

Navigating “Peace” as a Warfighter

August E. Dannenmaier

Introduction:

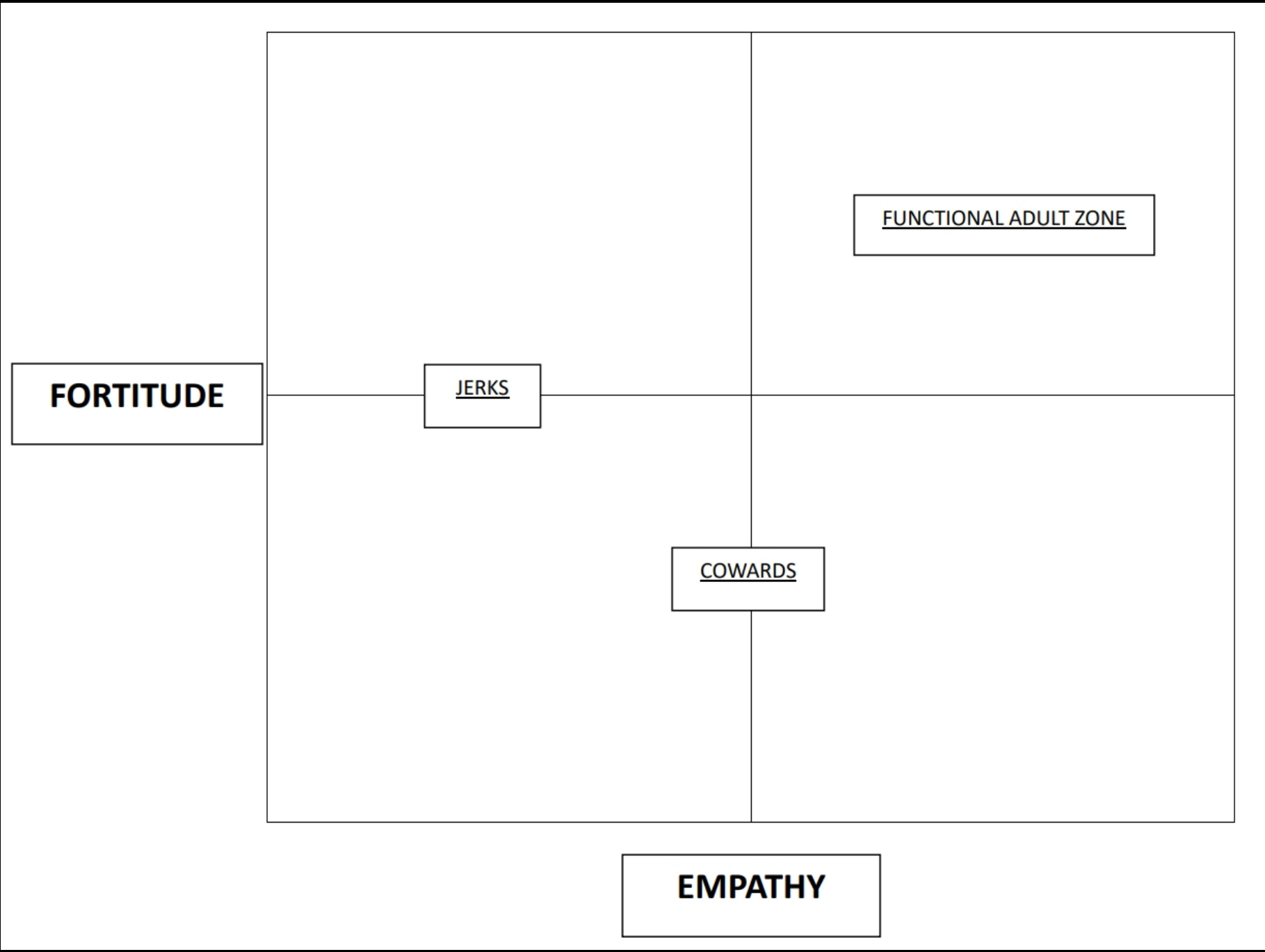
- USMC Recruit Training - Parris Island 2005
- University of Texas at Austin 2015
 - BA Government
 - Business Foundations Certification
- University of Texas School of Law 2019
- USMC Officer Commissioning Course 2022

