

DAVID G. BOLGIANO
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Currently, Bolgiano is *Of Counsel* with the Law Firm of Tully-Rinckey (Albany, New York and Washington, DC). Also, he provides expert testimony and lectures on the *Ethical, Legal and Tactical Dynamics of Use of Force Dynamics* to diverse Military and Law Enforcement units and agencies as well as civilian audiences and pro bono assistance to police and the military.

CIVILIAN EXPERIENCE

JUDGMENT-BASED ENGAGEMENT TRAINING (JET) SYMPOSIUM

Rules of Engagement/Rules for Use of Force Tactical Training Seminar
Course Director and Tactical Instructor 2000 - Present

Co-developed this innovative and acclaimed use of force training methodology, which combines legal and force-on-force judgment-based training methodologies to deploying forces. Taught at diverse locations to include: USAF Expeditionary Center; Marine Special Operations Command; United States Special Operations Command; Fort Knox; Fort Stewart; Fort Hood; Fort Bragg; Defense Institute for International Legal Studies; Army War College; and, Naval Surface Warfare Officers School.

DEPUTY GENERAL COUNSEL, JOINT IED DEFEAT ORGANIZATION

Counter IED Operational Integration Center
Reston, Virginia 2007 - 2009

Worked daily in the tactical operational center for the military's premier intelligence and analysis center focused on defeating the enemy's use of improvised explosive devices in Iraq, Afghanistan and other high-threat areas.

SENIOR ATTORNEY, US DRUG ENFORCEMENT ADMINISTRATION

Administrative and International Law Sections
Arlington, Virginia 2000 - 2007

Advised agency leadership on diverse administrative, fiscal and operational law matters involving international and classified projects for the Special Intelligence Division. Attended, helped revise and reviewed the Agency's Deadly Force policy and instructional blocks for Special Agents and Trainees. Specially detailed to Office of Intelligence Policy Review (OIPR), Department of Justice in 2003.

TRIAL ATTORNEY, THE LAW OFFICES OF PETER G. ANGELOS

Baltimore, Maryland 1996 - 2000

Involved in the daily investigation and preparation of complex civil cases from intake through trial and appellate levels. Associate Counsel for Security, Baltimore Orioles Baseball Club. Also, performed *pro bono* work as military defense counsel.

ADJUNCT PROFESSOR OF LAW, UNIVERSITY OF BALTIMORE SCHOOL OF LAW

Baltimore, Maryland 1998 - 2002

Instructed upper-division legal writing seminar focusing on aspects of military justice, international law of armed conflict, and administrative procedure within the armed forces.

MILITARY EXPERIENCE

U.S. ARMY WAR COLLEGE

Faculty Member 2009 – 2011

Assistant Director for National Security Legal Studies, Department of National Security & Strategy, U.S. Army War College, Carlisle Barracks, Pennsylvania

Taught graduate-level seminars in the fields of National Security and Strategy to joint and multi-national senior military and civilian students. Additionally, wrote and taught a special elective on the Ethical, Legal and Tactical Realities of Deadly Force Encounters. Wrote two peer-evaluated academic publications concerning the Use of Force, Law of War and Rules of Engagement

HEADQUARTERS, MARYLAND AIR NATIONAL GUARD

Staff Judge Advocate 2006 - 2008

175th Wing (A-10C and C-130J aircraft) Staff Judge Advocate - 2006, Deputy Staff Judge Advocate 2001-2006, Assistant 1999-2001. Advised Command on diverse military legal issues ranging from disciplinary to international law concerns.

COMBINED FORCES SPECIAL OPERATIONS COMPONENT COMMAND (CFSOCC)

Iraq, Afghanistan and Qatar 2002 - 2004

Legal Advisor to Commander, Special Operations Command Central during Operations ENDURING FREEDOM and IRAQI FREEDOM. Drafted and taught rules of engagement to diverse Army Special Forces, Navy SEAL, and Air Force Special Tactics Squadron members. Investigated and reported on numerous use of force incidents involving small unit engagements.

INTER-SERVICE SECRETARIAT, CENTER FOR MILITARY LAW AND OPERATIONS

Charlottesville, Virginia 1995 - 1996

Developed Army doctrine on the role of law and attorneys in military operations.

