



OBSERVATION POST

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Until we meet Again



Staff Sgt. Jorge Gomez, Maintenance Management Office, Company H, Combat Logistics Battalion 7, takes his final steps on the Combat Center's Del Valle field before boarding a bus to depart for the battalion's deployment to Afghanistan Jan. 9.

CLB-7 deploys to Afghanistan in support of OEF

Story and photos by
Lance Cpl. Charles J. Santamaria

Marines and sailors with Combat Logistics Battalion 7 said their good-byes to friends and loved ones before departing Del Valle Field for their deployment to Afghanistan Jan. 9. Families waited in anticipation as CLB-7 conducted a final weapons count before boarding the buses and heading off.

we're going through and although I am a little nervous, I have full faith in the Marines my husband is deploying with," said Natalie Monroe, wife of 1st Lt. Seth Monroe, platoon commander, Transportation Services, CLB-7.

The Marines with CLB-7 have full faith that their training has prepared them well for their deployment, according to Natalie.

"We're ready for the challenges," said Capt. Michael Tatosain, company commander, Transportation Services, CLB-7. "A lot of these



Lance Cpl. Timothy Murphy, motor transportation operator, Combat Logistics Battalion 7, performs a weapons count before boarding a bus at Del Valle Field to depart for their deployment to Afghanistan Jan. 10.

"This is the first deployment we're going through and although I am a little nervous, I have full faith in the Marines my husband is deploying with."

— Natalie Monroe

CLB-7 is deploying to Afghanistan in support of Operation Enduring Freedom. Deployments not only affect service members, but also the family members who they leave behind. "This is the first deployment

Marines have been together for two years in this unit and that gives me confidence that they have the experience and tools to be successful together. With two [Integrated

See **DEPLOY** page A5

Combat Center leaders, officials break ground

Story and photo by
Cpl. D.J. Wu

Maj. Gen. David H. Berger, Combat Center Commanding General, alongside members of the Resident Office in Charge of Construction and T.B. Penick & Sons Inc., broke ground at the site of the Combat Center's new Child Development Center, Monday.

This ground breaking marks the official start of construction for the 37,371-square-foot building that will accommodate approximately 300 infant through preschool-age children for full and part-time child care. The team will now to begin construction after a thorough design process.

"This ground breaking is a real milestone for us," said Lt. Cmdr. Ernesto Padilla, resident officer in

See **CDC** page A5



Lt. Col. Steven deLazaro, assistant chief of staff, Marine Corps Community Services, May Ford, branch head, Child Youth and Teen Program, Maj. Gen. David H. Berger, Combat Center Commanding General, Marc Penick, chief executive officer, T.B. Penick & Sons Inc., Navy Lt. Cmdr. James Stewart, public works officer, public works division, and Nizar Farhat, civil engineer, PWD, break ground at the site of the Combat Center's new Child Development Center, Monday.

CHANGES TO THE

UCMJ

NDAAs pass changes to Articles

See **A6**

3/4 Marines Awarded



Lance Cpl. Harrison Leeper, intelligence analyst, 3rd Battalion, 4th Marines, 7th Marine Regiment, is awarded the Navy and Marine Corps Commendation Medal during a ceremony held Jan. 14.

Story and photo by
Cpl. Ali Azimi

Two Marines and one sailor with 3rd Battalion, 4th Marines, 7th Marine Regiment, were awarded Tuesday, for their actions during the battalion's last deployment to Afghanistan in support of Operation Enduring Freedom.

Two ceremonies were held; one for the Bronze Star Medal awarded to Sgt. Maj. Michael A. Miller, battalion sergeant major, 3/4, and another to award Lance Cpl Harrison R. Leeper, intelligence analyst, Co. H, 3/4, and Petty Officer 3rd Class Kevin J. Kircher,

See **AWARD** page A5



CLC-13 visits Joshua Tree for Adopt-a-School event

Story and photos by
Lance Cpl. Kasey Peacock

JOSHUA TREE ELEMENTARY SCHOOL, JOSHUA TREE, Calif. – Marines with Combat Logistics Company 13, 1st Marine Logistics Group, spent the day laughing and playing with students during their physical education classes at Joshua Tree Elementary School, Jan. 8.

The visit was in support of the Adopt-a-School program, in which Marines from the Combat Center travel to various schools in the Morongo Basin School District to spend time with the students. Throughout the day,



Cpl. Norberto Torres, automotive organizational mechanic, Combat Logistics Company 13, plays with students during a visit to Joshua Tree Elementary School, Jan. 8.

Marines spent time with students during their physical education and recess times, joining them in stretches, and sporting activities including tether ball, soccer and basketball. The students also conducted a pacer test that Marines took part in, running alongside students throughout the event.

"It is always great for us to have more support with our P.E classes," said Carol Wilson, assistant physical education teacher. "Having the Marines out here helping the children learn to follow directions is wonderful for the children. I think that is just as much of a

See **SCHOOL** page A5

Welcome ABOARD

MCCS gives Marines a heads up on what's available

Story and photos by
Lance Cpl. Charles J. Santamaria

The Combat Center Commanding General's Welcome Aboard brief was hosted by Marine Corps Community Services at the base theater, Wednesday. The brief informed Marines who are new to the base of its history and available activities, facilities and programs that they can benefit from while stationed here.

The information given during the presentation is designed to help with the transition process between duty stations by giving Marines foresight on what the base and its surrounding area are like.

"Marines benefit from this brief because there are a lot of programs that they aren't aware of," said Jesse Silvas, relocation assistance specialist, Visitors Center. "It's our job to make sure that all of the information and services we offer are made available to new Marines and sailors who arrive on base."

The orientation informed Marines of the variety of activities they could participate in such as the Joshua Tree National Park, Lake Havasu and Big Bear ski resorts.

"I really like to travel and go off base," said Lance Cpl. Hannah Carlson, combat videographer, Company C. "Knowing that there are all these different activities that I can go do makes

the base feel more welcoming. I'm looking forward to the different things I'll be able to do while I'm here."

Retired Marines who were in attendance stated that an orientation like this one could've helped them when they arrived to an unfamiliar base.

"When I was going through my first check-in process as a young Marine, I had to find out where everything was on my own," Silvas said. "Looking back, I could've used the information given today because new Marines don't have to be lost anymore. Everything is provided for them and this brief is meant to make their lives a little more enjoyable while they're here."

From personal development to intramural sports, the Combat Center has something for everyone to participate in and enjoy, according to Lt. Col. Steve deLazaro, assistant chief of staff, MCCS.

"The brief lets them know what's out there," Silvas said. "We may be in the middle of nowhere, but we're surrounded by everything and we can point them in the right direction."

For more information on programs, events, and activities, call the Visitor's Assistance Center at 830-4028.



Lt. Col. Steve deLazaro, assistant chief of staff, Marine Corps Community Services, informs new arrivals to the Combat Center about opportunities available on and off base.