Career Timeline

- Enlisted tours (0311/0621)
 - Djibouti 2006-2007
 - Iraq 2008-2009
 - Afghanistan 2009-2010
- Texas Senate Committee on Veterans Affairs and Military Installations 2013 & 2015 (Interim Clerk and Intern)
- Office of the General Counsel - Texas Dept. of Crim Justice 2016 (Legal Assistant, Legal Affairs and Litigation)
- US House Homeland Security Committee - Legal Team 2018
- United States Army Futures Command – Legal Extern 2019
- Texas Court of Criminal Appeals – Clerk/Briefing Attorney 2020-2022
- United States Marine Corps – Judge Advocate (4402) 2022-Present
 - Defense Counsel - National Capitol Region

MANDATORY FUN SLIDE (:

- Yes, I am presently active duty Marine Officer.
 - Yes, I consulted the MCB – Quantico OSJA in accordance with the Joint Ethics Regulation (JER) before attending.
- NO, I DO NOT:
 - Represent the Department of Defense;
 - Department of the Navy;
 - United States Marine Corps, or;
 - any other expansive tentacle of the United States Government today in ANY capacity.
- I am here in my personal, private capacity of my own free will.
 - My opinions are my own.
 - I'm not sorry for them, either.
 - My command also knows I am not sorry for them.



