

Judicial Proceedings Panel
13 March 2015
Speaker Biographies

DoD Overview of Compensation and Restitution

9:00 a.m. – 10:00 a.m.

Colonel John Baker, United States Marine Corps: Colonel Baker is the Deputy Director, Judge Advocate Division, for Military Justice and Community Development and is responsible for oversight of the Marine Corps military justice practice and the professional development of the Marine Corps legal community. Colonel Baker currently serves as the Chair of the Joint Service Committee on Military Justice. Colonel Baker has served in a variety of leadership and litigation billets, including assignments as a regional defense counsel, military judge, staff judge advocate, and senior trial counsel.

Economic Needs of Sexual Assault Victims and Barriers to Compensation

10:00 a.m. – 11:00 a.m.

Professor Julie Goldscheid, CUNY Law School: Professor Goldscheid is a Professor of Law at CUNY School of Law, where she teaches subjects including contracts, civil procedure, lawyering, and gender equality. She writes and speaks widely about gender equality, with a particular focus on gender-based violence and economic equality. Before joining the CUNY faculty, she held positions including senior staff attorney and acting legal director at Legal Momentum (formerly NOW Legal Defense and Education Fund). She spearheaded that organization's legal work to end violence against women, which included defending the constitutionality of the civil rights remedy of the 1994 Violence Against Women Act in courts nationwide, and before the U.S. Supreme Court in *United States v. Morrison*. She subsequently served as General Counsel of Safe Horizon, a leading victim assistance, advocacy, and violence prevention organization, where she oversaw its direct service, policy, and governance matters.

Professor Njeri Mathis Rutledge, South Texas College of Law: Professor Rutledge joined the faculty in 2005 where she teaches in the area of Legal Research and Writing. She earned her law degree from Harvard Law School where she served as technical editor of the Harvard Civil Rights-Civil Liberties Law Review. After graduating from Harvard she clerked for the Hon. John T. Nixon, Chief District Judge for the Middle District of Tennessee. Professor Rutledge worked as an associate for Baker Botts, L.L.P. where she represented clients in the areas of labor and employment, toxic tort and complex civil litigation for four years. Following Baker Botts, Professor Rutledge entered the public sector as a prosecutor for the Harris County District Attorney's Office. During her years as a prosecutor, Professor Rutledge served in the Family Criminal Law Division, Juvenile Division, Misdemeanor and Felony divisions. Professor Rutledge frequently speaks and writes in the area of domestic violence based on her extensive work with domestic violence victims in the Harris County District Attorney's Office.

Professor Courtney E. Lollar, University of Kentucky College of Law: Prior to joining the faculty of law at the University of Kentucky, Professor Lollar was a clinical faculty fellow at Washington University in St. Louis, where she taught the Criminal Justice Clinic and a seminar on sex crimes. She previously represented adult and juvenile defendants at the trial and appellate level at the Federal Defender Program in Atlanta, Georgia, and the Public Defender Service for the District of Columbia. She has served as a legal consultant in India for the Initiative for Medicines, Access, and Knowledge, and a research assistant to the United Nations Special Rapporteur on Violence Against Women. Professor Lollar received her B.A. magna cum laude from Brown University, and her J.D. from New York University School of Law, where she was Editor-in-Chief of the Review of Law and Social Change. Her primary research interests involve the intersections among criminal procedure, criminal law, gender, sexuality, and remedies.

State Compensation Programs: History, Purposes, and Use by Military/Dependent Victims

11:00 a.m. – 12:15 p.m.

Mr. Dan Eddy, Executive Director, National Association of Crime Victim Compensation Boards (NACVCB): Mr. Eddy is the executive director of the National Association of Crime Victim Compensation Boards, a position he has held since 1988. He implements national training and technical assistance activities for all state victim compensation programs, operates an information and resource center on compensation issues, and represents program interests with the federal government. From 1984-1988, Mr. Eddy served as Crime Victims Project director for the National Association of Attorneys General. He is a graduate of Harvard College and the University of Maryland School of Law. He received the Donald E. Santarelli award for contributions in public policy from the National Organization for Victim Assistance in 2001, and the Ronald Reagan Public Policy Award from the U.S. Department of Justice Office for Victims of Crime in 2008.