HEARTS FOR ART GALA



[Top] Cpl. Jredwin Yballa, ammunition technician, Headquarters Battalion, unfolds an American flag to be displayed for auction during the Hearts for Art Gala at the La Quinta Resort in La Quinta, Calif., Jan. 11. **[Center, Left]** Art enthusiasts dance during the Hearts for Art Gala at La Quinta Resort in La Quinta, Calif., Jan. 11. **[Bottom, Right]** Cpl. Jredwin Yballa, ammunition technician, Headquarters Battalion, and Lance Cpl. Ravi Persad, administrative specialist, HQBN, enjoy a meal and conversation during the Hearts for Art Gala at La Quinta Resort in La Quinta, Calif., Jan. 11

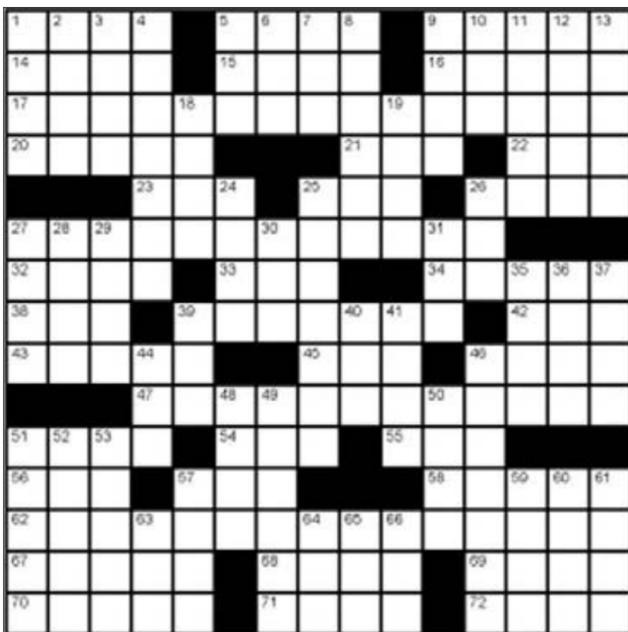
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NAME THAT BOOK

- Across**
- Goat sounds
 - Partner of 29-Down
 - Breakfast strips
 - Rights grp.
 - Captain of "Moby-Dick"
 - "___ in Wonderland"
 - Ernest Hemingway, 1926
 - Sends a phone message
 - Large coffee dispenser
 - Purring Persian, say
 - Funny Pochler
 - Extreme anger
 - Knotts and Johnson
 - John Steinbeck, 1937
 - Head of a school
 - Where to get a pedicure
 - McCartney and Walker
 - "___ not joking!"
 - Mexican parties
 - "The ___ of Pooh"
 - Ferguson or Kilborn
 - A pop
 - Japanese rice wine
 - Mario Puzo, 1969
 - Food that comes in a dozen
 - Place to park cars
 - Dallas coll.
 - Abbr. on business cards
 - Every last bit
 - Served like some beer
 - Joseph Conrad, 1899
 - Posh neckwear
 68. "___ kleine Nachtmusik" (Mozart)
 69. Manning and Whitney
 70. Poor
 71. Enjoy a good book
 72. Take a breather
- Down**
- "The Simpsons" creator Groening
 - Soreness
 - Trebek of "Jeopardy!"
 - Keep going
 - Stovetop item
 - "Gotcha!"
 - Buddy
 - Really silly
 - Farm structure
 - Boxing great
 - Classic TV series "The ___ Kid"
 - Atlantic or Pacific
 - Eagle homes
 - Military branch, for short
 - City in 35-Down
 - Sammy Davis, Jr.'s autobiography "___ Can"
 25. Stuck
 26. It's in your genes
 27. Pertaining to some poetry
 28. Be scared of
 29. Partner of 5-Across
 30. Gorilla's cousin
 31. Computer image file type



- Home state of the Osmonds
- Superior, Huron or Michigan
- Evening, in France
- Letters between E and I
- Media mogul Turner
- Puppy sounds
- "___ a girl!"
46. Shocking development
- Cockney greeting
- He might be putting on the green
- One way to run
- Patriot ___ Allen
- Flying honkers
- Candied, as fruits
57. Lawyer: abbr.
59. Prefix with marketer
- Sale condition
- "Hey you!"
- Serling or Stewart
- Rolled cube
- Santa ____, California
- Color of the sunset, sometimes
- 58 Lawyer's gp.

See answers on page B4

SUDOKU 3152D

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	7		8	9		1
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		2		6		
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MCIWest off-limits establishments guidance prohibits service members from patronizing the following locations. This order applies to all military personnel.

Local off-limits guidance prohibits service members from patronizing the following locations.

In Oceanside:
 - Angelo's Kars, 222 S. Coast Hwy, Oceanside, Calif., 92054
 - Angelo's Kars, 226 S. Coast Hwy, Oceanside, Calif., 92054

In Twentynine Palms:
 - Adobe Smoke Shop, 6441 Adobe Rd.
 - STC Smoke Shop, 6001 Adobe Rd.
 - K Smoke Shop, 5865A Adobe Rd.

In San Diego:
 - Club Mustang, 2200 University Ave.
 - Club San Diego, 3955 Fourth St.
 - Get It On Shoppe, 3219 Mission Blvd.
 - Main Street Motel, 3494 Main St.
 - Vulcan Baths, 805 W. Cedar St.

In Yucca Valley:
 - Yucca Tobacco Mart, 57602 29 Palms Hwy.
 - Puff's Tobacco Mart, 57063 29 Palms Hwy.

In National City:
 - Dream Crystal, 15366 Highland Ave.
 - Sports Auto Sales, 1112 National City Blvd.

In Palm Springs:
 - Village Pub, 266 S. Palm Canyon Dr.
 - Whispering Palms Apts., 449 E. Arenas Road
 - NYPD Pizza, 260-262 N. Palm Canyon Drive

For the complete orders, but not off-limits, check out the Combat Center's official website at <http://www.29palms.marines.mil>

WHAT I'VE LEARNED

Melissa

Fayette, Ohio Personal and professional development advisor, 36

OSBURN



> **It never crossed my mind** that I would live in Twentynine Palms.

> **I've been here** for three summers and those have been hot. This is my third winter here and I really don't mind.

> **They just had** a snow storm back where I'm from. We're sunny and going up to 70 today, so I can't really complain. This place is great if you like to be outside and run and don't like the cold. I definitely don't miss the humidity and mosquitos back at Camp Lejuene.

> **My biggest hobby** is running because my other hobby, so to speak, is finishing my degree. I have four classes left! Otherwise, I try to explore the hills around here.

> **I want to run and explore** more of the coast and I've yet to be in Big Bear.

> **Every week, I'll look** at the front page, but then I'll jump straight to page A3. 'What I've learned' is my favorite part of the newspaper. I used to save my favorites.

> **I really like how you** get to know a lot of the people on base. It seems like a random selection and that's why I like it.

> **I like the smart writing** and I really like the multiple-part stories.

> **I have four more classes** left in my Masters of Business, so I'm a student myself. I still don't know what I want to be when I grow up.

> **My experience makes** the Transition Readiness Seminar more relatable. We do the same curriculum every week. We'll tweak it here and there, but it's the people that make it fun.

> **We love it when people** come back. Every so often we'll find one or two students who resist at the beginning of the week, but by the end, they understand what the program is set up to do. The best way to thank us is to come back and say, "Hey, I want to take this further."

> **I really do think** that resumés are fun. They're tricky but they can be fun. It's really about marketing yourself. It's your chance to portray yourself in whatever light you choose. It's like one big puzzle and you have to put all the pieces together. It takes a while to get it right, but that's part of the fun.

> **I really have a Swiss cheese** of experience. When I started out, I worked at a pizza restaurant, then I went to accounting for a short while, then to purchasing, and then Camp Geiger dental clinic.

> **I also think that resumés** help you see yourself differently. Most Marines think that they're just a grunt or just an administration clerk, but when they take the time to see all of the skills that are behind that, they find out something new about themselves.

MELISSA OSBURN WORKS AS A PERSONAL AND PROFESSIONAL DEVELOPMENT ADVISOR AT THE COMBAT CENTER'S CAREER RESOURCES OFFICE. IN HER OFF-TIME, OSBURN COMPETES IN MARATHONS.



Interviewed and photographed by Cpl. Lauren Kurkibilis Dec. 11, 2013



The gift — of — Life

STACY FIDLER

MARINE MOTHER ATTESTS TO IMPORTANCE OF BLOOD DONATION



ARMED SERVICES BLOOD PROGRAM

Story by **Lance Cpl. Kathy A. Nunez**

FALLS CHURCH, Va. — The mother of a wounded Marine praised the Armed Services Blood Program during the second Military National Blood Month celebration, Jan. 9 at the Defense Health Headquarters.

Stacy Fidler expressed her gratitude to the blood donors who helped save her son, Cpl. Mark Fidler. The Armed Services Blood Program collects, processes and distributes blood products for military members.