FORTITUDE

JERKS

COWARDS

EMPATHY

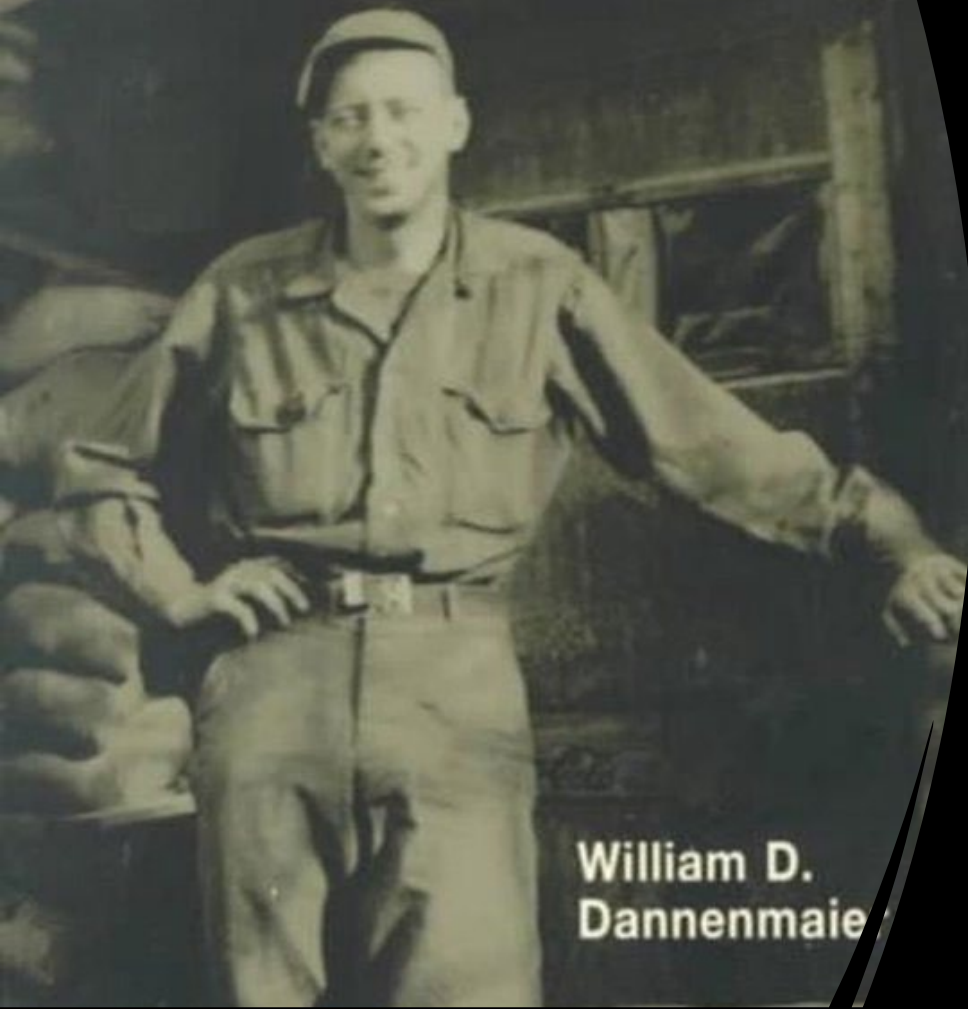
FUNCTIONAL ADULT ZONE

“It is a family Business.”

- Very few “first generation” service members. Most have a family member who has served.
- The whole family serves.
 - Spouses and children are directly affected. Subsequent generations are influence but what we do and how we do it.
 - How we handle ourselves, and each other, matters.
- Grandfather, US Army (Korea).
- Uncle, US Navy (Cold War).
- Me (USMC)
 - Four subsequent family members directly influenced by my decision.
 - No. 5 is Coast Guard JAG – Curious.

WE WERE INNOCENTS

AN INFANTRYMAN IN KOREA



William D.
Dannenmaier

So, *why am I here?*

- Q: “Grandpa, how in the 60 years since Korea have you dealt with talking to people about your service?”
- A: “I have avoided it”

What do we lose when we exercise our right to remain silent in the societal narrative?

- Society will make decision with OR without us.
 - Society will decide to go to war *with or without* our input.
 - Society will decide how to persecute that war *with or without* us.
 - Society will decide to handle its veterans *with or without* us.
- HOWEVER... Only we have been there.
 - If we decide to remain silent, they are making those decisions with, at best, incomplete information.
- We forfeit our right to:
 - Protest the mistreatment of our peers.
 - Guide our decision makers to wisdom.
 - Help our country repeat the same mistakes...

Help our country to avoid repeat the same mistakes...



The outset of a journey: 9/11

- Sophomore in High School, tried to drop out and join the Army.
- Still too young.
- Enlisted one year out of High School.
 - War now unpopular
 - Only poolee in all of RSS NOLA
 - Shipped out Mother's Day
 - Turned 19 in recruit training
- Mentored by Marines returning from Fallujah and Ramadi.
 - Major influence.
 - Selflessness of leaders.

By the third tour in 5 years...

- 25 years old
- 20,000 of 60,000 requested troops granted to arrive on a delay of one year
- Clean up after the Battle of Marjah
- Handed command of a patrol base, for want of resources.
 - Wrote my college admissions essay on an Afghan dune

How this snowballed into law

- Began first semester at UT-Austin four months out of Afghanistan
- >98% of Student Veterans at UT-Austin were transfers
- Transfers select classes behind incoming freshman
- “Judicial Process and Behavior”
 - Case Based Pre-law Class taught by Alan Sager.
 - Taught law school style on a curve, with law school levels of reading.
 - Guantanamo Bay Cases
 - One of the cases *Boumediene v Bush* effectively granted Habeas Corpus to enemy detainees abroad.
 - Administrators in DoD complied
 - Led to “mass releases” ...
 - Complaining at office hours led to buying a suit, led to an intro, led to a speech...

And so, I dove into veterans' policy...

RULES:

- The problem with lawyers is that they think like lawyers
 - Forrest... meet trees.
- You can't out-policy people
 - For, of, and by the people.
 - Madisonian Pluralism affects veterans, see below.
- “But politics”
 - There are no sacred cows in politics.
 - Veterans are not a statistically significant population in November.
 - 1% have served. Not an extreme concentration of wealth and resources.
 - Federalist 10: Factions are a thing.