Ms. Laura Banks Reed, Director, D.C. Superior Court Crime Victims Compensation Program: Ms. Reed, J.D., is the Director of the D.C. Superior Court Crime Victims Compensation Program. She has served the Court in this capacity since 1996, when administration of the Crime Victims Compensation Program was transferred from the D.C. Department of Human Services to D.C. Superior Court. As Director, Ms. Reed and her staff have streamlined the application process, established collaborations and improved the delivery of services to victims in the District of Columbia. Ms. Reed is a graduate of Georgetown University Law Center and a member of the District of Columbia Bar. Ms. Reed was Assistant Deputy Register of Wills in the Probate Division of the Court from 1990 to 1996 and is active on several court-wide committees. She has served on the Strategic Planning Leadership Council since its establishment in 2001 and has chaired the Management Training Committee since 2002.

Mr. Gene McCleskey, Director, Texas Crime Victims Compensation Program: After Mr. McCleskey's retirement from the Marine Corps, he began his second career with the State of Texas Attorney General's office in the Crime Victims' Compensation (CVC) Program. His background in management, systems, and budget has been utilized as the Texas CVC program continually seeks ways to speed claims processing and provide service to victims of crime. The Texas CVC program is one of the largest, processing annually more than 35,000 applications from victims and making payments in excess of \$70 million. He and the Texas CVC staff have assisted in both of the Fort Hood mass casualty crimes by providing assistance to active duty military, dependents, and civilians who had expenses that were not covered by the DoD. As director of the Attorney General's Crime Victim Services Division, Gene also assists in the management of victim services grants to non-profits and law enforcement agencies in Texas. The Division currently manages over 700 individual grants totaling over \$45 million. Mr. McCleskey has participated as an instructor in conferences and training sessions, both in Texas and nationally, to better assist victim advocates and law enforcement with the role that Crime Victims' Compensation plays in assisting victims. He has served on the board and as president of the National Association of Crime Victim Compensation Boards. Mr. McCleskey received a Master of Business Administration degree from the University of Rochester in Rochester, New York.

Ms. Lindsey Silverberg, Advocacy and Outreach Supervisor, Network for Victim Recovery of DC (NVRDC): Ms. Silverberg is the Advocacy and Outreach Supervisor at NVRDC and oversees the Sexual Assault Crisis Response Project responsible for providing hospital advocacy and support services. Formerly, Ms. Silverberg worked as the Manager of Outreach and Student Services at the University of Maryland Office of the Victim Advocate Associate. She provided advocacy and support services to survivors of interpersonal violence and worked with the campus community to raise awareness about sexual assault, stalking, and relationship violence. More recently, Ms. Silverberg worked at Danya International, Inc. as an Associate Project Director in charge of two public health Small Business Innovative Research grants. She received her B.A. from the University of Maryland and her M.A. in Criminology and Public Sociology from the University of North Carolina Wilmington.

Ms. Nikki Charles, NVRDC, former Administrator of Victim Services, Maryland Criminal Injuries Compensation Board: Ms. Charles leads the crisis response, therapeutic and case management services at NVRDC. She is the organizational designee to the Sexual Assault Response Team, the Polyvictimization Response Team, and the Sexual Assault Victims' Rights Amendment (SAVRAA) Task Force. In 2014, she accepted a Citation of Valor for Group Achievement from the Secretary of the Navy on behalf of NVRDC's response to the 2013 Navy Yard shooting. Ms. Charles did her graduate work at the National Center for Missing and Exploited Children (NCMEC) working with families and conducting cold case reviews. She previously worked for the state of Maryland in a variety of capacities, starting as a Victim Services Coordinator for the Division of Parole and Probation and was the Administrator of Victim Services for the Criminal Injuries Compensation Board when she left to co-found NVRDC. She is also a full time faculty member at the American Public University System (APUS) and was awarded two Governor's Victim Assistance Awards in 2010 and 2012. Ms. Charles received her B.S. at Shepherd University and her M.A. in Thanatology from Hood College.

How Victims Can Obtain Restitution or Compensation for Crimes under the UCMJ

1:00 p.m. - 2:15 p.m.

