



National Coalition For Men (NCFM)

Since 1977

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February 16, 2016

Sent via Electronic Mail: flora.d.darpino.mil@mail.mil

Sent via Facsimile: (571) 256-2940

Department of the Army
Office of the Judge Advocate General
Lieutenant General Flora D. Darpino
Commanding Officer
2200 Army Pentagon
Washington DC 20310-2200

Re: We oppose appointing Major Jacob P. Bashore to U.S. Army Judge.

Lieutenant General Darpino,

NCFM, is a 501 (c) (3) educational nonprofit corporation, was founded in 1977, and is the nation's oldest men's human rights organization. Our directors, advisors, liaisons, and members are men *and* women from a wide variety of professions; including former and retired military members, from around the globe. You can learn more about NCFM, our interests, efforts, and numerous accomplishments by visiting our website, www.ncfm.org.

NCFM is committed to the removal of gender-based stereotypes, especially as they adversely impact boys, men, their families, and the women who love them, including but not limited to, issues involving the criminal justice, family court, and military judicial systems.

For over a year, NCFM has conducted an extensive investigation into the court-martial case of Army Major Christian "Kit" Martin, a highly decorated Apache Helicopter Pilot with the 101st Airborne Division at Fort Campbell, Kentucky.

As a result of this extensive investigation, a number of very troubling issues have been discovered, many of which involve Major Bashore that include a serious level of ethical violations and prosecutorial misconduct that may rise to the level of criminal law violations.

The case involves the court-martial of Major Martin who is being prosecuted by Major Bashore for a number of violations, including sexual assault, child abuse, and mishandling classified information.

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Republic of Georgia
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Georgia
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Washington D.C.

The prosecution rests on the claims of Major Martin's vengeful ex-wife; Joan Harmon Guerra who is now a convicted felon; and, she may be involved in a recent triple homicide involving the murder of a key defense witness in this court-martial. The Christian County Kentucky Sheriff's Department and the Kentucky State Police are conducting the homicide investigation.

The allegations by Joan Harmon-Guerra arose once Major Martin told her that he wanted a divorce because of her abuse, lies, pilfering family finances, extra-marital affairs, and her participation and donations to a cult organization. Shortly thereafter, she made allegations with civilian authorities, all of which were investigated and found unsubstantiated. Joan Harmon Guerra also petitioned for a restraining order that was denied by Christian County judge who found that she lied, engaged in witness tampering and coached one or more of her children to lie while under oath.

Joan Harmon-Guerra was, and still is married to another man at the time she had been illegally married to Major Martin. She has recently been convicted of a felony Bigamy in the Commonwealth of Kentucky.

Major Jacob Bashore seems to place no merit on those and other related facts in his prosecution of Major Martin. The military charges against Major Martin appear to be fabricated in another effort to penalize Major Martin for excusing his due process rights and requesting the intervention of his Congressmen.

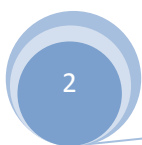
NCFM is well aware of the military's politically driven sexual assault "witch-hunt mob" mentality, which is clearly an overreaction to the nonexistent "rape culture." For over a decade, all branches of the military have taken sexual assault seriously and developed programs to prevent it. Real sex offenders must be held accountable in accordance with all applicable laws.

Unfortunately, unsubstantiated allegations absent any corroborating evidence result in a court-martial, apparently to satisfy politically correct notions and Congressional pressure. This "heads on a platter" at the expense of innocent and otherwise good soldiers is disgusting.

In the case at hand, the evidence in favor of Major Martin is overwhelming. Major Martin has been set up, taken advantage of, and persecuted. The evidence against Joan Harmon-Guerra is equally staggering. She lies. She may be a sociopath.

An anonymous attorney who commented on investigative reporter Bob McCarty's website, who has published more than two dozen articles on the case of Major Martin, and has likened the case to the infamous "Duke Lacrosse" case. In that case, corrupt prosecutor Mike Nifong debased himself prosecuting three innocent young males for a rape that never occurred. Nifong was disbarred, prosecuted and convicted. Nothing was done to the accuser in that case; Crystal Magnum, who subsequently murdered a boyfriend and now, sits in prison. We believe Bashore's treatment of Major Martin is as grievous if not more so.

NCFM filed a complaint with the Secretary of Defense and the Department of Defense, Office of Inspector General that initiated an ongoing investigation by the Office of Inspector General. We have asked the DOD IG investigator for a referral to the Office of the United States Attorney for investigation and criminal prosecution.



Major Bashore is one of several individuals, including Major General Mark Stammer, Captain James Garrett, and Major Jenny Schlack White currently under investigation by the Department of Defense, Office of Inspector General because of their actions in this case.

Major Bashore was the subject of an Article 37 hearing in the case of Major Martin for prosecutorial misconduct and unlawful command influence in which the judge ruling on that hearing has yet to produce an official written ruling on that hearing, as prescribed by military law, to the legal defense team of Major Martin.

Major Bashore is a central figure in the book, "Three Days in August," by respected investigative journalist Bob McCarty, in which McCarty makes the a strong case of Major's Bashore's prosecutorial misconduct during the prosecution of a Special Forces soldier for a sexual assault.

The Fort Campbell JAG Office has failed to produce the audio recording and/or transcripts of that Article 37 hearing to the defense attorneys representing Major Martin, despite the fact that the hearing occurred nearly five months ago.

NCFM therefore asks the appointment of Major Jacob P. Bashore as a military judge be denied.

Support documents are listed below.

Respectively,



President

cc: Mr. Terry Freeze, Investigator, Department of Defense, Office of Inspector General
Mr. Bob McCarty, Investigative Reporter
Mr. Jacob Thomas, Reporter, Kentucky New Era
Mr. Ray Howze, Reporter, The Leaf Chronicle
Mr. James Phillips, Attorney at Law, Oak Grove, Kentucky
Mr. R. Tucker Richardson, Attorney at Law, Louisville, Kentucky
The Honorable John McCain, Chairman, Senate Armed Services Committee
Sent Via Facsimile (202) 228-0037
The Honorable Mac Thornbury, Chairman, House Armed Services Committee
Sent Via Facsimile (202) 225-9077

Attachments: NCFM Original Letter of Complaint to Department of Defense
NCFM Letter to DOD IG Investigator Terry Freeze
NCFM FOIA Request, Fort Campbell FOIA Control Officer