The 2014 VA scandal fallout

- Texas Legislature had interest in independent investigation of 2014 scandal.
- Brought veterans issues temporarily to public forefront.
- 84th regular session of Texas Legislature (2015) was first responsive session.

SB 850 84R

- Texas troops deployed on orders by the Governor... had no sovereign immunity.
- MAJOR effect on ROE's, troop welfare. Could be sued in their individual capacity, and the cartel can afford lawyers too.
- Troops ALREADY deployed and in legal jeopardy.
- Brought the effect of state orders in line with federal orders.
 - “but politics” so not without a fight...

HB 19 84R

- Veterans Mental Health Bill
- Rep. Susan King (Abilene) given a low bill number to address veterans' mental health issues through policy
 - DSHS and TVC co-own roles
 - Rule: “You can’t out policy people”

Constituent issue example.

- The “waitlists”
 - Congress set aside \$1.3 Billion emergency stop-gap
 - Private vouchers authorized
 - “But politics”: “We will never allow a privatization of the VA!”
- No streamlined private voucher program was adopted
 - 72 hours vs >30 days...
 - Silver voucher or headline lead
 - Stresses importance of legislative lawyer and non-lawyer efforts.

Lip Service and Going Through the Motions vs Real Efforts with Real Results

- Veterans get GREAT lip service.
- General needs are simple
 - Healthcare
 - Education
 - Housing
 - Jobs
- Yet, problems persist.

Example of “lip service”: Hazlewood Legacy v DREAM

- Hazlewood Act is a tuition exemption for Texas Veterans to supplement what GI bill does not cover.
- Hazlewood Legacy allows the transfer of this benefit (once) to a dependent (Spouse or child).
- The Texas DREAM Act allows in-state tuition for those residing in Texas without legal immigration status.
- UT Higher Education Representatives sent the same lobbyists on the same day to argue that the Hazlewood Legacy Act was a unfair burden on the system but DREAM was an essential benefit and not a burden at all.
 - Yet, financial impact on Texas public institutions of higher education failed scrutiny by the numbers.
 - 25,151 DREAM recipients in 2016.
 - 21,781 Hazlewood legacy recipients in 2016.

Another example

 **The University of Texas at Austin**
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As the top university in Texas for veterans, UT Austin takes great pride in ensuring veterans and military-affiliated students are supported at every step of their academic journey.