While deployed to Afghanistan with 3rd Battalion, 7th Marine Regiment, in September of 2011, Mark stepped on an improvised explosive device, which resulted in severe injuries from his waist down. In the course of his treatment, Mark was transported to Walter Reed National Military Medical Center.

His mother spoke about his recovery:

What had to be done. "After three days at Walter Reed, the doctors told us the only way to save his life is to disarticulate him at the

hips. We gave permission knowing it would be a devastating thing."

The amount of blood he used

"I counted this stack (of medical papers) one day. Oct. 3, from about 3:30 in the afternoon to midnight was about 120 units. He took 68 units the second evening. These are the only amounts I actually know of."

Multiple surgeries

"He had surgeries every day for a while, then three times a week, then two times a week, and then as needed. They would prepare 20 units of blood for him every time he went into surgery."

What was expected

"They didn't expect him to live. The doctors would say, 'We'd never seen injuries this bad.' Without all those people giving blood, guys like mine wouldn't live."

The importance of donating blood

"By donating blood, you give somebody else another chance. It took a lot of people to donate for my son. Yes, he's still in rehab, and yes, his amputations are very high, but he goes hunting and fishing and he's alive."



STACY FIDLER

[Top, left] During a trip to Joshua Tree National Park in Twentynine Palms, Calif., Cpl. Mark Fidler, a wounded Marine, climbs a rock and finishes the climb with a push-up.

[Top, right] Cpl. Mark Fidler and his mother, Stacy Fidler, visit Diamond Valley Lake, Calif., in April 2012.

[Bottom, right] Ms. Stacy Fidler, mother of a wounded warrior, shares her son's story with attendees of the second National Blood Donor Month celebration held Jan. 9.



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SCHOOL, from A1

protection of our country as anything else; setting the future for our children.”

While the Marines are unable to come as often as the children would like, when they can, their arrival is greatly anticipated, according to Logan Sancett, student, 5th grade.

“I love when the Marines come out and play with us,” said Logan. “I want to grow up and be a runner, and I enjoy it when the Marines come out and run with us.”

For the Marines, the opportunity to volunteer and enrich the lives of young students brings no greater benefit, according to Cpl. Norberto Torres, automotive organizational mechanic, CLC-13.

“As soon as I heard about this opportunity, I was quick to jump on it and volunteer,” Torres said. “I could tell that they really enjoyed having us here. Seeing the smiles on their faces made me feel like we made a difference.”

The Marines enjoyed the visit just as much as the students, and look forward to returning to the school, according to Torres.

[Top, right] Lance Cpl. Alma Alvarez, water support technician, Combat Logistics Company 13, conducts warm-up exercises with elementary school students at Joshua Tree Elementary School, Jan. 8. During the visit, Marines with CLC-13 participated in physical education events with the students as part of the Adopt-a-School Program.

[Bottom, right] Lance Cpl. Alma Alvarez, water support technician, CLC-13, eats with elementary school students during lunch at Joshua Tree Elementary School, Jan. 8.



PHOTOS BY LANCE CPL. KASEY PEACOCK



CDC, from A1

charge of construction, ROICC. “We just finished the design phase and now we’re moving into the construction phase.”

The new CDC, located near the gas station, will replace the old one, currently in Building 693. The facility will include amenities such as drop-off and pick-up areas, fenced-in outdoor activity areas, play equipment, impact surfacing and shade structures.

“(The CDC) is going to be a state-of-the-art facility,” said Marc Penick, chief executive officer, T.B. Penick & Sons Inc. “It’s very gratifying to be here and start work. We’ve all waited a long time to get the project started and I’m looking forward to moving on rapidly.”

The facility will also be energy efficient, through the incorporation of solar energy farms, and conform to strict regulatory practices.

“This means the kids are going to have a great place to go,” Penick said. “Everyone is going to want to bring their kids here.”

The ground breaking was the start of 15-month construction period. The construction is slated to be finished in May of 2015.



CPL D. J. WU

The Regional Office In Charge of Construction team stand atop the site of the new Child Development Center, Monday

DEPLOYMENT, from A1

Training Exercises] and many other training events completed, I’m excited to see what we can accomplish.”

Being involved with the process leading up to a deployment is an important step for some family members.

“It’s important to stay involved in every step of the process leading up to him leaving, so I can be his support and have peace of mind knowing that he will be taken care of by fellow Marines,” Natalie said.

During its deployment, CLB-7 will begin the process of closing down forward operating bases in Afghanistan.

“The fruits of our efforts and training will show in how we perform,” Tatosain said. “We’re excited and ready to get started to help out with the effort.”

CLB-7 is scheduled to be deployed for seven months, supporting the military drawdown in Afghanistan while their families patiently await their safe return.

AWARDS, from A1

corpsman, Co. K, 3/4, the Navy and Marine Corps Commendation Medal.

Miller was awarded the Bronze Star Medal for his superior leadership as the senior enlisted leader during their deployment. He frequently traveled throughout the battle space, interacting with Marines, conducting patrols and sharing the hardships and dangers of his Marines.

“That’s just the type of leader he is,” said Lt. Col. Jeffrey Kenney, commanding officer, 3/4. “There is not a more selfless leader that I have worked with.”

In contrast to the Navy and Marine Corps Commendation Medal ceremony held later that day for Kircher and Leeper, Miller requested a small ceremony, with just a few officers, senior enlisted Marines and family.

“You never want it to be about you,” Miller said. “This award is just as much for any Marine or sailor in my command as it is mine.”

Later that day Miller and Kenney awarded the Navy and Marine Corps Commendation Medal to Kircher and Leeper for their actions in Afghanistan in support of their battalion.

The first to be awarded, Kircher, earned his medal for his outstanding work both as a corpsman and for his leadership in crucial situations while deployed. In spite of having no previous pharmaceutical training, Kircher administered 13 life-saving medicines to 88 different patients.

Leeper’s intelligence work and analysis of more than 2,000 hours of coverage earned him the medal. Within his first month during the deployment, Leeper’s hard work led to a narcotics raid in which 1,000 pounds of ammonium chloride and drug-processing equipment was seized.

“This award is appreciation for our hard work during the deployment,” Leeper said.

Although the battalion is scheduled to be deactivated, they continue to train Marines to do best and become selfless leaders.

Whatever you’re looking for, you can find it in the **Observation Post Classified section**

CHANGES TO THE UCMJ

Story written by DAVID VERGUN, HEADQUARTERS MARINE CORPS

The National Defense Authorization Act passed last month requires sweeping changes to the Uniform Code of Military Justice, particularly in cases of rape and sexual assault.

“These are the most changes to the Manual for Courts-Martial that we’ve seen since a full committee studied it decades ago,” said Lt. Col. John L. Kiel Jr., the policy branch chief at the Army’s Criminal Law Division in the Office of the Judge Advocate General.

Key provisions of the UCMJ that were rewritten under the NDAA for Fiscal Year 2014 — signed Dec. 26, 2013, by President Barack Obama — are Articles 32, 60, 120 and 125.

Article 32

The law now requires the services to have judge advocates serve as Article 32 investigating officers. Previously, the Army was the only service in which judge advocates routinely did not serve as Article 32 investigating officers.

Article 32 hearings — roughly equivalent to grand jury proceedings in the civilian judicial system — are held to determine if there’s enough evidence to warrant a general court-martial — the most serious type of

court-martial used for felony-level offenses such as rape and murder.

Congress decided that the services needed to have trained lawyers — judge advocates — consider the evidence, since in their view, trained lawyers often are in the best position to make determinations to go forward with general courts-martial, Kiel said. Judge advocates didn’t always serve as Article 32 investigating officers in the Army, “largely because we try four times the number of cases of any of the other services,” he explained — an issue of not having enough judge advocates for the high volume of cases.

Army officials asked Congress to consider its resourcing issue, he said, so the legislators wrote an exception, stating that “where practicable, you will have a judge advocate conduct the Article 32 investigation.”

Kiel explained what “where practicable” means, citing a number of circumstances where it could apply.

