of the law within the Corps.

Gretchen teaches nationally on sexual assault and human trafficking to law enforcement, prosecutors, and community groups.



Kathleen Gilberd, Panelist

Kathleen Gilberd is executive director of the National Lawyer's Guild's Military Law Task Force and a frequent contributor to its legal publication, *On Watch*. She is co-author of "Fighting Back," which was for many years the only legal manual on military policy on homosexuality, and a contributing author for the respected legal manual "Sexual Orientation and the Law." With Marjorie Cohn, she is co-author of *Rules of Disengagement: The Politics and Honor of Military Dissent*. She serves on the national

board of directors of the GI Rights Network and has been involved in both national and local work in the National Lawyers Guild since 1977. She graduated Phi Beta Kappa with a degree in sociology from the University of California, Berkeley.

Ms. Gilberd has worked as a military counselor for over 30 years, assisting conscientious objectors, soldiers fighting sexual harassment and racial discrimination, GI whistleblowers, soldiers and sailors accused under "Don't Ask Don't Tell" policies, and veterans unfairly denied benefits after "bad paper discharges." Her writing and cases have made her a nationally recognized expert in military administrative law.

Major Melanie Mann, USMC, Panelist

Major Melanie Mann is the Senior Trial Counsel for Marine Corps Air Station Miramar. In this role, she serves not just as the senior trial attorney for that base, but also as the senior trial attorney for Marine Corps Recruit Depot San Diego as well as for Marine Corps Air Station Yuma. Major Mann was designated Special Victim's Prosecutor and criminal law specialist after she received her LL.M in Criminal Law. She has been a prosecutor in the Marine Corps for approximately nine years and was recently certified as a military judge.



Jennifer E. McCollough, Moderator

Jennifer McCollough is a 2001 graduate of the United States Naval Academy with a degree in Aerospace Engineering and a 2013 graduate of Thomas Jefferson School of Law. As a midshipman, she was captain of the women's cycling team, competed in several Ironman world championships, and completed internships at the U.S. Naval Test Pilot School and the Astronaut Office at NASA's Johnson Space Center. After graduation, she embarked on a career as a naval aviator flying the MH-60S Knighthawk helicopter, completing three deployments to the Middle East on various ships

and with the U.S. Marine Corps in Fallujah, Iraq. Between deployments, she orchestrated a cross-country mission following Hurricane Katrina rescuing indigenous personnel and delivering food, water, and supplies throughout Louisiana and Mississippi. During her deployment to Iraq, Jennifer volunteered for missions outside the wire, assisting in the Iraqi Women's Engagement Program supporting Iraqi women in rebuilding their communities. One of her concurrent duties on the "ground" was seven collective years as the command legal officer and during her last two years on active-duty, Jennifer was a part-time law student. During law school, she served as an intern both in the U.S. District Court for the Southern District of California with U.S. District Judges Anthony J. Battaglia and Roger T. Benitez, and with the Antitrust Division of the U.S. Department of Justice in the Telecommunications and Media Enforcement Section in Washington, D.C. Jennifer is currently serving as a law clerk to Magistrate Judge John D. Love in the U.S. District Court for the Eastern District of Texas.



Rear Admiral Patrick E. McGrath, JAGC, US Navy (Ret.), Panelist

Rear Admiral Patrick McGrath completed 33 years of service on September 30, 2012. His last assignment was as the Deputy Commander of the U.S. Third Fleet. He is a 1979 graduate of the U.S. Naval Academy and a native of New York City.

RADM McGrath was designated as a naval aviator in 1981, reporting to the Helicopter Antisubmarine Squadron (Light) (HSL) 35. While at HSL-35, he deployed to the Indian Ocean and Western Pacific aboard USS Fanning (FF 1076), USS Reasoner (FF 1063), and USS Harry W. Hill (DD 986).

He completed tours as a flight instructor in HSL-41, and then an officer-in-charge in HSL-45, completing a deployment to the Persian Gulf aboard USS Kinkaid (DD 965). During this tour, he pursued his studies at the University of San Diego School of Law and completed his Juris Doctorate in Law in 1991. He left active duty in August 1990 and was commissioned in the Navy Reserve.

RADM McGrath held numerous billets at HSL-84 before assuming command. He subsequently commanded the reserve units for Carrier Southwest, Carrier Group 1, and Commander Naval Air Forces, U.S. Pacific Fleet. He also served on the staff of Commander, 3rd Fleet; as deputy commander, Readiness Command Southwest and deputy commander, Navy Region Southwest; and most recently, as commander, Naval Air Forces Reserve and vice commander, Naval Air Forces. He also was responsible for the Centennial of Naval Aviation celebration.

During his assignments as the Deputy Commander of Naval Air Forces and Deputy Commander of the U.S. Third Fleet, RADM McGrath devoted a significant portion of his efforts in providing leadership direction to improve the integration of females and minorities throughout the Navy, and also helped shed light on the issue of sexual assault.

After retiring from the Navy, RADM McGrath continues serving his community as a deputy district attorney in the San Diego District Attorney's Office.