SENIOR TRIAL COUNSEL AND CHIEF OF OPERATIONAL LAW

3d Infantry Division, Würzburg, Germany 1994 - 1995

TRIAL DEFENSE COUNSEL

U.S. Army Trial Defense Service, Nürnberg 1993 - 1994

TRIAL COUNSEL

82d Airborne Division, Fort Bragg and Iraq 1990 - 1993

ADDITIONAL CIVILIAN EXPERIENCE

DISTRICT COURT OF MARYLAND FOR BALTIMORE CITY

Court Commissioner

OFFICE OF THE ATTORNEY GENERAL, STATE OF MARYLAND

Intern Law Clerk, Criminal Appeals Division

BALTIMORE COUNTY POLICE DEPARTMENT

Police Officer, Garrison Precinct

BALTIMORE POLICE DEPARTMENT
Police Officer, Patrol and Special Operations

EDUCATION

ADVANCED LEADERSHIP CONSORTIUM Enhanced Police Tactics Course	2016
FORCE SCIENCE INSITUTE Use of Force Expert Certification Course	2014
U.S. ARMY WAR COLLEGE (in-residence) Master of Strategic Studies	2009
U.S. AIR FORCE AIR UNIVERSITY Air Command and Staff College	2004
SIGARMS ACADEMY Certified Tactical Pistol Instructor Course	2001
BALTIMORE COUNTY POLICE DEPARTMENT Tactical High-Risk Entry School	2001
U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE Combined Arms and Services Staff School	1995
U.S. ARMY JUDGE ADVOCATE GENERAL'S SCHOOL Judge Advocate Officer Basic Course	1990
UNIVERSITY OF BALTIMORE SCHOOL OF LAW <i>Juris Doctorate</i>	1989
LOYOLA UNIVERSITY OF MARYLAND Bachelor of Arts Degree, English/Writing	1985
BALTIMORE POLICE ACADEMY Maryland Police Training Academy Law Enforcement Certification	1981

BOOKS, PUBLICATIONS AND LECTURES

Books

Bolgiano, L. Morgan Banks, David G. and Patterson, James M., *Virtuous Policing: Bridging the Gulf Between America's Police and Populace* (CRC Press 2015)

Bolgiano, David G. and Patterson, James M., *Fighting Today's Wars: How America's Leaders Have Failed Our Warriors* (Stackpole 2012)

Bolgiano, David G., *Combat Self-Defense: Saving America's Warriors from Risk-Averse Commanders and their Lawyers* (Little White Wolf 2007)

Articles and Publications

- Bolgiano, David G., Taylor, G. John, "Can't Kill Enough To Win? Think Again" *Proceedings Magazine*, December 2017
- Bolgiano, David G., "Understanding the Ethical, Legal and Tactical Realities of Deadly Force Encounters" *Maryland Bar Journal*, May-June 2017
- Bolgiano, David G., Mitchell, Douglas R., "PERF's Ill-advised Guidance on Use of Force or Obey the Supreme Court: Except When Time to Defend Yourself and Innocent Others," Force Science Institute, 2016 (<http://www.forcescience.org/bmresponse.pdf>)
- Bolgiano, David G., Banks, L. Morgan, "Military Interrogation of Terror Suspects: Imaginative Does Not Have to Mean Unlawful," *Military Review*, Nov-Dec 2010
- Bolgiano, David G., "Under Fire" *Proceedings Magazine*, Naval Institute, Feb. 2009
- Bolgiano, David G., "A Nationalist's View of Lawfare," *Orbis Magazine*, Vol. 54, 2010
- Major, A. Edward, DeRemer, Lee, Bolgiano, David G., "Ethics Can be Taught," *Proceedings Magazine*, December 2012
- Bolgiano, David G., "Military Support of Domestic Law Enforcement Operations," *FBI Law Enforcement Bulletin*, U.S. Department of Justice, December 2001
- Bolgiano, David G. and Taylor, John, "In the Drone Wars, Everyone Gets a Medal", *The Washington Times*, March 13, 2013
- Bolgiano, David G., "Understand the Law of War", *The Fayetteville Observer*, Sept.1, 2013
- Bolgiano, David G., "Respecting the sacrifice of America's warriors: Banning armed self-defense on military bases amounts to dereliction of duty", *The Washington Times*, April 18, 2014
- Banks, L. Morgan and Bolgiano, David G., "Military Interrogation of Terror Suspects: Imaginative Does Not Have To Mean Unlawful," *Military Review*, Nov-Dec 2010
- Bolgiano, David G., "Deadly Double Standards", *The Wall Street Journal*, July 3, 2007