Many courts-martial were conducted over the years in Iraq and Afghanistan, where soldiers were deployed and some of those involved war crimes, he said. In these cases, the Army found it sometimes was best to have line officers be the Article 32 investigating officers, because

they could best put themselves in the shoes of the accused.

Those line officers “understood what it’s like to make decisions in the heat of battle better than a lawyer without those experiences,” Kiel said.

“They added a level of judgment that sometimes judge advocates could not.”

Another example, he said, might be travel fraud,” Kiel said.

Besides subject-matter experts being in the best position to be Article 32 investigating officers, he said, there simply might not be enough judge advocates in the area of the installation. For example, U.S. Army Forces Command would have enough judge advocates to do Article 32 hearings, Kiel said, but if a number of hearings came up at once at U.S. Army Training and Doctrine Command installations — a smaller major command — they might come up short.

That might jeopardize the right of an accused to a speedy trial if the clock runs out, he noted. And, if a judge advocate is flown in from another installation, travel costs would be incurred.

“Those are very real situations that could impact the ability to get it done expeditiously and cost effectively,” Kiel said.

Other attorneys on an installation cannot always be tapped for Article 32 investigating officer work, he said. On larger installations, “we have operational law attorneys that potentially could cover down on some of these areas, but we don’t have a lot of those,” he added.

On other installations, Kiel said, administrative law attorneys might have conflicts of interest if they’ve previously rendered some kind of legal review on a case.

“And, our administrative law attorneys

are always busy reviewing various sorts of investigations and helping the command deal with such things as ethics and family readiness issues,” he continued.

“Then we have our criminal law advocates, trial counsels and defense counsels,” Kiel added. “They’re all conflicted out from being IOs, because they’re actually tasked with presenting evidence during the [Article 32 hearing] as they’re acting as counsel to the government or to the accused.”

The fiscal 2014 National Defense Authorization Act gives the services one year to phase in this change to Article 32, stipulating that where practicable, judge advocates conduct the investigations.

This one-year time period provides needed time for the staff judge advocates to figure out if they have enough judge advocates to fill the requirement to cover down on all the Article 32 hearings and determine

which installations are struggling to meet the requirements, Kiel said.

Another impact to courts-martial practice is the new requirement for a special victims counsel to provide support and advice to the alleged victim, Kiel said. For example, the special victims counsel must inform the victim of any upcoming hearings — pretrial confinement, parole board, clemency and so on — and inform the victim that he or she can choose to attend any of those. The victim also will be notified in advance of trial dates and also any delays.

Furthermore, Kiel said, the special victims counsels may represent the alleged victims during trial, ensuring their rights are not violated, as under the Rape Shield Rule, for example. The Rape Shield Rule, or Military Rule of Evidence 412, prevents

These are the most changes to the Manual for Courts-Martial that we’ve seen since a full committee studied it decades ago.”

— Lt. Col. John L. Kiel Jr.

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See page A7 for details and limitations

admission of evidence concerning sexual predisposition and behavior of an alleged victim of sexual assault.

Kiel provided a side regarding the Rape Shield Law and how a high-visibility case a few months ago involving football players at the U.S. Naval Academy influenced changes to Article 32 by Congress.

In that case, the defense counsel had the victim on the stand for three days of questioning about the alleged victim's motivations, medical history, apparel, and so on during the Article 32 hearing, he related. The cross-examination was perceived by the public and Congress to be disgraceful and degrading, and potentially violating the federal Rape Shield Rule. With passage of the fiscal 2014 National Defense Authorization Act, alleged rape and sexual assault victims are no longer subject to that kind of interrogation at the Article 32 hearing, he said.

Before the new law, alleged victims of sexual assault were ordered to show up at Article 32 hearings and were frequently asked to testify during those hearings as well.

"Congress thought that wasn't fair, since civilian victims of sexual assault didn't have to show up or testify," Kiel said.

"Now, any victim of a crime who suffers pecuniary, emotional or physical harm and is named in one of the charges as a victim does not have to testify at the hearing," he added.

Article 60

Like Article 32 changes, modifications to Article 60 are to be phased in over the course of 12 months. Article 60 involves pretrial agreements and actions by the convening authority in modifying or setting aside findings of a case or reducing sentencing. A convening authority could do that in the past, and some did, though rarely.

Changes to Article 60 were influenced last year by a case involving Air Force Lt. Col. James Wilkerson, a former inspector general convicted of aggravated sexual assault, Kiel said. The convening authority, Air Force Lt. Gen. Craig Franklin, overturned the findings of guilt.

"That got Congress stirred up," Kiel said.

In the new law, legislators said the convening authority can no longer adjust any findings of guilt for felony offenses where the sentence is longer than six months or contains a discharge. They cannot change findings for any sex crime, irrespective of sentencing time.

One way a commander still can modify a sentence is, "if the trial counsel comes forward and says, 'This particular accused was very helpful in securing evidence or cooperating with the government in prosecuting someone who was accused of committing an offense under

the UCMJ.' That is a trigger for the convening authority to be able to modify a sentence," Kiel said.

The other way a convening authority can modify a sentence, even involving rape and sexual assault, is if a pretrial agreement is in place, he said, meaning that the case could close, but the pretrial agreement would still take effect.

Congress realized that Article 60 was still needed to continue the option for pretrial agreements, Kiel said. Had Article 60 been done away with altogether, he added, "that would have likely meant all courts-martial would have gone to full contest, and that would have bottlenecked the entire process."

Voiding Article 60 also would have meant that all alleged victims of sexual assault likely would have to testify.

"Sometimes, victims supported the pretrial agreement, supported the potential sentence and supported the fact that they didn't have to testify — when it was in their best individual interest," Kiel said.

Other changes to courts-martial practice were made.

Prior to the new law, the convening authority could consider the military character of the accused in considering how to dispose of a case, Kiel said. Congress decided that should have no bearing on whether or not the accused has committed a sexual assault or other type of felony.

Also, he said, previous to new law, "sometimes the 'staff judge advocate' would say, 'Take the case to a general court-martial,' and the convening authority would disagree and say, 'I'm not going forward.' Now, he said, 'if the convening authority disagrees, the case has to go to the secretary of the service concerned, (who) would have to decide whether to go forward or not.'"

In the case of an alleged rape or sexual assault in which the staff judge advocate and the convening authority decide not to go forward because of a lack of evidence or for any other reason, that case has to go up to the next-highest general court-martial convening authority for an independent review, Kiel said.

So if the case occurred at the division level in the Army, for example, and a decision were made at that level not to go forward, then the division would need to take the victim's statements, its own statements for declining the case, and forward them and the entire investigative

file to the next level up — in this case, the corps.

At the corps level, the staff judge advocate and the corps commander would then review the file, look at the evidence and make a determination whether or not to go forward, Kiel explained.

If it's decided to move forward, the case would be referred at the corps level instead of sending it back down to the division, he added. This, he explained, avoids unlawful command influence on the case's outcome.

Articles 120 and 125

The UCMJ's Articles 120 and 125 now have mandatory minimum punishments: dishonorable discharge for enlisted service members and dismissal for officers, Kiel said. Article 120 deals with rape and sexual assault upon adults or children and other sex crimes, and Article 125 deals with forcible sodomy. In addition, the accused now must appear before a general court-martial with no opportunity to be tried at a summary or special court-martial, Kiel said.

A summary court-martial is for relatively minor misconduct, and a special court-martial is for an intermediate-level offense.

Furthermore, Congress highly encouraged the services not to dispose of sexual assault cases with adverse administrative action or an Article 15, which involves nonjudicial punishment usually reserved for minor disciplinary offenses, Kiel said.

Rather, Kiel said, Congress desires those cases to be tried at a general court-martial and has mandated that all sexual assault and rape cases be tried only by general court-martial.

Prior to the fiscal 2014 National Defense Authorization Act, there was a five-year statute of limitations on rape and sexual assault on adults and children under Article 120 cases. Now, there's no statute of limitations, he said.