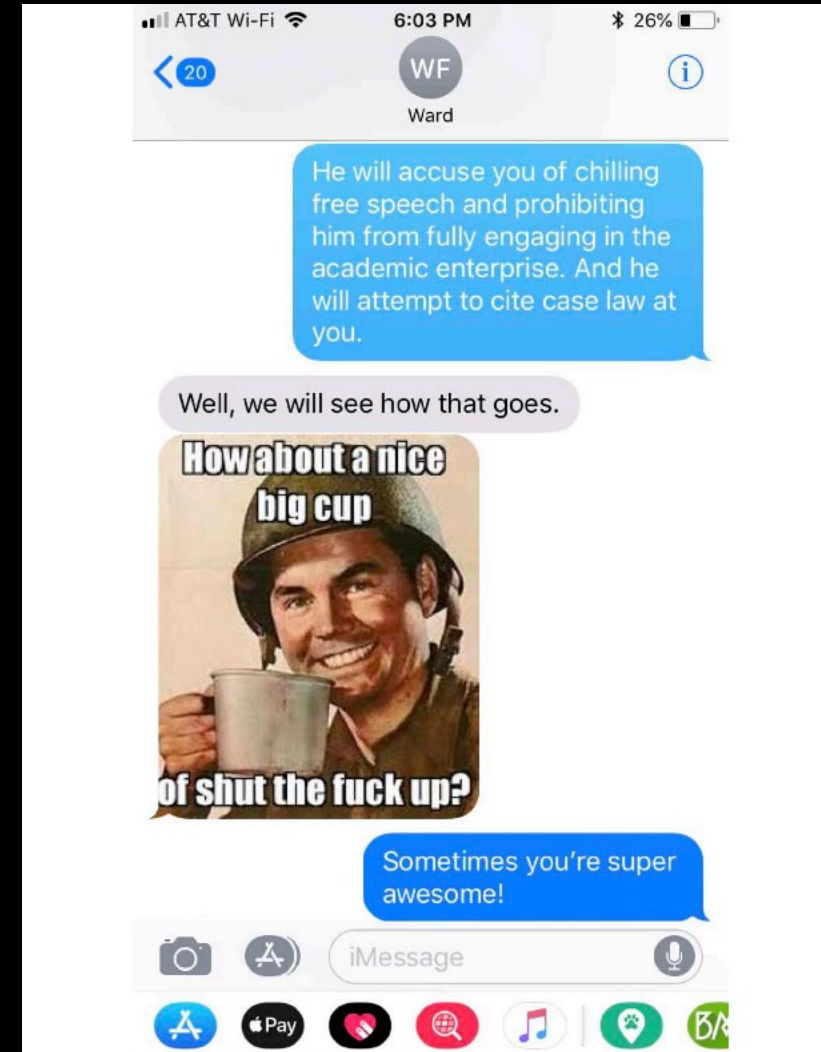
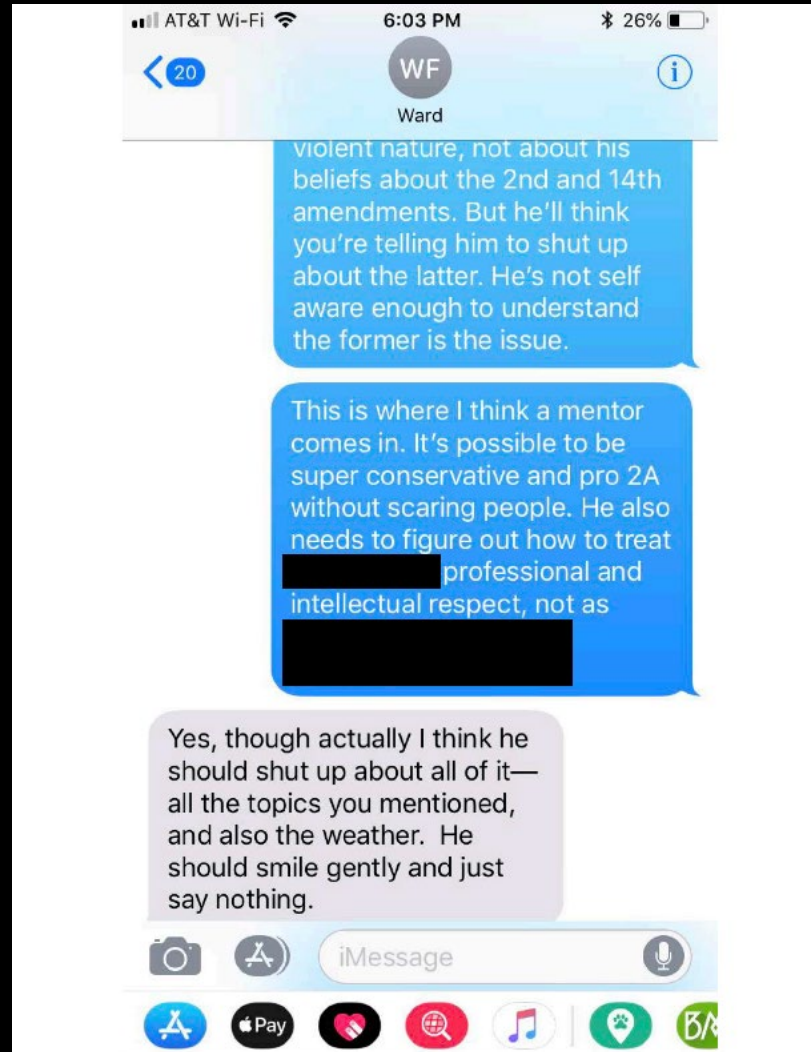
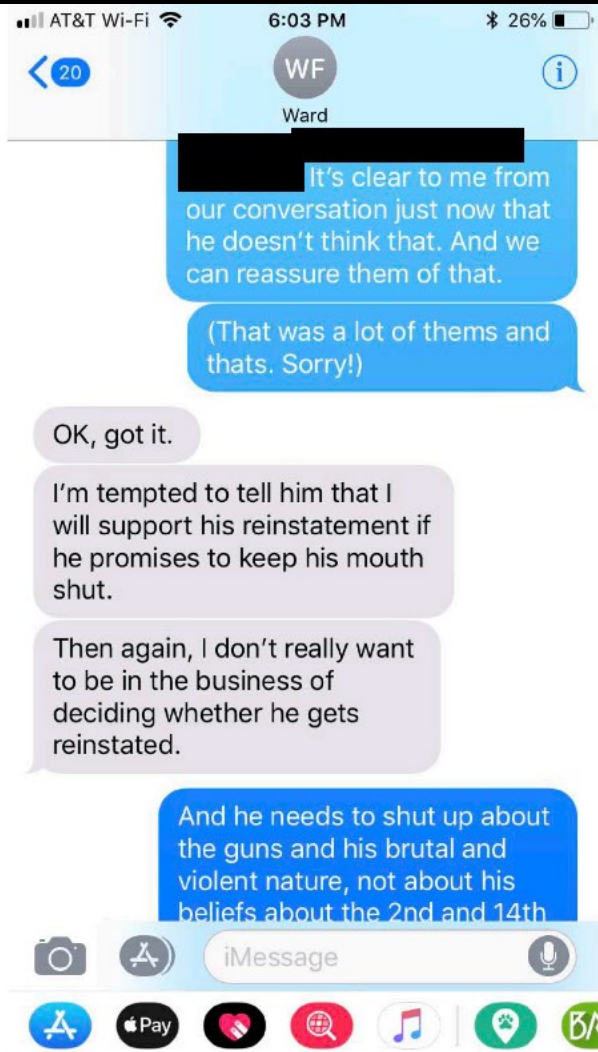


