

RICHARD DAVE ROSEN
GLENN D. WEST ENDOWED RESEARCH PROFESSOR OF LAW
DIRECTOR, CENTER FOR MILITARY LAW & POLICY
TEXAS TECH UNIVERSITY SCHOOL OF LAW
COLONEL, U.S. ARMY (RETIRED)

1. **PERSONAL INFORMATION.**

- a. **Mailing Address:** 3311 18th Street, Lubbock, Texas 79409-0004
- b. **E-Mail Addresses:** Richard.Rosen@ttu.edu
- c. **Telephone Number:** (806) 834-7585
- d. **Bar Memberships:** Florida; U.S. Supreme Court; U.S. Courts of Appeal for the Fifth, Ninth, Tenth, & Federal Circuits; U.S. Court of Appeals for the Armed Forces

2. **CIVILIAN EDUCATION.**

- a. **University of Virginia School of Law: LL.M.** (1987)
- b. **University of Miami School of Law: J.D.** (*cum laude* 1973)
- c. **The Ohio State University: B.A. – Political Science** (*cum laude*; Phi Beta Kappa, 1970)

3. **MILITARY EDUCATION.**

- a. **Senior Service College Fellowship, Army War College:** 1996-1997 (Special Counsel to the Assistant Attorney General for the Civil Division, U.S. Department of Justice)
- b. **Army Command & General Staff College:** 1989
- c. **Army Judge Advocate General's Corps Graduate Course** (Distinguished Graduate): 1984
- d. **Army Judge Advocate General's Corps Basic Course** (Distinguished Graduate): 1977
- e. **Army Adjutant General's Corps Basic Course** (Distinguished Graduate): 1974

4. **PUBLICATIONS.**

- a. *Deterring Pre-Viability Abortions in Texas Through Private Lawsuits*, 54 TEX. TECH L. REV. 1 (forthcoming 2022).

- b. WALTER B. HUFFMAN & RICHARD D. ROSEN, *MILITARY CRIMINAL JUSTICE: ADMINISTRATIVE AND JUDICIAL PROCEDURE* (Thompson-Reuters 2016, 2018-2019, 2020, 2021 eds.) (2022 ed. in progress)

Recipient: Texas Tech University President Book Award—Third Place (2016 edition).
- c. Co-Author (Second Amendment chapter), RUSSELL L. WEAVER, *ET AL.*, *CONSTITUTIONAL LAW: CASES, MATERIALS AND PROBLEMS* (2d, 3d, 4th, 5th eds., Wolters-Kluwer 2011, 2013, 2017, 2021).
- d. *Vaccines and the Armed Forces: There “Ain’t” No “Anti-Vaxxers” in the Military*, 11 J. BIOSAFETY, BIOSECURITY, & BIODEFENSE LAW 1 (2020).
- e. Supplements to RUSSELL L. WEAVER, *ET AL.*, *CONSTITUTIONAL LAW: CASES, MATERIALS AND PROBLEMS* (2013, 2014, 2015, 2016, 2017, 2018, 2019, & 2020).
- f. RUSSELL L. WEAVER, STEVEN I. FREIDLAND, CATHERINE HANCOCK, RICHARD D. ROSEN, *INSIDE CONSTITUTIONAL LAW* (Second Amendment chapter) (Wolters Kluwer) (2d ed. 2015).
- g. Book Review, *Military Chaplains and Religious Diversity* by Kim Philip Hansen (Palgrave Macmillan, 2012), *ARMED FORCES & SOC’Y*, Feb. 2014, at 397.
- h. *Second Amendment Developments: The Constitutionality of Recent Federal and State Firearms Restrictions*, 7th Annual Bill of Rights Seminar: Litigating the Constitution (May 31, 2013).
- i. *Goldstone Reconsidered*, 21 J. TRANSAT’L L. & POL’Y 35 (2012).
- j. *The Protection of Civilians During the Israeli-Hamas Conflict: The Goldstone Report*, in *PROTECTING CIVILIANS DURING VIOLENT CONFLICT* 251 (Ashgate Publishing, David W. Lovell & Igor Primoratz, eds., 2012)
- k. *Drones and the U.S. Courts*, 37 J. NAT’L SEC. FORUM (WM. MITCHELL L. REV.) 5280 (2011).
- l. *Targeting Enemy Forces in a War on Terror: Preserving Civilian Immunity*, 42 VAND. J. TRANSNAT’L L. 683 (2009).
- m. *Rights of Returning Servicemembers in Texas*, LEXIS/NEXIS Emerging Issues Commentary (Sep. 2008).
- n. *Katcoff v. Marsh at Twenty-Two: The Military Chaplaincy & the Separation of Church and State*, 38 U. TOL. L. REV. 1137 (2007).

