

# SAVE OUR HEROES<sup>®</sup>

ADVOCATING FOR MILITARY JUSTICE REFORM AND EQUAL JUSTICE FOR ALL

**Sent Via Priority U.S. Mail, Tracking & Delivery Confirmation**

**11 December 2018**

**The Honorable Richard V. Spencer  
Secretary of the Navy  
1200 Navy Pentagon  
Washington DC 20350-1200**

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

**Re: Lack of Accountability – Navy Vice Admiral James Crawford**

**The Honorable Richard Spencer, Secretary of the Navy and the Grievance Committee of the North Carolina State Bar,**

## **INTRODUCTION**

Save Our Heroes is a non-profit organization, formed in 2015, devoted to ensuring fairness in the military justice system, that those within the system are afforded the presumption of innocence, constitutional and due process protections and that leadership are held accountable for their failures. Save Our Heroes is a team of over 50 volunteers from a wide variety of professions; including current, former, and retired military members from all branches.

Our volunteers dedicate their time and talents to helping others and in a cooperative effort with similar organizations, advocate on pending cases, support service members and their families, and work towards fact and evidence-based solutions to reform the military justice system and most importantly, prevent future injustices. You can learn more about our activities and objectives by visiting our website at [www.saveourheroesproject.org](http://www.saveourheroesproject.org).

In three years of operation, SOH has received approximately 300 cases, most involving some type of sexual misconduct offense. Most of those cases have been vetted, and the injustices our organization discovered would shock the conscience of the average person. The damage done to falsely accused and wrongfully convicted service members and their families is beyond description. Damages include negative career implications, personal, family, and financial ruin, and some sadly, have resorted to suicide.

Save Our Heroes' Letter to SecNav & N.C. State Bar  
Re: Vice Admiral James Crawford  
Date: 11 December 2018  
Page 2

## **THE CASE OF VICE ADMIRAL JAMES CRAWFORD**

SOH has closely monitored the wrongful sexual assault conviction case of U.S. Navy Chief Special Warfare Operator Keith Barry. We are aware his conviction was recently dismissed with prejudice, as a result of Unlawful Command Influence on the part of the Navy Judge Advocate General, Vice Admiral James Crawford.

In two separate military judicial hearings; a Dubai hearing and a decision by the Court of Appeals of the Armed Forces (CAAF), the Court ruled that Admiral Crawford was guilty of violating Article 37 of the UCMJ. A sworn affidavit by Rear Admiral Patrick Lorge, the convening authority in Barry's case, which was part of both of these decisions, stated his decision to uphold the wrongful conviction of Barry was due to the unlawful command influence exerted upon him by Admiral Crawford

As a result of Admiral Crawford's corruptive influence, Chief Barry, an innocent man, served time in a military prison, was dishonorably discharged, had his entire military career derailed and his professional and personal reputation decimated. To this day, Chief Barry continues to struggle with the after effects of his wrongful conviction.

SOH filed an initial complaint with the North Carolina State Bar in October of 2017. Since that time, SOH has corresponded with the Bar and currently, it appears their inquiry of Crawford has stalled. SOH has not received any correspondence or update regarding our complaint since January of 2018.

Admiral Crawford's actions in the case of Chief Barry are an aberration and a travesty of justice. Clear and convincing evidence exists of the corrupt, intentional and malicious acts by Crawford and in the spirit of fairness, accountability, and the law, demand that Crawford be subjected to a court martial and be disbarred from the practice of law by the State of North Carolina.

In 2006, a similar unfounded and false rape case was prosecuted by a corrupt District Attorney by the name of Mike Nifong in the infamous Duke Lacrosse scandal. When the truth was eventually discovered, Nifong was criminally charged, incarcerated and disbarred.

The example of the case of Chief Barry is much worse. While the Duke Lacrosse team members were not convicted of any criminal charge, Chief Barry was, and was unjustly and wrongfully incarcerated. The reason for that lies directly on the hands of James Crawford. How does anyone with any semblance of conscience and integrity do that to someone?

Save Our Heroes' Letter to SecNav & N.C. State Bar  
Re: Vice Admiral James Crawford  
Date: 11 December 2018  
Page 3

It is our strong belief, holding James Crawford accountable for his actions will help restore credibility to the current flawed military justice system.

## CONCLUSION

SOH has repeatedly observed the military abandoning its duty to the accused service member, when investigating allegations of sexual misconduct, to do so in a fair and unbiased manner. Instead, it appears the military has succumbed to pressure from some in the legislature and extremely vocal special interest groups with the objective to ensure a conviction by any means necessary, irrespective of facts, evidence, and rule of law when allegations of this type are reported.

False allegations of sexual misconduct, as well as prosecutorial and official misconduct in handling these cases are rampant in the military justice system. Political expediency and 'mob rule' should not be the deciding and motivating factors when reviewing these cases. Rather, the pursuit of the truth and unbiased rule of law must be adhered to without exception.

Further complicating the issue is the fact that there exists virtually no accountability for those who levy false allegations. In fact, false allegations are rewarded. There also appears to be no accountability for those who facilitate false allegations such as rogue prosecutors and convening authorities who abdicate their responsibility and are more concerned with their next promotion or career advancement.

In this case, retired Rear Admiral Lorge was absolutely correct in his sworn affidavit. Whether we want to admit it or not, it is no secret that a general consensus exists among high ranking service members, convening authorities and those who make decisions regarding sexual misconduct allegations, that if they do not refer virtually all allegations of sexual misconduct to court martial, they put their careers in jeopardy.

This fear of negative career implications and undue political pressure has sent many innocent service members to jail, has destroyed careers, personal reputations and has torn apart families. Our volunteers have been on the receiving end of phone calls and personal meetings with desperate and crying family members of innocent service members who have been left in a void, without a voice, and with no one who will listen to them.

Service members deserve due process and constitutional protections, the same as any other person accused of a crime. These protections have been slowly and significantly reduced, and service members have a nearly impossible task to offer a viable defense involving allegations of

Save Our Heroes' Letter to SecNav & N.C. State Bar  
Re: Vice Admiral James Crawford  
Date: 11 December 2018  
Page 4

sexual misconduct. Their lives have been committed to serving this Nation and protecting our rights and freedom, and they should be afforded the same rights.

No one condones any form of sexual misconduct and each case is a tragedy, just as it is a tragedy for someone falsely accused and wrongfully convicted. Political expediency and career survival must be eliminated from the decision making process, and the presumption of innocence, due process and constitutional protections must be restored in the military justice system.

As a matter of normal business practice, SOH respectfully requests a response to this correspondence including any actions taken or anticipated.

**Respectfully,**



**Doug James, COL. (Ret.), USAF  
President & Chairman of the Board of Directors  
Save Our Heroes,' San Antonio, Texas**

DJ/mc

cc:

attachments: 31 October 2017 Save Our Heroes' initial letter of complaint to the North Carolina State Bar Association

17 September 2018 Save Our Heroes' letter to Naval Chief of Operations, Admiral John Richardson