Lieutenant Commander Renee May, USNR, Panelist

Lieutenant Commander Renee May was raised as part of a military family and received her commission as a naval officer through NROTC at Villanova University in 2000. Subsequently winged as a Naval Aviator in 2002, she became a Naval Helicopter pilot in the MH-60S Knighthawk. In 2002 she was stationed in Guam and deployed primarily in the South Pacific. Most significantly, she flew five months of humanitarian tsunami relief missions in Sumatra, Indonesia in 2005. She continued with her 10 years of active duty service, being stationed in San Diego, CA and Bahrain where she served as a

Fleet Watch Officer in the Maritime Operations Support Center for the Commander of Naval Forces Central Command and 5th Fleet.

In 2010, Renee May transitioned to the Naval Reserves and continues her service as Naval Helicopter pilot and the Operations Officer for Helicopter Sea Combat Squadron THREE (HSC-3) SCORE Detachment at NAS North Island in Coronado, CA. She manages the operational commitments of a four-aircraft helicopter detachment of 112 personnel, which provides year-round operational drone and torpedo launch and recovery support to the Commander of Third Fleet COMTHIRDFLEET Southern California Offshore Range (SCORE).

She additionally is a Civilian flight simulator instructor and teaches Naval aviators ground and simulator flight events as part of the MH-60S fleet training syllabus at HSC-3.

LCDR Renee May holds a masters degree in Nonprofit Organization Leadership and Management from the University of San Diego and is married to another active duty service member. They are expecting their first child in May 2014.



Kristen Kavanaugh, *Panelist*

In 1998, Kristen Kavanaugh chose the path less traveled and accepted an appointment to the U.S. Naval Academy. As she embarked on her military journey, she made a commitment to service that became the cornerstone of her life's work.

At the Academy, she learned to live by the Navy's core values: honor, courage and commitment. Like many college-aged Americans, Kristen also learned a great deal about herself. Two years into her commitment, her values and personal growth critically intersected when she began to understand and accept that she was a lesbian serving under the military's "Don't Ask Don't Tell" (DADT) policy which prevented lesbian, gay, bisexual and transgender (LGBT) service members from serving openly. Despite the moral dilemma of remaining "honorable" while hiding who she truly was, Kristen kept her oath to serve with "courage and commitment" by serving in silence under DADT at the Academy and as a United States Marine Corps officer. Although DADT prohibited her from advocating on her own behalf, Kristen fought for others throughout her 5-year Marine Corps career, which included one combat deployment to Iraq.

During the nationwide effort to repeal DADT in 2010, Kristen faced her biggest fear and publicly shared her story in the hope that LGBT service members would find solace in their common struggles. After the repeal of DADT, she co-founded the Military Acceptance Project (MAP), a social justice organization, which promotes acceptance of LGBT service members, veterans, and their families.

Kristen holds a Master's Degree in Social Work with an emphasis in Military Social Work from the University of Southern California. She currently serves as MAP's executive director and as a member of the Truman National Security Project's Defense Council.



Rear Admiral Garry J. Bonelli, US Navy (Ret.), *Panelist*

Garry J. Bonelli was sworn in to the Board of Port Commissioners for the San Diego Unified Port District on January 3, 2014, to represent the City of Coronado. As a Port Commissioner member, he is responsible for making public policy for the 6,000-plus acres encompassing the tidelands on San Diego Bay.

A retired Navy SEAL and Rear Admiral, Bonelli culminated 45 years of active and reserve service in 2013 at the U.S. Naval Special Warfare Command headquartered in Coronado. From his command, he provided the vision and leadership for a 9,000-person worldwide maritime special operations force and directed a \$1 billion enterprise.

Bonelli's civilian professional career spans corporate, military and public policy development. He has served the region as an executive staff member of the San Diego Association of Governments (SANDAG), and as vice president of communications and vice president of military affairs for the San Diego Regional Chamber of Commerce. Bonelli holds a master of science degree in mass communications from San Diego State University.



Amy Day, *Conference Organizer*

Amy Day is an Assistant Professor of Lawyering at Thomas Jefferson School of Law, where she teaches courses in legal writing. She earned her B.A. in political science and B.S. in journalism at Boston University, and her J.D. from Georgetown University Law Center. Prior to attending law school, Professor Day worked in political communications, serving as the deputy press secretary on the 2002 Massachusetts gubernatorial campaign of former Democratic National Committee Chairman Steve Grossman. As a law student, she worked as a student attorney in the Georgetown Domestic Violence Clinic. After graduation, she was a litigator in the Washington, DC office of Fried, Frank, Harris, Shriver & Jacobson, LLP. There, she continued to focus her pro bono work on representing low-income clients in domestic relations matters, including high-conflict child custody matters involving domestic violence and child sexual abuse. As a military spouse, Professor Day has a special interest in family law matters affecting service members and their families. As a member of the TJSL faculty she coordinates the school’s Family Law Self-Help Clinic and works on issues affecting students from the military community.

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Thank you to the student volunteers who participated in today’s conference!

** 8th floor reception sponsored by the faculty of the Thomas Jefferson School of Law*



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