Congress repealed the offense of consensual sodomy under Article 125 in keeping with previous Supreme Court precedent, Kiel said, and also barred anyone who has been convicted of rape, sexual assault, incest or forcible sodomy under state or federal law from enlisting or being commissioned into military service.

What's Ahead

Congress could make even more changes that address sexual assaults in the military as early as this month, Kiel said. And later this year, changes to the Manual for Courts-Martial should be signed by the president after review by the services, the national security staff, the Defense Department and other agencies, he added. The updated manual would codify all the changes, although some already are in effect, he said.

Now, any victim of a crime who suffers pecuniary, emotional or physical harm and is named in one of the charges as a victim does not have to testify at the hearing."

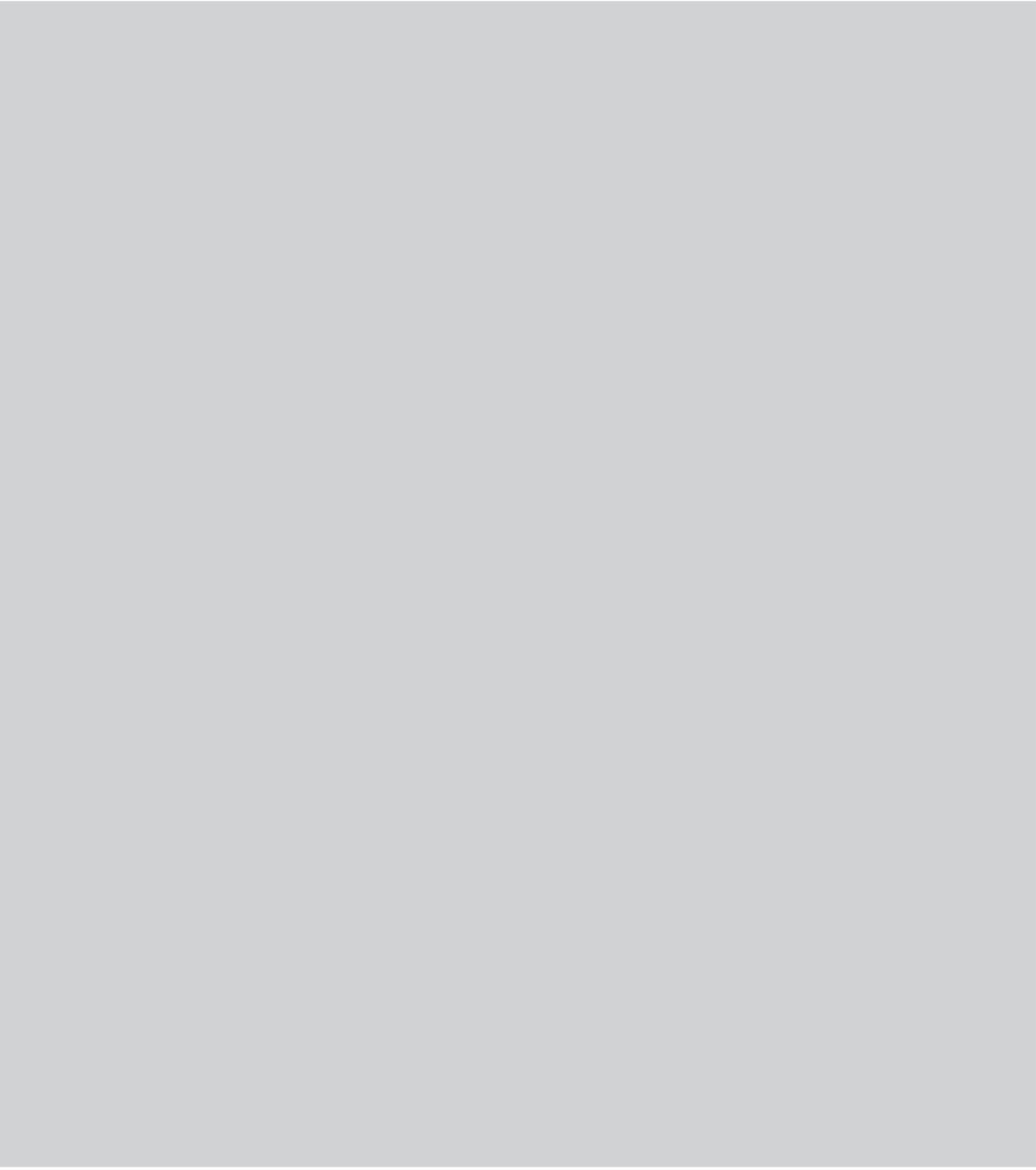
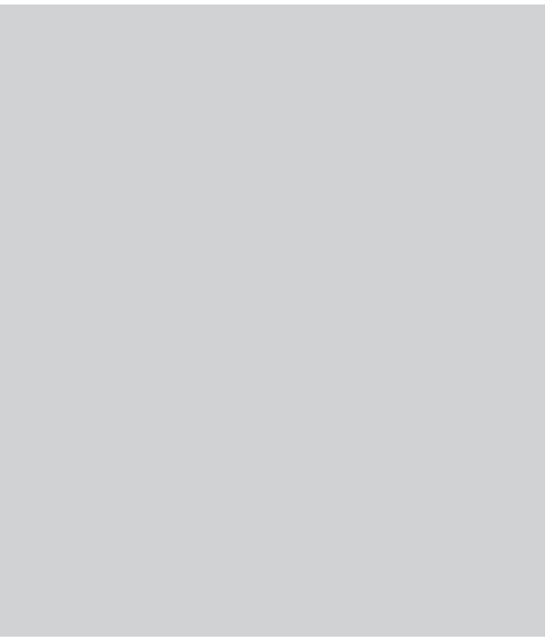
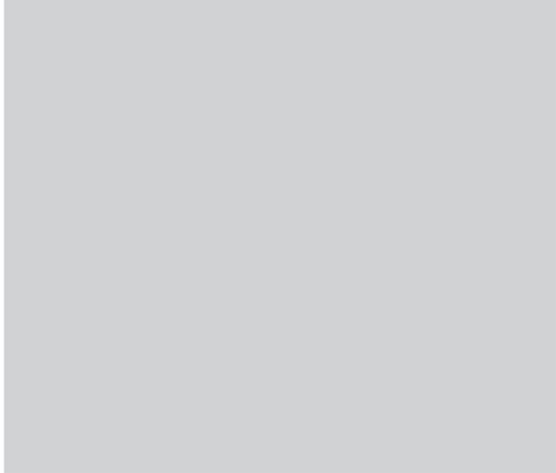
— Lt. Col. John L. Kiel Jr.

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WeekINPhotos

13th Marine Expeditionary Unit



PHOTOS BY SGT. AMMON W. CARTER



[Above] Marines with Maritime Raid Force, 13th Marine Expeditionary Unit, conduct a deck shoot on the flight deck aboard USS New Orleans, Jan. 9. The 13th MEU is deployed with the Boxer Amphibious Ready Group as a theater reserve and crisis response force throughout the U.S. 5th Fleet area of responsibility.

[Top, right] A Marine with Maritime Raid Force, 13th MEU, sights in on a target during a deck shoot on the flight deck aboard the USS New Orleans Jan. 9.

[Bottom, right] MRF Marines keep their skills sharp with a deck shoot on the USS New Orleans' flight deck Jan. 9.



LEATHERNECK COMEDY TOUR



Stand-up comedy, music come to Combat Center

STORY AND PHOTOS BY:
LANCE CPL. PAUL S. MARTINEZ



Marines and sailors aboard the Combat Center were treated to food, comedy and music during the first Leatherneck Comedy Tour of 2014 at the base theater, Jan. 10.

The tour, currently in its third year, serves to entertain service members stationed at different bases around the world. The show featured comedians Jay Mohr, Ronnie Jordan and Shawn Felipe, disc jockey Mike Saunders and singer Keri Hilson.

"It's an honor to perform for these Marines," said Ronnie Jordan, comedian, Leatherneck Comedy Tour. "I've been [performing on] bases and tours for the military since my start in comedy. Anything I can do to give back, I jump at the opportunity. I appreciate what they do."

