

# SAVE OUR HEROES<sup>®</sup>

ADVOCATING FOR MILITARY JUSTICE REFORM AND EQUAL JUSTICE FOR ALL

## **Sent via U.S. Certified Mail**

**May 1, 2018**

**The Honorable John McCain, Chairman,  
United States Senate Committee on the Armed Services  
Russell State Senate Building, Room 228  
Washington, D.C. 20510-6050**

**The Honorable Jack Reed, Ranking Member  
United States Senate Committee on the Armed Services  
Russell State Senate Building, Room 228  
Washington, D.C. 20510-6050**

**Re: Request for Court-Martial Referral, Unlawful Command Influence  
U.S. Navy Judge Advocate General, Admiral James Crawford**

**Senators' McCain & Reed,**

This correspondence is a respectful request for the Senate Armed Services Committee to compel the Department of Defense to initiate a Court-Martial Proceeding of Vice Admiral James Crawford, the Judge Advocate General of the U.S. Navy for official misconduct.

Save Our Heroes' Project (SOH) is a 501(c)(3) non-profit organization based in San Antonio Texas, advocating for U.S. service members who have faced wrongful military justice prosecutions, or who have been wrongfully convicted or incarcerated. In addition to conducting advocacy actions for falsely accused and wrongfully convicted service members and their families, SOH routinely reviews and identifies the problematic areas of Unlawful Command Influence and Prosecutorial Misconduct. You can learn more about our activities and objectives by visiting our website at [www.saveourheroesproject.com](http://www.saveourheroesproject.com).

The primary reason SOH is making this request to the SASC is due to the fact that it appears that there has been a complete absence of accountability at the highest levels of the U.S. Navy Judge Advocate General Corps.

Vice Admiral Crawford was recently found guilty in a post-conviction Dubai hearing of being in violation of Article 37 of the Uniform Code of Military Justice, Unlawful Command Influence. The court determined that Admiral Crawford unlawfully pressured a convening authority (CA) to deny a clemency petition of a decorated U.S. Navy Seal, whom the CA believed was innocent for sexual assault. As such, Admiral Crawford's illegal and unethical actions resulted in an innocent man being incarcerated.

The case involves the sexual assault conviction of U.S. Navy Special Warfare Operator, Senior Chief Keith Barry. The case was problematic, and the CA believed, after consulting with legal counsel that Chief Barry was not guilty of the crime alleged, but upheld his conviction based upon Unlawful Command Influence exerted upon him by Admiral Crawford. This is not an opinion but rather a legal ruling by a military court.

As such, SOH learned that Admiral Crawford is licensed in the State of North Carolina and in October of 2017, filed a formal complaint with the North Carolina State Bar Association for several violations of the state bar professional rules of conduct.

SOH has exchanged several pieces of correspondence with the North Carolina State Bar and are aware that an official inquiry has been initiated, case # 17G1106. In such correspondence, SOH respectfully requested that the North Carolina State Bar notify the appropriate military oversight body to initiate administrative and/or criminal action.

To date, SOH has not been notified of any such notification, official investigation or any sanction imposed upon Admiral Crawford. Even though a military court made a ruling that Admiral Crawford was guilty of a crime, he has not been sanctioned, nor has any action been taken to correct this injustice.

Recently, news media reports reveal that Admiral Crawford may have been involved in a similar pattern of intentional misconduct in two additional cases that are now being reviewed.

The precepts of the presumption of innocence, rule of law and due process have been severely curtailed in the U.S. military when it involves allegations of some type of sexual misconduct. The unwritten rule seems to be 'guilty' until officially found guilty in a military court.

Combined with the politicization of the exaggerated problem of sexual assault in the military, and the pervasive problematic areas of prosecutorial misconduct and Unlawful Command Influence, which has reached near pandemic levels, numerous service members have been railroaded through a system that rates its success based on the number of convictions, regardless of facts or evidence.

Save Our Heroes' Project routinely deals with the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> waves of false allegations and wrongful convictions to the service members affected as well as their families. Being falsely accused and wrongfully convicted in the military has resulted in a level of devastation that cannot be measured.

There has been financial ruin, ruin of professional and personal reputations, divorces, loss of homes, children and in some cases, suicide.

In just over two years of existence, SOH has approximately 250 cases, most of which involve some type of sexual misconduct offense in which it has been discovered to be a false allegation or some other type of professional misconduct. SOH opines and estimates that as many as 400 service members may have already been wrongfully convicted, have spent time in detention facilities or are currently serving sentences who are innocent of their crimes. Most of these involve some type of sexual misconduct offense.

No one wants to see cases of sexual harassment or assault however in the process, if we resort to a mob justice mentality, we have downgraded our military justice system to the equivalent of a third world banana republic.

As such, Save Our Heroes' Project respectfully requests that the Senate Armed Services Committee direct the appropriate military tribunal or oversight body to initiate court-martial proceedings against Admiral Crawford for a violation of Article 98 of the UCMJ, Intentional Non-Compliance with Procedural Rules of which Article 37, Unlawfully Influence Action of the Court is the underlying offense.

If sanctions of Admiral Crawford include forced retirement, the SASC should be reminded, pursuant to the UCMJ that military retirees may only retire at the last rank satisfactorily served. This would mean that the actions of Admiral Crawford occurred while he was a Rear Admiral, (upper half, 2-stars) meaning that per the UCMJ, Admiral Crawford can only retire as a Rear Admiral (lower half, 1-star), the last rank satisfactorily served.

This correspondence is independent of any legal or other action that Chief Barry's legal counsel is involved in and as such, it is hoped that Chief Barry will not suffer any reprisals due to the efforts of Save Our Heroes' Project to expose the complete lack of accountability at the highest levels of the U.S. Navy Judge Advocate General Corps, or of SOH efforts to share this example of gross misconduct with other news sources.

SOH respectfully requests, as a normal business practice a letter on official SASC letterhead that this correspondence has been received and what action is being taken.

**Respectfully,**



**Doug James, COL. (Ret.) USAF  
Chairman of the Board of Directors  
Save Our Heroes' Project  
10650 Culebra Road, # 104-106  
San Antonio TX 78251**

DJ/mc  
cc

Attachments

- Complaint letter to the North Carolina State Bar dated October 31, 2017
- Acknowledgement letter from the North Carolina State Bar dated November 1, 2017