- o. *America's Professional Military Ethic and the Treatment of Captured Enemy Combatants in the Global War on Terror*, 5 GEO. J. L. & PUB. POL'Y 113 (2007).
- p. Amicus Brief, *Hamdan v. Rumsfeld*, No. 05-184 (U.S. filed Jan. 6, 2006) (addressing the issue of abstention) (prepared in conjunction with the Georgetown University Law Center Appellate Litigation Program)
- q. *Legal Issues in the War on Terror*, State Bar of Texas CLE (2006).
- r. *The Judge Advocate General's School, U.S. Army: 50 Years in Charlottesville, VA*, LAW., Dec. 2001, at 14.
- s. *Military Legal Practice Maxims*, ARMY LAW., June 2001, at 22 (written with Lieutenant Colonel Kathryn Sommerkamp).
- t. *Funding "Non-Traditional" Military Operations: The Alluring Myth of a Presidential Power of the Purse*, 155 MIL. L. REV. 1 (1998).

Recipient: ABA Standing Committee on Armed Forces Law Writing Award for 1998

- u. *The Legal Status of the Israeli-Occupied Territories*, in 5 MODERN LEGAL SYSTEMS CYCLOPEDIA (K. Redden ed., 1990).
- v. *Thinking About Due Process*, ARMY LAW., Mar. 1988, at 3.
- w. *Civilian Courts & the Military Justice System: Collateral Review of Courts-Martial*, 108 MIL. L. REV. 5 (1985).

Recipient: Judge Advocates' Association Writing Award for 1985

- x. *Consumer Class Actions under the New Jersey Consumer Fraud Act*, 26 U. MIAMI L. REV. 450 (1972).

5. **SELECTED PRESENTATIONS.**

- a. Panel Member, *War Crimes: From the Battlefield to the Courtroom*, Appellate Judges Education Inst. Summit, Austin, Texas, November 30, 2021.
- b. Speaker, *Point/Counterpoint: Discussion of the Texas Fetal Heartbeat Act*, Texas Tech University School of Law, November 10, 2021.
- c. Panel Member, *Lubbock "Sanctuary City for the Unborn" Ordinance*, Organization of Women Law Students (OWLS), Texas Tech University School of Law, April 8, 2021.
- d. Panel Member, *The Court-Martial of the Apache Kid*, Institute for the Study of Western Civilization, Texas Tech University, November 10, 2020.

- e. Keynote Speaker, *COVID-19 and the Armed Forces*, 19th Annual Global Biosecurity Law, Texas Tech University, April 16, 2020.
- f. Panel Member (and Military Law Advisor), Talkback, JT & Margaret Talkington College of Visual and Performing Arts, School of Theatre and Dance production of *Black Girl, Interrupted*, November 1, 2019.
- g. Speaker, *Sexual Assault & Due Process in the Armed Forces & Colleges and Universities*, Military and Veterans Law Section, Annual Meeting of the Texas State Bar, Austin, Texas, June 14, 2019.
- h. Keynote Speaker, Fort Hood Judge Advocates Dining-In, May 3, 2019.
- i. Speaker, *Vaccines & the Armed Forces*, Fort Hood Judge Advocates, May 3, 2019.
- j. Keynote Speaker, *Vaccines & the Armed Forces*, Global Biodefense Symposium, Texas Tech University School of Law, April 11, 2019.
- k. Panel Member, *Civil Counterpoint Program I—Speaking Freely: The Need for Opinion Diversity*, Texas Tech University, May 1, 2017.
- l. Moderator and Commentator, *Conscientious Objectors in the Vietnam War, 1967: The Search for Peace Conference*” hosted by Texas Tech’s Vietnam Center & Archive and its Institute for Peace and Conflict, April 29, 2017.
- m. Chair Lecture, *Sexual Assault in the Armed Forces and on College Campuses*, The Kenneth J. Hodson Lecture, The Judge Advocate Center and School, U.S. Army, Charlottesville, Virginia, April 26, 2017.
- n. Speaker, *Law of Armed Conflict*, Archive of Modern American Warfare Symposium, September 15, 2016.
- o. Constitution Day Speaker, *The Misunderstood Amendments: The First & Second Amendments to the Constitution*, Eastern New Mexico University, September 14, 2015; Texas Tech University Museum, September 18, 2015.
- p. Keynote Speaker, Lambda of Texas Chapter Phi Beta Kappa Induction Ceremony, April 23, 2015.
- q. Keynote Speaker, *Vaccines & the Armed Forces*, Global Biosecurity Law Symposium, April 10, 2015.
- r. Speaker, *Sexual Assault and Amendments to the Uniform Code of Military Justice*, Military & Veterans Law Section of the Texas Bar, Feb. 28, 2015.