The show was met with very positive feedback from its Combat Center audience, who continuously clapped and cheered for the comedians on stage.

"I loved the show. These comedians were really funny," said Pfc. David Wulbrecht, student, Marine Corps Communication-Electronics School. "These events help break the monotony of daily life and allow us to come and enjoy ourselves. I hope to see it again."

Prior to the first comedian, DJ Mike Saunders played music and invited some Marines from the audience to dance on stage. With their spirits high, the show kicked off in full gear.

Comedians Ronnie Jordan, Shawn Felipe and Jay Mohr put on a humorous array of jokes, stories and life lessons for the audience, all met with roars of laughter.

"I think the show went great," said Michael A. Brown, program specialist, Single Marines Program, Headquarters Marine Corps. "The Marines got to laugh and relax throughout."

After the stand-up comedy performances, singer Keri Hilson took the stage with a lively performance of songs. Those seated quickly rose and rushed to the base of the stage to show their enthusiasm and appreciation for her performance.

"It's a fun show and the Marines deserve it," Brown said. "We love and hope to continue doing this for Marines and sailors at different installations."

According to Brown, this year's tour will see 22 scheduled shows across stateside and overseas installations. For the first time in the tour's history, it will stop at Marine Corps Base Camp Mujuk, South Korea.

For the comedians, the opportunity to continue bringing entertainment to those who serve is highly anticipated.

"I'm looking forward to landing in Japan and South Korea to meet the Marines there," Jordan said.

The Leatherneck Comedy Tour is slated to return to the Combat Center later this year.

[Top, Right] Keri Hilson, singer, Leatherneck Comedy Tour, reaches out to the Marines and sailors while performing during the Leatherneck Comedy Tour at the base theater, Jan. 10.

[Top, Left] Shawn Felipe, comedian, Leatherneck Comedy Tour, waves goodbye after his performance for an audience of Marines and sailors during the Leatherneck Comedy Tour at the base theater Jan. 10.

[Center] Ronnie Jordan, comedian, Leatherneck Comedy Tour, shares personal stories and tells jokes for an audience of Marines and sailors during the Leatherneck Comedy Tour at the base theater Jan. 10.

[Bottom] Jay Mohr, comedian, Leatherneck Comedy Tour, performs for an audience of Marines and sailors during the Leatherneck Comedy Tour at the base theater Jan. 10.



Combat Center Events

Science Night

Discover the wonderful world of science with tons of hands-on experiments and demonstrations. You can even take home your mad-scientist creations.
 When: 6 p.m. - 7:30 p.m., Thursday, Jan. 23.
 Where: Lifelong Learning Library
 For more information, call 830-6875

Super Bowl XLVIII

Prizes and give aways throughout the game. Food and Drink Specials and Budweiser Girls
 When: Feb. 2.
 Where: Excursions, Blood Stripes, SNCO and Officers Club
 For more information, call 830-8429

Coping with Work and Family Stress

This workshop will cover a wide range of active coping skills, ways to make better use of social networks and specific stress management approaches.
 When: Thursdays 9-10:30 a.m.
 Where: Bldg. 1530, Classroom 303
 For more information, call 830-4950

Nurturing Parenting Class 2014

This class is an evidence-based and family-focused program that is recognized internationally for enhancing self worth, empathy, discipline and empowerment.
 When: March 12 and 19.
 Call 830-7622 for more information

For more events visit <http://www.mcsc29palms.com>

Sunset Cinema

Friday, Jan. 17

6 p.m. – Philomena, R
 8:30 p.m. – Tyler Perry's: A Madea Christmas, PG-13
 11:30 p.m. – Homefront, R

Saturday, Jan. 18

10:30 a.m. – Free Admission Turbo, PG
 1 p.m. – Frozen 3-D, PG
 3: 30 p.m. – Black Nativity, PG
 5:30 p.m. – Tyler Perry's: A Madea Christmas, PG-13
 8 p.m. – The Hobbit: The Desolation of Smaug 3-D, PG-13
 11:30 p.m. – Out of the Furnace, R

Sunday, Jan. 19

12:30 p.m. – Frozen 3-D, PG
 3 p.m. – Saving Mr. Banks, PG-13
 6 p.m. – Homefront, R
 9 p.m. – American Hustle, R

Monday, Jan. 20

5 p.m. – Anchorman 2: The Legend Continues, PG-13

Tuesday, Jan. 21

6 p.m. – The Hobbit: The Desolation of Smaug 3-D, PG-13

Wednesday, Jan. 22

5 p.m. – Black Nativity, PG
 7:30 p.m. – Tyler Perry's: A Madea Christmas, PG-13

Thursday, Jan. 23

5 p.m. – Frozen, PG
 7:30 p.m. – Homefront, R

High Desert

Free Line-Dance Lessons

Learn to dance the night away
 When: 5 - 9 p.m., every Sunday
 Where: Willie Boy's Saloon and Dance Hall
 50048 29 Palms Hwy, Morongo Valley, Calif.
 For more information, call (760) 363-3343.

The importance of being earnest

A trivial comedy for serious people
 When: 7 p.m., Fridays & Saturdays, Jan. 10 - Feb. 8
 Where: Theatre 29
 73637 Sullivan Rd., Twentynine Palms, Calif.
 For more information, call (760) 316-4151

Low Desert

Morris Day and the Time, Sheila E.

An evening of funkalicious R&B
 When: 8 p.m., Saturday, Jan. 25
 Where: Spotlight 29 Casino
 46-200 Harrison Place, Coachella, Calif.
 For more information, call 866-377-6829 or visit <http://www.spotlight29.com>

Martina McBride

American Country Music singer performs
 When: 8 p.m., Friday, Jan. 31
 Where: Fantasy Springs Resort Casino
 84-245 Indio Springs Parkway, Indio, Calif.
 For more information, call 800-827-2946 or visit <http://www.fantasyspringsresort.com>

Foreigner

British-American rock band performs
 When: 9 p.m., Saturday, Feb. 1
 Where: Morongo Casino Resort and Spa
 49500 Seminole Drive, Cabazon, Calif.
 For more information, call 800-252-4499 or visit <http://www.morongocasinosort.com>

Air Supply

Australian soft-rock duo performs
 When: 8 p.m., Friday, Feb. 14
 Where: Agua Caliente Casino, Resort and Spa
 32-250 Bob Hope Dr., Rancho Mirage, Calif.
 For more information, call 888-999-1995 or visit <http://hotwatercasino.com>

De Niro, Stallone slug it out in clichéd boxing comedy

NEIL POND

"Grudge Match"

Starring: Robert De Niro & Sylvester Stallone
 Directed by Peter Segal
 PG-13, 113 min.

What if the two boxers from two of Hollywood's most iconic boxing movies of all time came together in one contemporary clash of the titans?

Well, Rocky and Raging Bull don't show up, exactly, but you'll have no trouble remembering the roles Sylvester Stallone and Robert De Niro played some 30 to 35 years ago watching them spar in "Grudge Match," in which they both portray long-retired palookas lured back to the ring by the promise of a big payday—and the opportunity to settle a decades-old dispute about who's king of the knock-outs.

Back in the day, "Razor" Sharp (Stallone) and Billy "Kid" Donnan (De Niro) were Philadelphia scrappers who battled their way to the top of the light-heavy-weight heap, culminating in an epic slugfest that ended with a split decision. Razor called it quits, however, and announced his retirement before a tie-breaking rematch could be arranged, and Kid's been obsessed with "what might have been" ever since.

Now a young, motor-mouthed promoter (Kevin Hart) sees an opportunity to make his name (and a lot of moolah) by setting up a long-overdue bout between the two rusty old steel-town foes and turning it into a major media event.

Will Razor agree to put on the gloves one more time? Will the Kid swap pancakes and scotch for salads and sit-ups? Will the press stop making cracks about Geritol and Life Alert necklaces? And who will the woman (Kim Basinger), who had to choose between Kid and Razor three decades ago choose this time around?