Mr. Charlie Cosgrove, Chief, Programs Branch, Criminal Law Division, Office of The Judge Advocate General, U.S. Army: Mr. Cosgrove serves as a Chief, Programs Branch. His primary duty areas include support of the Army sexual assault prevention and response program, support of the domestic violence program, support of the Army drug testing program, serving as the Army's Program Manager for the victim witness assistance program, and the within office review of court-martial and Soldier applications for relief under Article 69, Uniform Code of Military Justice. Mr. Cosgrove is a retired Army Judge Advocate whose active duty assignments included Trial Counsel, Defense Counsel, Government Appellate Counsel and Military Judge and service in Germany, Korea and Saudi Arabia.

Major Mark D. Sameit, U.S. Marine Corps, Officer In Charge, Trial Counsel Assistance Program: Major Sameit attended William & Mary law school as part of the Marine Corps funded legal education program. He graduated in May 2008 and completed Naval Justice School in October 2008. Prior to his current position, Major Sameit has served as a defense counsel, trial counsel, and as the senior defense counsel. Major Sameit attended the Judge Advocate General's Legal Center and School. He graduated and received an LL.M. in Criminal Law in May 2011. He then served as the Regional Trial Counsel, Legal Services Support Section – National Capital Region where he oversaw the prosecution of cases within the National Capital Region. In September 2013 Major Sameit reported to Judge Advocate Division to serve as the branch head, Trial Counsel Assistance Program. Major Sameit's recent article, *When a Convicted Rape is Not Really Rape: The Past, Present, and Future Ability of Article 120 Convictions to Withstand Legal and Factual Sufficiency Reviews*, 216 MIL. L. REV. 86 (2013), was provided to the Panel on 30 January 2015.

Lieutenant Commander Patrick Korody, U.S. Navy, Victims' Legal Counsel: In October 2013, Lieutenant Commander Korody reported to Victims' Legal Counsel Program, Mayport, Florida where he serves as the supervising attorney for counsel stationed throughout Navy Region Southeast and Navy Region Midwest. Prior to his current position, he served as Senior Trial Counsel, Region Legal Service Office Northwest and as a Special Assistant United States Attorney (SAUSA) for the United States Attorney's Office, Western District of Washington. Lieutenant Commander Korody earned his undergraduate degree from Amherst College, graduating in May 2000 with a bachelor of arts, cum laude, in Law, Jurisprudence and Social Thought. In May 2005, he earned his law degree from The Ohio State University Moritz College of Law with Honors, Order of the Coif. He was admitted to the Maryland bar in 2005 and the Florida bar in 2013.

Ms. Kathy Nelson, Victim Witness Assistance Program, U.S. Air Force: Ms. Nelson is a paralegal technician at Peterson Air Force Base, Colorado, where her primary duty is as the Victim Witness Assistance Program (VWAP) Coordinator for organizations at Peterson and at Cheyenne Mountain Air Station. She began working for the Peterson Legal Office in 1987, and she has served as the VWAP coordinator since 1997. In 2014 and 2015, she was an instructor for the Air Force's pilot 5-week VWAP distance education training programs.

Captain Joe Ahlers, U.S. Air Force, Special Victims' Counsel, Air Force Legal Operations Agency: Captain Ahlers is a Special Victims' Counsel (SVC) with the Special Victims' Counsel Division, Community Legal Services Directorate, Air Force Legal Operations Agency, currently assigned to Joint Base Andrews, MD. As an SVC, Captain Ahlers provides independent legal representation to and advocacy on behalf of sexual assault survivors during the investigation and military justice process. Captain Ahlers received his Juris Doctor from the University of Wisconsin-Madison, cum laude, in 2011. Captain Ahlers is admitted to practice law before the Supreme Court of Wisconsin, the Air Force Court of Criminal Appeals, and the Court of Appeals for the Armed Forces.

Perspectives on Compensation and Restitution for Sexual Assault Victims

2:15 p.m. - 4:45 p.m.

Ms. Susan Smith Howley, Director, Public Policy, National Center for Victims of Crime: As the Director, Public Policy, Ms. Howley manages and coordinates the public policy assistance and advocacy efforts of the National Center for Victims of Crime. She assists legislators and advocacy groups working to pass meaningful legislation at the federal and state levels, by providing drafting assistance, tracking legislative trends, and providing qualitative analysis of the strengths and weaknesses of laws relating to the rights and interests of crime victims. Ms. Howley contributes to publications and projects of the National Center for Victims of Crime and conducts media interviews, public speaking, and training on public policy issues relating to victims of crime. Ms. Howley has more than twenty years of experience analyzing federal and state legislation regarding the rights and interests of crime victims. She has sixteen years advising advocates and policy makers regarding their legislative efforts for crime victims, and educating victim service providers, the media, and the public about the state of the law regarding crime victims' issues. Ms. Howley earned her Bachelor of Arts in International Affairs from Texas Christian University and her Juris Doctor from Georgetown University Law Center.

