



SAVE OUR HEROES®

Save Our Heroes

www.saveourheroesproject.com a 501(c)(3) organization
10650 Culebra Road, # 104-106 * San Antonio TX 78251 * 210-612-2453

Sent via Priority U.S. Mail, Tracking & Delivery Confirmation

October 31, 2017

**The Grievance Committee
North Carolina State Bar
PO Box 25908
Raleigh, NC 27611**

**Re: Request for Investigation & Sanction
James W. Crawford III, License # 10844
Vice Admiral, Judge Advocate General, United States Navy**

To the Grievance Committee of the North Carolina State Bar,

Save Our Heroes' Project is a non-profit organization advocating for U.S. service members who have faced wrongful military justice prosecutions, or who have been wrongfully convicted or incarcerated. You can learn more about our activities and objectives by visiting our website at www.saveourheroesproject.com.

This letter shall serve as an official complaint of attorney misconduct and potential criminal conduct on the part of Attorney James W. Crawford III, License # 10844, a Vice Admiral and the current Judge Advocate General of the United States Navy.

Potential violations include violations of the United States Code, Uniform Code of Military Justice, and violations of the North Carolina State Bar Professional Rules of Conduct.



On Tuesday, October 24, 2017, at a special hearing referred to as a ‘Dubay’ hearing in Washington D.C., Judge and Air Force Colonel Vance H. Spath ruled that Navy Vice Admiral and the current **Judge Advocate of the U.S. Navy, James W. Crawford** was **guilty of violating Article 37 of the Uniform Code of Military Justice, Unlawful Command Influence**, or its mirror violation, Title 10 U.S. Code § 837 - Unlawfully Influencing Action of Court^{i ii}.

This highly publicized case involves the wrongful conviction of Decorated U.S. Navy Seal, Senior Chief Keith E. Barry for sexual assault in 2014.

During the clemency review process in 2015, the convening authority at the time, Rear Admiral Patrick Lorge (now retired) testified that he believed that Chief Barry was innocent and considered granting clemency. Lorge claims that he was pressured to deny Chief Barry’s clemency petition by the then Judge Advocate of the Navy, Vice Admiral Nanette Derenzi (now retired) and her second in command and the current Judge Advocate, Vice Admiral James Crawford.

At the crux of the matter is intense political pressure being exerted upon convening authorities and military prosecutors to come down hard on defendants in sexual assault cases. As this case clearly exemplifies, this pressure has resulted in the wrongful conviction and incarceration of an innocent man.

Save Our Heroes’ Project, formed in 2015, now has a database of nearly 250 cases, most of which involve wrongful prosecutions, convictions, and incarcerations involving allegations of sexual misconduct. SOH opines that there may be as many as 400 servicemen currently incarcerated in military detention facilities who have been wrongfully convicted of some type of sexual misconduct offense.

In the government’s zeal to eradicate sexual assault in the military, such examples of wrongful convictions are becoming increasingly common. What is also increasingly common are routine abuses and intimidation by military law enforcement agents, the failure and indifference to seek out and obtain exculpatory evidence, prosecutorial misconduct and failure to comply with discovery requirements. Due process and constitutional violations are becoming the norm.

As is evidenced in this case, Rear Admiral Lorge indicated in his sworn affidavit and testimony that he had been threatened with career ending consequences by Crawford if he did not refuse to grant clemency, which sent an innocent man to jail. Therefore, Attorney and current Judge Advocate General of the U.S. Navy, James Crawford is directly responsible for the wrongful conviction and incarceration of Navy Seal, Senior Chief Keith Barry.

In addition to the violation listed above, other potential violations committed by James W. Crawford III include, but are not limited to;

- **42 U.S. Code § 1983 - Deprivation of Rights**
- **18 U.S. Code § 1621 – Perjury**
- **18 U.S. Code § 241 - Conspiracy Against Rights**
- **Title 18 U.S. Code Chapter 73 – Obstruction of Justice**

Potential violations of North Carolina State Bar Professional Rules of Conduct include, but are not limited to;

- **Rule 3.3 – Candor Toward the Tribunal**
- **Rule 3.5 – Impartiality and Decorum of the Tribunal**
- **Rule 3.8 – Special Responsibilities of a Prosecutor**
- **Rule 8.4 - Misconduct**

There is a current climate in the military whereby in the zeal to eradicate sexual assault, has resulted in countless due process and constitutional violations, prosecutorial misconduct, and an unwritten level of fear and intimidation of convening authorities to prefer criminal charges in virtually all allegations involving sexual misconduct. In many cases, charges are being levied, no matter how brazen, and lacking in substance and facts the allegations are.

It is common, unspoken knowledge, that convening authorities and commanders who do not send frivolous and false cases to court martial, that their careers are essentially over. Everybody knows about it, but few speak of it.

Just as in the case of the alleged sexual assault problem on college campuses, and the false narrative that 1 in 5 college women will be sexually assaulted during their time at college has been debunked, the same applies for the false narrative of the sexual assault epidemic in the military ⁱⁱⁱ ^{iv}.

What is particularly troubling and what any reader of this document should consider and understand is the tremendous injustice that has been done to Navy Seal, Senior Chief Keith Barry, his unjustified incarceration, the loss of his personal reputation, the irreversible damage done to his career, the disruption and devastation to his personal life and to that of his family. No one can return that to him, although justice can be done to the true and actual criminal wrongdoers in this case.

Sexual assault in any form and in any venue, is a reprehensible crime. Those victimized deserve and need all available resources to make them whole again. In reality, the problem of sexual assault in the military is actually less than it is in the civilian world, which does not mean that it is acceptable. Having said that, the current zeal to eradicate sexual misconduct in the military, combined with intense political pressure put upon Department of Defense and military leaders, under implied threat of career destruction is also reprehensible. This false narrative of an alleged 'epidemic' results in numerous injustices and has created a de-facto 'kangaroo court.'

What was done to decorated Navy Seal, Senior Chief Keith Barry, and many others like him is also reprehensible.

It is hoped that the North Carolina State Bar will initiate an inquiry and will sanction attorney James W. Crawford III in accordance with all applicable sanctions prescribed by the appropriate body. In addition, a referral to the United States Department of Justice for a potential federal criminal indictment and prosecution would be in order.

It is respectfully requested that an official letter acknowledging receipt of this correspondence be forward to this organization as soon as is practical.

Sincerely & Respectfully,



**Doug James, Colonel (Ret.) USAF
Chairman, Board of Directors
Save Our Heroes' Project**

DJ/mc

cc: Rowan Scarborough, The Washington Times

ⁱ Washington Times, 'Military judge rules Navy Judge Advocate General illegally intervened in SEAL's trial'
<http://www.washingtontimes.com/news/2017/oct/24/military-judge-rules-navy-judge-advocate-general-i/>

ⁱⁱ San Diego Union-Tribune, 'Top Navy Lawyer's Unlawful Influence May Have Sent An Innocent SEAL To Prison'
http://taskandpurpose.com/navy-seal-unlawful-influence-rape-case/?utm_source=newsletter&utm_medium=email&utm_campaign=tp-today&utm_content=title

ⁱⁱⁱ Washington Times, 'False reports outpace sex assaults in the military'
<http://www.washingtontimes.com/news/2013/may/12/false-reports-outpace-sex-assaults-in-the-military/>

^{iv} Washington Examiner, 'No, 1 in 5 Women Have Not Been Raped on College Campuses,'
<http://www.washingtonexaminer.com/no-1-in-5-women-have-not-been-raped-on-college-campuses/article/2551980>