Stallone mumbles, De Niro mugs. There are some funny bits, but director Peter Segal ("50 First Dates," "Anger Management," "Get Smart") somehow manages to miss with most of his punches, comedic and otherwise. The jokes are lame and low; this is the kind of movie that thinks anything from the waist down is hilarious. The story trots out nearly every contrivance and cliché imaginable, and the performances are about as lazy as you can get in a movie that still requires people to get up and walk around.

And walking around isn't even required, at least not all the time, for Alan Arkin's character, Razor's "elderly" trainer, whose ability to self-ambulate comes and goes.

Ironically, one of the best moments of the whole movie happens after it's finished. Stay for the credits and catch the snippet in which the promoter tries to tempt another couple of former boxing champs back inside the ring for his next big event.

By the time things get around to the "Grudge Match" you know is coming, you just want the scene—like the movie—to be over before either Stallone, 67, or De Niro, 70, gets hurt. If I had a towel, I'd have thrown it in long before the legacies of two great movies were slammed to the mat and ground into a crappy comedy like this one.

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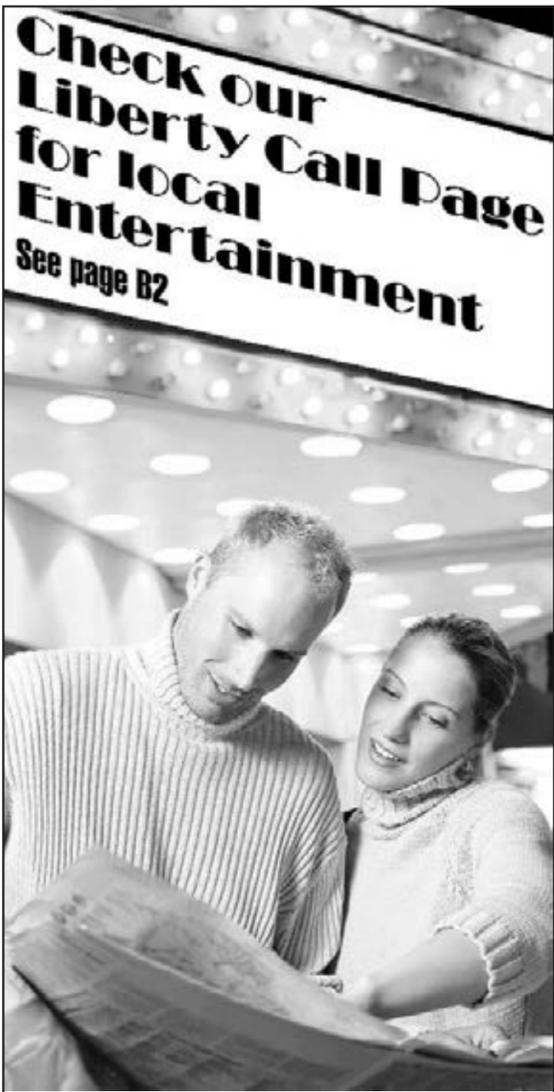
See page **XX** for details and limitations



[Above] Lance Cpl. Eric Targon, M1A1 tank crewman, 1st Tank Battalion, plays catch with students during physical education class at Palm Vista Elementary School in Twentynine Palms, Calif., Jan. 15. Marines with 1st Tanks visited the school for the first time as part of the Adopt-a-School program.



[Top, right] Cpl. Eugene Duncan, field wireman, 1st Tank Battalion, pushes children on swings during recess at Palm Vista Elementary School in Twentynine Palms, Calif., Jan. 15. [Bottom, right] Lance Cpl. Trevor Lambert, M1A1 tank crewman, 1st Tank Battalion, works with children during a writing lecture at Palm Vista Elementary School in Twentynine Palms, Calif., Jan. 15.