**#1 University
in Texas
for Veterans**
U.S. NEWS & WORLD
REPORT, 2024

 **TEXAS**

 1,166 27 comments • 55 reposts

WARNING: Your experience may differ...



[REDACTED]

[REDACTED] Dannenmaier is in a group chat on his computer and read on his screen "BE NICE TO EVERYONE, BUT YOU HAVE TO HAVE A PLAN TO KILL EVERYONE YOU MEET". Bangs stated that Dannenmaier believes there is a civil war coming and that he will be the only one that survives. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bangs stated that she has not met with Dannenmaier, but that she has spoken to faculty that has interactions with him and they all advised that they have no concerns with him. Bangs advised that Dannenmaier is very nice and polite with people in authority. She stated that he is a military vet but does not know if he has any history of mental illness. Bangs stated that she heard that Dannemaier's aunt works at CMHC and that he doesn't talk kindly of her. Bangs stated that Dannenmaier has not made any statements about wanting to harm anyone or himself. [REDACTED]

[REDACTED]

From: Fils-Aime, Andel P
Sent: Tuesday, April 24, 2018 1:01 PM
To: Benavides, Vivian O
Cc: Reagins-Lilly, Soncia; VPSA Conduct; Student Conduct
Subject: Follow-Up from Conversation about student
Importance: High

Hello Detective Benavides,

I just wanted to quickly thank you again for the phone call earlier this morning about August Dannenmaier since we placed him on Interim Suspension earlier this morning. Based on our conversation this morning you indicated that after UTPD met with the student in order to assess if he was a threat to campus or not, UTPD does not believe that the student is a threat to the campus community and that Mr. Dannenmaier was able to demonstrate that the initial information that was provided to the Office of the Dean of Students was taken out of context. My only question to UTPD at this time is if this information has also been shared with Dean Bangs over at the Law School, and will UTPD be able to provide Student Conduct with a supplemental report so that we can consider that information while the students Interim Suspension is under review? Any additional information will be very helpful and much appreciated. Please let me know if you have any questions, comments, or concerns. Thanks and have a great day.