Ms. Bridgette Harwood, Director of Legal Services, NVRDC: Ms. Harwood directs the legal criminal and civil legal services programs. She is one of the few criminal victims' rights legal experts in the country. Before starting NVRDC, Ms. Harwood served as subject matter expert on the U.S. Department of Justice, Office for Victims of Crime's National Identity Theft Victims Assistance Network, developing training materials and curricula that she presented to coalitions throughout the country. As a certified police instructor, Ms. Harwood volunteers as a trainer for specialized victimization topics on Trauma and Victims' Rights at entry-level academies and in-service trainings. While at NVRDC, Ms. Harwood has developed NVRDC's *Pro Bono* Program—allowing for volunteer attorneys to offer *pro bono* assistance with NVRDC's civil and criminal legal services. Ms. Harwood developed NVRDC's criminal legal services program that assists all victims of crime in the District in asserting their rights throughout the criminal justice process. Under Ms. Harwood's direction, NVRDC's civil legal services assists survivors of sexual assault, intimate partner violence, and stalking in DC Superior Court and expanded its services for college campus survivors needing representation through administrative judicial hearings, appeals, and formal complaints to the Office for Civil Rights for Title IX violations. Ms. Harwood recently served on the Department of Education's Negotiated Rule-making Committee to address Clery in relationship the Violence Against Women Act and Campus SaVE.

Colonel Michael Mulligan, U.S. Army, Chief, Criminal Law Division, Office of The Judge Advocate General: Colonel Mulligan assumed duty as the Chief, Criminal Law Division, Office of the Judge Advocate General in October 2013. Previously he served simultaneously as the lead prosecutor in the Death Penalty case of *U.S. v. Hasan* and Chief, Government Appellate Division from November 2009 to September 2013. His prior criminal law assignments include leading the Army's Trial Counsel Assistance Program from 2003-05; Chief of Criminal Law, III Corps and Fort Hood from 1998-2000; Branch Chief, Government Appellate Division from 1994-95; Trial Defense Counsel, Darmstadt (Germany) 1993-94; Trial Counsel, V Corps, (Germany) 1990-93. Colonel Mulligan was an Assistant District Attorney, Tulsa County, Oklahoma before entering active duty in 1989.

Teresa Scalzo, Highly Qualified Expert, U.S. Navy Trial Counsel Assistance Program: Ms. Scalzo is the Deputy Director of the Navy Judge Advocate General Corps' Trial Counsel Assistance Program, where she provides training, case consultation, and assistance to the Navy's prosecutors. She previously served as the Senior Policy Advisor for the Office of the Secretary of Defense Sexual Assault Prevention and Response Office. Ms. Scalzo graduated from Trinity College in Hartford, CT with a major in economics and cum laude from Temple Law School in Philadelphia, PA.

Major Richard M. Cloninger, U.S. Marine Corps, Regional Victims' Legal Counsel: Major Cloninger is the Regional Victims' Legal Counsel for the Marine Corps Installations East area of responsibility. In this position, Major Cloninger represents victims of sexual assault and other crimes and supervises Victims' Legal Counsel in the region in their zealous representation of victims in the military justice process. Major Cloninger has personally assisted over 50 victims and managed the representation of over 250 victims within the region since the Victims' Legal Counsel Organization began in November 2013. Major Cloninger has previously served as a Trial Counsel, Legal Assistance Attorney, Civil Law Attorney, Legal Officer in support of a world-wide command, and a Battalion Judge Advocate in support of combat operations in Iraq.

Major Mary Ellen Payne, U.S. Air Force, Appellate Government Counsel, Air Force Legal Operations Agency: Major Payne is an Appellate Counsel with the Government Trial and Appellate Division at Joint Base Andrews. She represents the United States in cases before the United States Court of Criminal Appeals and the United States Court of Appeals for the Armed Forces. Major Payne has previously served as Deputy Chief of Military Justice, Area Defense Counsel and Senior Trial Counsel. Major Payne attended New York University School of Law and passed the July 2006 New York State Bar Examination.