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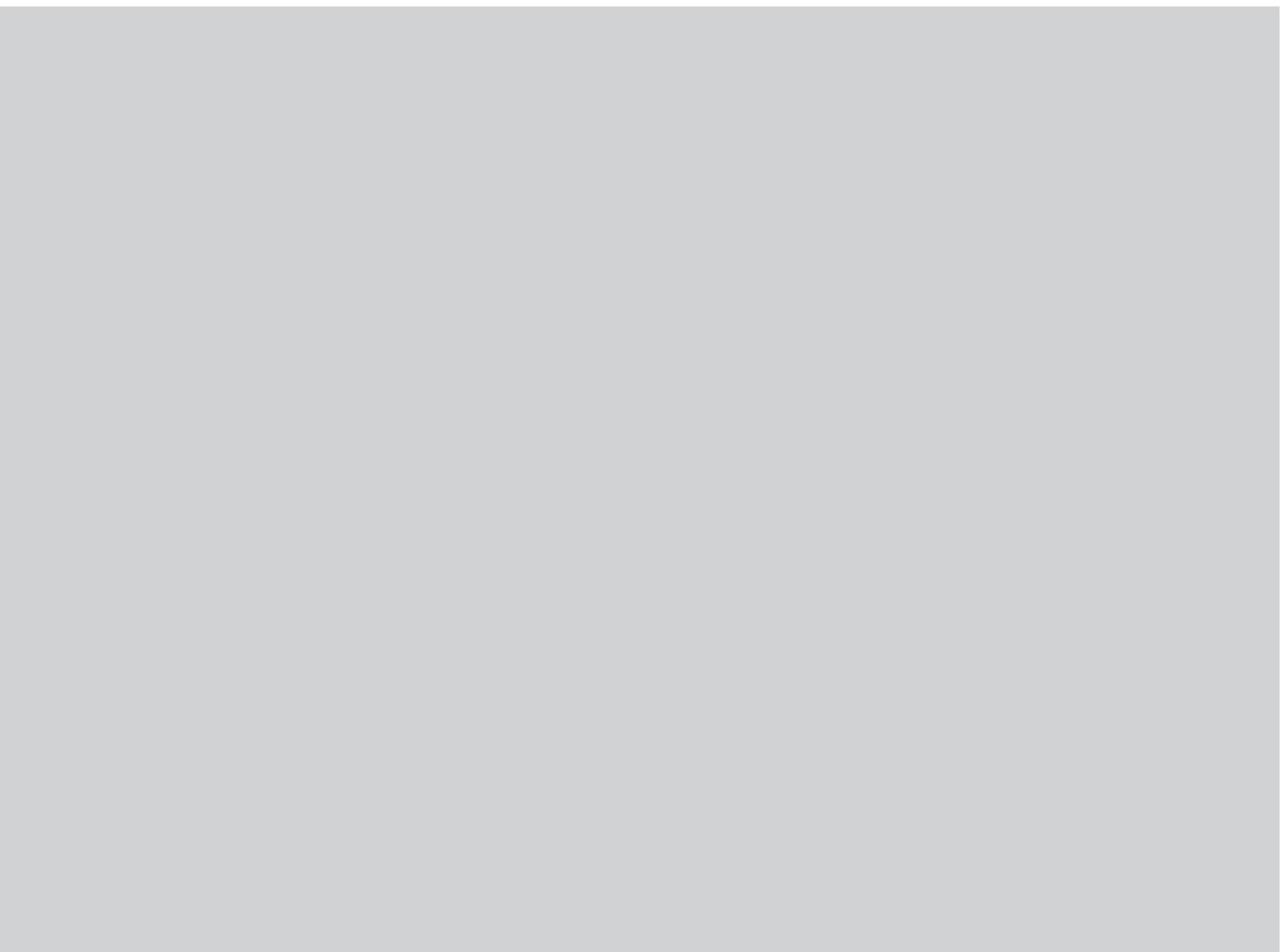
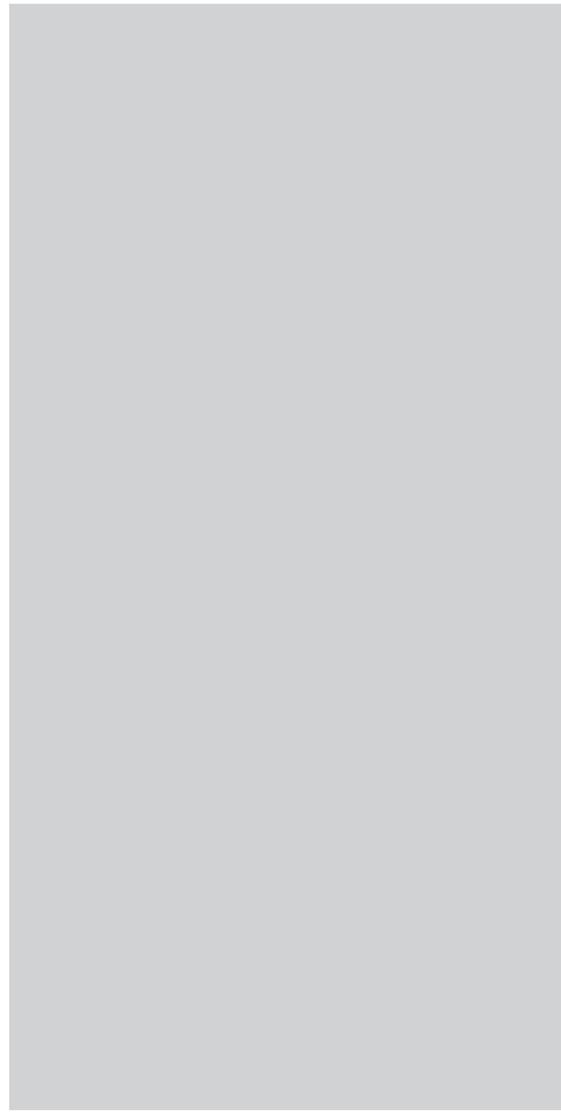
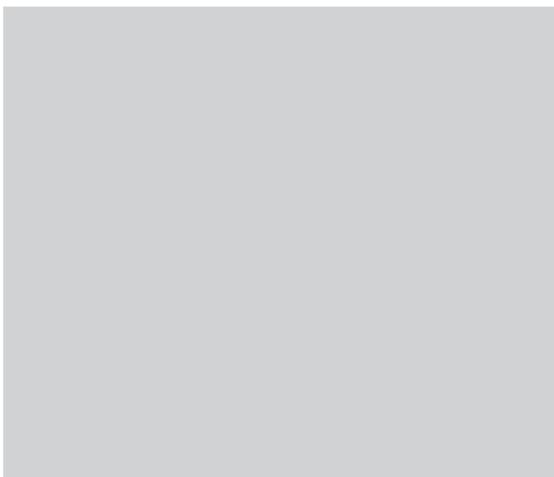
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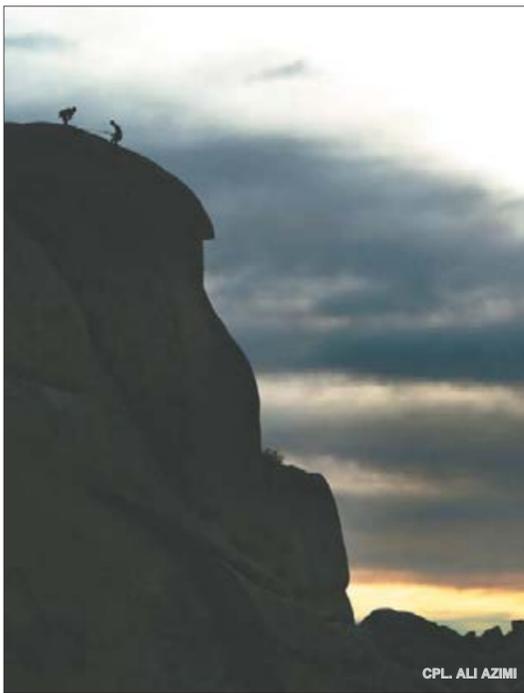
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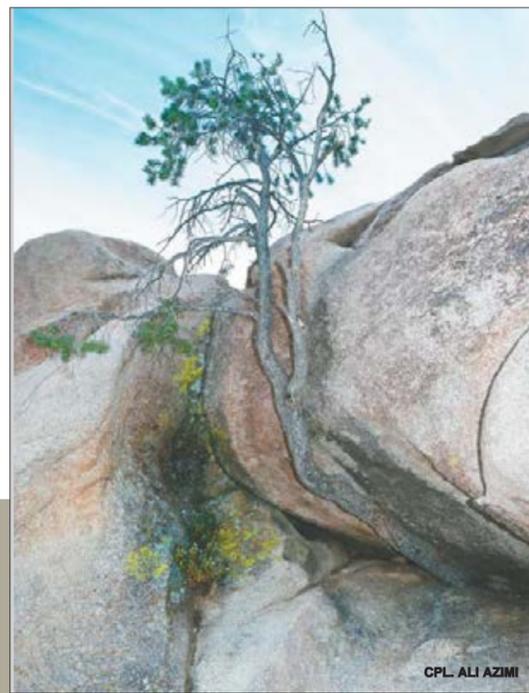
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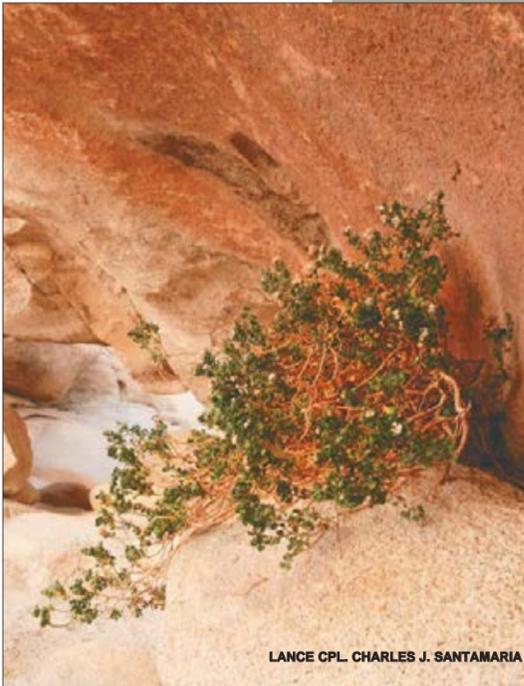
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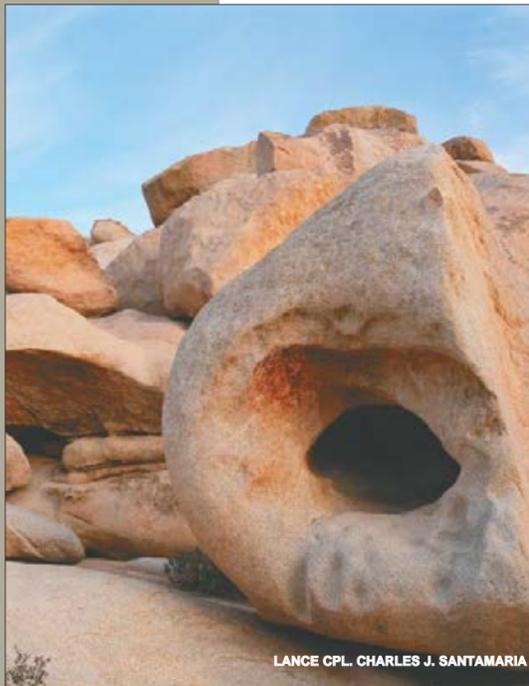


LANCE CPL. CHARLES J. SANTAMARIA



LANCE CPL. CHARLES J. SANTAMARIA

Joshua Tree National Park is a place of endless wonder and adventure. The park has more than a dozen self-guiding trails to show off its unique desert wildlife and massive rock formation. Patrons can make a day trip or camp in the designated sites to enjoy the multiple rock-climbing venues and mountain bike trails. The park attracts men and women from around the globe, but for Combat Center Marines and sailors, it's a drive down Highway 62 and free admittance for active-duty service members.



LANCE CPL. CHARLES J. SANTAMARIA



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