

JAG Officers Did Their Part in the

While many of the state's National Guard units and JAG officers were deployed in Iraq, tragedy struck closer to home when Hurricane Katrina tore a destructive path through Mississippi. Overseas deployments often generate more publicity for the Guard, but what is sometimes overlooked is that JAG officers and Guard units that were not deployed to Iraq answered the call of duty here in Mississippi throughout the Fall of 2005 and into 2006. And unlike Guard activations for overseas deployments, activations for Hurricane Katrina came with no warning.

"I was at lunch on Monday [the day Katrina struck] and I got a call that said, 'Be here at 5 p.m.,'" recalled Rhea Tannehill, a partner in the two-lawyer office of Tannehill and Carmean in Oxford and a Captain in the Army National Guard. "I had to dump a major hearing on my partner to handle that was scheduled the next day. There was no time to prepare for this."

The waning days of August 2005 were uncertain, scary days for residents in South Mississippi, and Tannehill and other JAG officers activated in Mississippi also experienced that atmosphere.

"It was a very scary experience and it's only by God's grace that I made it,"

Tannehill said. "You're scared at first because you don't know what's going to happen. You don't know if there will be water [where you're going]. There was no electricity. Plus, you didn't know if you'd be gone two weeks or eight weeks."

Barney Robinson, a partner at Butler Snow in Jackson and a member of the Army National Guard since 1988, also was activated on August 29 when Katrina struck. Robinson spent his active duty at his home base — Joint Force Headquarters in Jackson. The Joint Judge Advocate for the Mississippi National Guard, Lt. Col. Eddie Pearson, had recently retired, and a successor had not yet been named. Robinson filled the position on a temporary basis. Eventually, Capt. Mark Majors, a Louisville attorney who was on active duty in Iraq at the time, returned stateside in January 2006 and was offered the position.

"What I did was very different from what was being done out in the field. We were on a macro level. What they do in the field is on a micro level," explained Robinson, who added that since he is based at Joint Force Headquarters in Jackson he has never been deployed overseas: "Just like you wouldn't call up the Pentagon to deploy overseas."

Robinson explained that each of the 48

contiguous states is part of an Emergency Management Assistance Compact. The compact is used by states to send requests for assistance to other states in times of emergency, including requests for food, medical services and military assistance. "It's basically an interstate mutual aid compact," Robinson said. "In the early days of Katrina, [Mississippi] sent out an unprecedented number of requests for assistance. We communicated with MEMA [Mississippi Emergency Management Agency]. We had thousands of National Guard troops from other states here."

Robinson said that the JAG office prepared Memos of Understanding (MOUs) to be used between the governors of the states that laid out what was being provided, who had command power of the troops in Mississippi, whether the troops would be armed, what rules of force applied, what immunities and privileges applied to the soldiers, and similar issues. Robinson and other JAG officers prepared MOUs for every state that had troops in Mississippi after Katrina, and they conferred with Governor Barbour's legal staff on issues regarding civilian-military contacts and other issues such as using private property for military staging, requisition of supplies from private sources, and

Aftermath of Hurricane Katrina

By Rick A. Hammond

claims processing. Robinson was on full-time active duty from August 30 to October 15, then he remained on duty on a part-time basis – typically a couple days each week – from October 16, 2005, to February 15, 2006.

Tannehill spent his first week of active duty at Camp Shelby in Hattiesburg. His unit convoyed down from Grenada on a northbound lane of Highway 49 because it was the only lane of Highway 49 open that day heading in either direction. Tannehill's unit, the 631st Field Artillery Brigade stationed in Grenada, helped to coordinate the Guard units arriving at Camp Shelby from outside Mississippi that first week after Katrina struck, then the 631st headed south to Waveland for 10 days to do whatever was needed on the Coast – handing out provisions, providing security, and conducting search and rescue. The 631st then returned to Camp Shelby and assisted with coordinating military assignments and deployments from Camp Shelby to the Coast. Tannehill was on active duty for seven weeks.

He found that hazards on site were only heightened by the uncertainty of what was happening back at his law office in Oxford that he had left so quickly. "I was worrying about making payroll [for the firm]. I lost some clients as a result of all

this. My office had to just handle things the best they could. There was no cell phone access that first week. That second week, we got cell phone access."

Tannehill said that the second week of his activation he was able to broker a favorable settlement in a case. "That one settlement kept us floating on through my duty. I was really appreciative for that settlement," Tannehill said with relief at the memory.

Despite the hardships and tense moments, Tannehill is proud of his service. "You know what the possibilities are going in. I'm happy to serve," said Tannehill, who has been in the Guard for 14 years. He did not start his military career as a JAG officer – his military tenure pre-dates law school for Tannehill. However, once in law school Tannehill found that he dispensed lots of legal advice on his weekend training exercises, and he received a commission as a JAG officer in 1996, the same year that he graduated from the University of Mississippi School of Law.

Tannehill fully expects that he will be activated again in the future. "My law partner, Jay Carmean, has already said that if I ever went on active duty again we'd lock the doors and he was going to move to Hawaii until I came back," Tannehill said.

Tannehill is married with three children, so the deployments won't get any easier, but he relishes doing his duty. "This was an eye-opener for us. It used to be that [JAG officers] just wrote wills and things like that. Now we live in a much different time. Now you're going to be deployed at some point."

Lt. Col. Roy Carpenter, an attorney in Starkville who watched the aftermath of Katrina while deployed half a world away in an Iraqi desert, knows that hurricane deployments are likely in his future as well. "I'm sure hurricane duty is something I'll be doing now," he said just months after returning from Iraq. "Rules of force, dealing with civilians, how we use martial law and when it is appropriate to use martial law. These are all things that come up when a hurricane strikes."

When and if hurricanes strike this year, the Mississippi Army National Guard – including its JAG officers – will be ready.

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