Andel



OFFICE OF THE DEAN OF STUDENTS

100 West Dean Keeton Street A5800 • Austin, TX 78712 • (512) 471-5017 • FAX (512) 471-7833
deanofstudents.utexas.edu • deanofstudents@austin.utexas.edu

CONFIDENTIAL

April 27, 2018

AUGUST ERIC HULIN DANNENMAIER

AUGUSTD23@HOTMAIL.COM

Dear AUGUST,

As you know, Student Conduct and Academic Integrity in the Office of the Dean of Students received information indicating that, on or about April 23, 2018, you may have violated one of the following University of Texas at Austin *Institutional Rules on Student Services and Activities (2017-2018)*:

No Charges

All alleged violations of the University's standards of conduct must be thoroughly reviewed by Student Conduct. Based on the gathered information, the preponderance of evidence was not met and the investigation resulted in a finding of: **Not in Violation.**

Findings of **Not in Violation** indicate that you will not have a disciplinary record and this matter is now considered closed by our office. However, in accordance with the University's *Institutional Rules 9-301(a)*, our office will maintain a non-reportable record of this matter for at least seven years, per the University's record retention policy.

Thank you for your cooperation during this investigation. If you have any questions, please feel free to contact me at 512-471-2841.

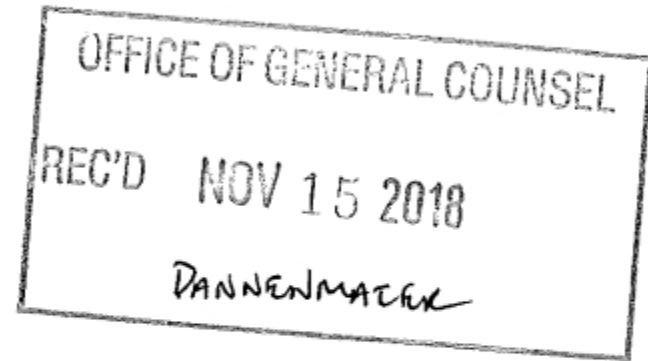
Sincerely,

Andel Fils-Aime

Director of Student Conduct and Academic Integrity
Student Conduct and Academic Integrity



KEN PAXTON
ATTORNEY GENERAL OF TEXAS



November 13, 2018

Ms. Jennifer Burnett
Senior Attorney
The University of Texas System
210 West 7th Street
Austin, Texas 78701-2901

Section 552.101 of the Government Code excepts “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Gov’t Code § 552.101. The Texas Supreme Court has recognized, for the first time, a common-law physical safety exception to required disclosure. *Tex. Dep’t of Pub. Safety v. Cox Tex. Newspapers, L.P. & Hearst Newspapers, L.L.C.*, 343 S.W.3d 112, 118 (Tex. 2011). Pursuant to this common-law physical safety exception, “information may be withheld [from public release] if disclosure would create a substantial threat of physical harm.” *Id.* In applying this standard, the court noted “deference must be afforded” law enforcement experts regarding the probability of harm, but further cautioned that “vague assertions of risk will not carry the day.” *Id.* at 119. Both the university and the third parties argue portions of the submitted information should be excepted under the common-law physical safety exception. You state the information at issue relates to threatening behavior by an individual. You explain the release of identifying information of the third parties would jeopardize their safety. Based on your representations and our review, we agree the university must withhold the information we have marked under section 552.101 of the Government Code in conjunction with the common-law physical safety exception.⁶ Upon review, however, we find you have failed to demonstrate disclosure of the remaining information at issue would create a substantial threat of physical harm to an individual. Therefore, the university may not withhold the remaining information you have marked under section 552.101 of the Government Code in conjunction with the common-law physical safety exception.

If [REDACTED] receives a subpoena or other lawful request from a governmental entity to disclose information subject to this agreement (excluding the letters attached as Exhibit A and Exhibit B), he must notify UT's Office of the Vice President for Legal Affairs (vpla@austin.utexas.edu) within 3 business days of receipt of the subpoena or request. [REDACTED] must also notify UT's Office of the Vice President for Legal Affairs (vpla@austin.utexas.edu) 30 days before disclosure is set to occur. In this notice, he must specifically identify the information he intends to provide and the recipients. He must provide exact copies of any documents that he intends to provide along with his 30-day notice.

