



January 27, 2014

Vice Admiral Nanette DeRenzi
Jude Advocate General, U.S. Navy
1200 Navy Pentagon
Washington, D.C. 20350-1200

Dear VADM DeRenzi,

We are appealing to you directly to request your personal attention to an urgent matter of great importance to victims of military sexual assault—the protection of victims’ privileged communications with their therapists.

We agree with you that victim response is critical, and that is why we are deeply concerned with military courts’ treatment of MRE 513—specifically, the way in which the “constitutionally required” exception is unlawfully being used by military judges to effectively eliminate the privilege in its entirety.

We are writing to ask that you to take action on behalf of survivors and, should CCA deny Midshipman L.C.’s petition, order the CAAF to review COL Daniel Daugherty’s order in *U.S. v. Midshipman Joshua Tate* requiring disclosure of her psychotherapy records.

In the attached letter to the President we have included a full explanation of what we believe must be done to ensure the military justice system keeps the promise made to victims of military sexual assault. It is unfair and cruel to violate the privilege that the victim in this case, like many others, relied upon as she sought to heal from a traumatic assault. It is unfair and cruel to all victims of sexual assault to promise them privacy with MRE 513, and then to betray them by not following through on that promise.

Should CCA deny Midshipman L.C.’s petition, we urge you to certify to the CAAF the question of whether a military judge may order the disclosure of a patient’s psychotherapy records when the accused has made no showing that disclosure may be constitutionally required.

Sincerely,

Nancy Parrish
President, Protect Our Defenders

Enclosed: January 27, 2014 Letter to the President Re: M.R.E. 513