- s. Presenter, *Vaccines & the Armed Forces*, Texas A&M University Center for Innovation, May 23, 2014.
- t. Panel Member, *Sexual Assault in the Armed Forces*, Texas Tech University, April 23, 2014.
- u. Speaker, *Drones and the Constitution*, Wiley Lecture Series, Texas A&M University, September 17, 2013.
- v. Panel Member, Southeastern Association of Law Schools, *Supreme Court Update*, Amelia Island, Florida, July 29, 2012
- w. Moderator, Southeastern Association of Law Schools, *The Resurrection of the Second Amendment*, Hilton Head, South Carolina, July 29, 2011.
- x. Speaker, U.S. Air Force and Indiana University UN Peace Operations and the Law Symposium, *Litigating the Law of War in the Federal Courts*, Chicago, Illinois, July 7, 2009.
- y. Panel Member, American Bar Association Appellate Judges Conference, *Guantanamo and Beyond: Comparative Options for Trying a Terrorism Case in Federal District Court, a Military Commission, and a General Court-Martial*, Dallas, Texas, November 20, 2010.
- z. Panel Member, Vietnam Center and Strategic Studies Institute Colloquium, Texas Tech University, *United States Security Policy and Military Strategy: Understanding the Environment for Contemporary Warfare*, September 15-16, 2010.
- aa. Speaker, Australian National University Conference, Canberra, Australia, *Protecting Civilians During Violent Conflict*, August 25-26, 2010.
- bb. Speaker and Moderator, Yale Law School and Yale Divinity School Conference: *Faith in Arms in a Democratic Society: A Working Conference on Religion in the Military*, November 13-14, 2009.
- cc. Speaker, *Civilian Immunity from Targeting*, Southeastern Association of Laws Schools (SEALS) New Scholars Workshop, July 29, 2008.
- dd. Panel Member, Military Commissions, Center for Law, Ethics, & National Security Conference: *Confronting Terrorism Here & Abroad: Which Way Forward?*, Duke University School of Law, April 13, 2007.
- ee. Speaker, *Katcoff v. Marsh* and the Military Chaplaincy, International Symposium on Military Ethics, Springfield, Virginia, January 25, 2007.

6. **PROFESSIONAL WORK EXPERIENCE.**

- a. Glenn D. West Endowed Research Professor of Law, Director, Texas Tech Center for Military Law & Policy: *2010-present*. Subject areas include Torts, Constitutional Law, Civil Procedure, Military Law, International Humanitarian Law, Professional Responsibility, and National Security Law.
 - ⇒ Chair, Rawls College of Business Dean Search Committee (2016).
 - ⇒ Member, Subcommittee of the Department of Defense Legal Policy Board, Military Justice in Combat Zones (2012-2013).
 - ⇒ Recipient, Texas Tech Parents' Association, Faculty Distinguished Service and Leadership Award (2018).
 - ⇒ Recipient, President's Academic Achievement Award (2011).
 - ⇒ Recipient, President's Excellence in Teaching Award (2020).
- b. Interim Dean, Texas Tech University School of Law: *January 1, 2017 to July 17, 2017*.
- c. Vice Dean & Professor of Law; Director, Texas Tech Center for Military Law & Policy: *2009-2010*.
 - ⇒ President, Lambda of Texas Chapter, Phi Beta Kappa: *2009-2011*.
- d. Associate Professor of Law and Director, Texas Tech Center for Military Law & Policy: *2006-2009*. Subject areas include Torts, Constitutional Law, Litigation with the Federal Government, and National Security Law.
- e. Associate Dean for Administration & External Affairs, Texas Tech University School of Law: *2003-2007*.
- f. Commandant, The Judge Advocate General's School, U.S. Army, Charlottesville, VA: *2001-2003*.
- g. Staff Judge Advocate, III Armored Corps & Fort Hood, Fort Hood, TX: *1999-2001*.
- h. Legal Advisor, Army Chief of Staff Transition Team (General Eric Shinseki): *1999*.
- i. Chief, Personnel, Plans, and Training Office, Office of The Judge Advocate General, Department of the Army, Pentagon, Washington, DC: *1997-1999*.
- j. Special Counsel to the Assistant Attorney General for the Civil Division, Department of Justice, Washington, DC: *1996-1997*.

- k. Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff, Pentagon, Washington, DC: *1994-1996*
- l. Staff Judge Advocate, 1st Cavalry Division, Fort Hood, Texas: *1992-1994*.
- m. Chief, General Litigation Branch, Litigation Division, U.S. Army Legal Services Agency, Arlington, Virginia: *1991-1992*.
- n. Legal Advisor, Project Vanguard, Office of the Chief of Staff of the Army, Fort Belvoir, Virginia: *1990*.
- o. Plans Officer, Personnel, Plans, & Training Office, Office of The Judge Advocate General, Department of the Army, Pentagon, Washington, DC: *1989-1991*.
- p. Professor of Law and Director of the Communications Program, The Judge Advocate General's School, U.S. Army, Charlottesville, Virginia: *1984-1988*.
- q. Litigation Attorney, Military Personnel Branch, Litigation Division, Office of The Judge Advocate General, Department of the Army, Pentagon, Washington, DC: *1980-1983*.
- r. Assistant Staff Judge Advocate, V Corps, Frankfurt, Germany: *1978-1980*.

7. **MILITARY AWARDS AND DECORATIONS**

Defense Superior Service Medal
Legion of Merit (two oak-leaf clusters)
Meritorious Service Medal (four oak-leaf clusters)
Army Commendation Medal
Army Achievement Medal (one oak-leaf cluster)
National Defense Service Medal (two)