One of these things is not like the other one...

Rhetoric



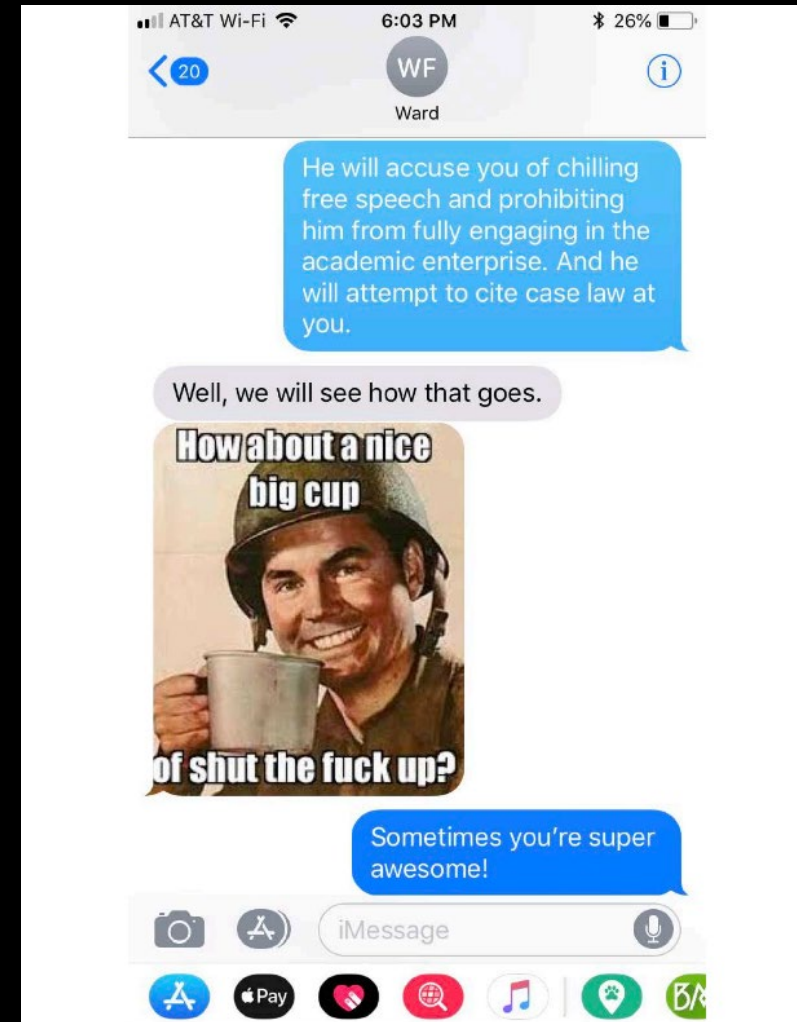
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Reality



AT&T Wi-Fi 6:03 PM 26%

WF
Ward

He will accuse you of chilling free speech and prohibiting him from fully engaging in the academic enterprise. And he will attempt to cite case law at you.

Well, we will see how that goes.

How about a nice big cup of shut the fuck up?

Sometimes you're super awesome!

Reality:

- Anti-veteran discrimination is still a thing.
- No reporting requirement for acts of discrimination against Veterans.
- No external enforcement mechanism.
- Claims “Swept under the rug”.
 - Even using your own money!
- No disciplinary action for staff.

Lessons learned:

- At the end of the day, we must take care of our own.
 - Nobody else will do it for us.
 - There is no substitute for give a ****
- We need to be much more proactive and integrate capabilities.
 - Think “multi-domain”.
 - Law, policy, politics, and enforcement are not separate conversations, but one continuous and contiguous battle.
- It’s the people science, stupid.



LCpl Thomas Eric Johnson II

8/14/1989 – 8/19/2024