Lectures

- "Legal and Human Performance Dynamics and the Use of Force," Judicial College of Maryland, October 2018
- "Virtuous Leadership for Law Enforcement: Understanding the Ethics, Law and Human Performance Dynamics of Force," Georgia Association of Chiefs of Police, December 2016.
- "Virtuous Policing – What Went Wrong in Baltimore," *Shomrim*, Jewish Community Center of Greater Baltimore, February 2016
- "The Ethical, Legal and Tactical Dynamics of Deadly Force Encounters," Combat Readiness Training Course (pre-deployment training), U.S. Air Force Expeditionary Center, presented biannually, 2004 – Present
- "Virtuous Policing," Senior Practice Group, US Secret Service Headquarters, October 2015
- "The Legal, Ethical and Tactical Dynamics of Deadly Force Encounters," University of Baltimore School of Law, Criminal Law Society Lecture, January 28, 2015.

- “Virtuous Leadership – Ethics of Lethal and Less-than Lethal Force Encounters,” U.S. Army War College, Carlisle Barracks, PA, May 2014
- “Virtuous Leadership in Deadly Force Tactical Encounters,” United States Military Academy, West Point, New York, April 2014.
- “The Ethical, Legal, and Tactical Realities of the Use of Deadly Force,” *Noontime Lecture Series*, U.S. Army War College, Carlisle Barracks, PA, October 2009/2010
- “The Ethical, Legal and Tactical Dynamics of Deadly Force Encounters,” *Special Operations Command Legal Conference*, United States Special Operations Command, MacDill, AFB, FL, February 2011

Tactical Training Seminars

Director of Judgment-based Engagement Training (JET) and ROE/RUF Tactical Training Seminars presented at the following commands:

- U.S. Air Force Expeditionary Center, presented biannually, 2004 – Present
- 1st Battalion, 46th Infantry, U.S. Army, Fort Knox, KY (diverse occasions)
- United States Marine Corps Special Operations Command (MARSOC), Camp Lejeune, NC
- Headquarters, U.S. Army Civil Affairs and Psychological Operations Command, Fort Bragg, NC
- Defense Institute for International Legal Studies (DIILS) (diverse occasions)
- U.S. Navy Expeditionary Combat Command, Little Creek, VA
- U.S. Navy, Naval Special Warfare Group 2, Little Creek, VA
- U.S. Army Training Center, Fort Jackson, SC (diverse occasions)
- Headquarters, 3rd Infantry Division, U.S. Army, Fort Stewart, GA (diverse occasions)
- Headquarters, 10th Mountain Division, U.S. Army, Fort Drum, NY
- FBI Academy, Quantico, VA
- Federal Law Enforcement Training Center (FLETC) Cheltenham Facility, Maryland

Recognized as an Expert in the Legal, Tactical and Human Performance Dynamics of Deadly Force Encounters in the following jurisdictions: Avoyelles District Court, Marksville, Louisiana; Superior Court of Alaska, Kodiak; Fulton County Superior Court, Georgia; Circuit Court of Maryland for Prince George’s County; Circuit Court of Maryland for Baltimore City; United States District Court for the District of Columbia; and, diverse Army and Marine Corps Trial Courts and Tribunals.

Memberships and Organizations

Admitted and Licensed to Practice Law: State of Maryland; District of Columbia; Army Court of Criminal Appeals; and, Court of Appeals for the Armed Forces (CAAF).

- Life Member – Veterans of Foreign Wars of the United States
- Life Member – 82nd Airborne Division Association.
- Benefactor Life Member – National Rifle Association
- Member – American Criminal Justice Association

Awards and Decorations Include: Bronze Star Medal, Meritorious Service Medal (w/2 Oak Leaf Clusters), Joint Service Commendation Medal, Army Commendation Medal (w/Oak Leaf Cluster), Air Force Commendation Medal, Army Achievement Medal, Joint Meritorious Unit

Award, Army Meritorious Unit Award, Armed Forces Expeditionary Medal, Southwest Asia Service Medal (w/2 Service Bronze Stars), Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terror Expeditionary Medal, Kuwait Liberation Medal (Kingdom of Saudi Arabia), Kuwait Liberation Medal (Government of Kuwait), United States, German and Republic of China Parachutist Badges.