

In a continued effort to seek relief whether it be by further inquiry of my submitted application for Presidential Pardon or some other means, I have produced further detailed explanation of important key facts and amplifying details to assist in understanding the nature of Unlawful Command Influence, the timeline of events, and how my case was handled at the height of it all.

I have never had a voice in what occurred as I exercised my Constitutional right to remain silent due to the volatile and uncertain environment that was. Before going forward I can say without a doubt, as a former intelligence professional and marketing professional this agenda was executed with the elegance of a well-orchestrated symphony. It was like a computer operating system put in all the elements of shaping military environments such as an information operation (IO), propaganda, media exploits, the use of technology and the vastness of its reach, and the mainstream media. Everyone knew what they were capable of, and although it spread like a viral pandemic, the inception was only the initiator because in the military, people were going to do what they were told by their superiors, or they would suffer injury to their careers.

My case was clearly handled during the most critical times of the entire sexual assault agenda and related Unlawful Command Influence, yet it has never been brought up that the handling and results of my case were subject to the UCI environment, however the record shows not one mention of it and that fact of the story is likely the most critical. Additionally, as I continue to advocate it is my duty to also be remindful that this matter is not solely a problem of mine, but of many service men and women who suffered damages in the name of politics and not justice who may be still seeking relief.

There is an abundance of information out about the sexual assault environment and UCI occurring in this past ten-years so here I try to keep it simple. Here is the Problem: The roots caught ground and began to grow rapidly.

#### **Unlawful Command Influence Timeline and Key Events**

- April 2010 Michell Obama assigning April as Sexual Assault Awareness month. A virtuous cause but part of a much larger agenda. An agenda that is arguably the most sloppy and damaging agendas in military history.
- **The most significant strategic level influence and UCI was conducted by President Obama May 2013 where he made remarks publicly identifying the military as a target** for rooting out whoever is engaging that type of activity while also **directing then Secretary Chuck Hagel not only to step up their game, but to “exponentially go after it,”** in an extended effort to support campaign against sexual assault.
- If remembered correctly the actual loudest noise and most critical piece in this campaign was the film *The Invisible War*. A non-profit film that wasn't funded but was made based upon the assumptive head nod that there would be a future private screening that would get the foot in

the door for sparking the draft of a bill with the help of influential political friends, and it eventually did.

First of all **actual private film screenings are few and far between** so much so that I could only learn of 2 through historical research. Also these are separate from Hollywood working with the government and CIA or special ops types for the last 80 years or so for accuracy.

- The private screening in 2012 held on Capitol Hill in Washington, DC a month after Sundance, provoked increased conversation in Congress.

The screening itself in hindsight was a big red flag so finding out why and how was important. The why is quite robust and subject to many perspectives but largely its agreed that sexual assault is bad, and the perceived problem in the military is adequate for this, but what can't be disputed is the who and how.

- The obvious beginning that put this agenda into the DoD and military reality is the private screening with Congress made possible by Leon Panetta and those he invited or set up for viewing.

#### **The connection between the film and the government:**

California Senator Barbara Boxer who held office from 1993 - 2017, the mother of executive producer Nicole Boxer who was the Executive Producer of the film. The private screenings created a convincing word of mouth campaign, which led in part to Secretary of Defense Leon Panetta seeing the film. In a statement by the producers of the film the message and the call to action was as follows:

We encourage Secretary Panetta and the DoD to take the following additional actions:

- 1. Move the decision to investigate and prosecute a sexual assault claim outside the victim's chain of command.**
2. Create a sexual assault database within the Department of Defense that is required to share information with the Department of Justice civilian sexual offender database.
3. End the practice of diagnosing victims of sexual assault with personality disorders and then discharging them from the military without being eligible for benefits.
4. And finally, as *The Invisible War* conclusively shows, the vast majority of sexual assaults are committed by a small minority of service members who are serial perpetrators. The DoD must aggressively investigate, prosecute and incarcerate these 'enemies within' who are debilitating our fighting force."

Here I call out call to action encouragement #1 because that has been one of the chief complaints since 2010.

· My case was handled by civilian authorities **outside any of my chains of command and they determined there the case did not reach the burden of proof to pursue** however this was not “good enough” for the service and they went beyond what the root cause of the UCI argument called for. **Why they did this is explained by the by the UCI conducted by LtCol Palmer after the list of attendees of the private viewing.**

People interviewed in The Invisible War include:

#### **Members of Congress**

Chellie Pingree, (D, Maine)  
Louise Slaughter (D, New York)  
Mike Turner (R, Ohio)  
Loretta Sanchez (D, California)  
Jackie Speier (D, California)  
Ted Poe (R, Texas)  
Susan Davis, (D, California)  
Niki Tsongas, (D, Massachusetts)

#### **Military personnel**

Major General Mary Kay Hertog, Director, Sexual Assault Prevention and Response Office  
Dr. Kaye Whitley, Former Director, Sexual Assault Prevention and Response Office  
Rear Admiral Anthony Kurta, Director, Military Plans and Policy  
General Claudia J. Kennedy, US Army (retired)  
Brigadier General Wilma L. Vaught, US Air Force (retired)  
Brigadier General Loree Sutton, M.D., US Army (retired)  
Major General Dennis Laich, US Army (retired)  
Staff Sergeant Stace Nelson, NCIS Special Agent, USMC (retired)  
Veteran Robinlynne Mabin-Lafayette, USAF Disabled Veteran

Senator Kirsten Gillibrand credits The Invisible War with inspiring her to create legislation to reduce sexual assault in the military. In her 2014 memoir *Off the Sidelines* further complicated the environment as it provided further pressure against an accused and leadership whose careers are hinged upon congressional approval. This was the year I was prosecuted, and my appeals were affected by the further growth of the agenda and its efforts followed by changes in command as members of the JAG Corps would assume higher authority to positions such as the appellate courts.

To understand why my specific case would want to be picked up and charged by the military is attributed to the words directly spoken from by Gen. Amos CMC Marine Corps

- In April 2012, General James F. Amos, the Commandant of the Marine Corps (CMC), and Sergeant Major Michael P. Barrett, the Sergeant Major of the Marine Corps (SMMC), embarked on a tour of all major Marine Corps installations, as well as a few other locations where Marines were stationed, to deliver a lecture that came to be known as the Heritage Brief. The CMC's target audience for the Heritage Brief was "every single staff NCO and officer in the Marine Corps."

- The key witness in my case and alleged victim was a Marine, whereas this persons chain of command was unarguably under the influence of misguidance by the UCI. The actual accuser in my case was a third party.

These briefings were followed by training and advice to new judge advocates.

- **Among the first influential UCI comments the influential Judge Advocate Lieutenant Colonel Palmer include following:**

1. You must have a willing suspension of disbelief of the victims once the convening authority has decided to proceed with the charges.

2. **The defendant is guilty. We wouldn't be at this stage if he wasn't guilty.**

3. **As trial counsel, it is your job to prove the defendant is guilty with the fullest veracity. Don't hold back. Once convicted, we need to crush these Marines and get them out.**

4. **Defendants are scumbags.**

5. If a trial counsel loses a child pornography case, that trial counsel will go to hell.

Court record also found that this same influential JAG stated that a **trial counsel needs to list any charges on the charge sheet just to get the charges before the members, even if the elements of the charges cannot be proven**, or words to that effect **while also stating that "Jury members are stupid, knuckle-dragging morons that need to have the drool wiped away from their mouths. I don't hate them, I despise them"**, and "Juries don't have to follow the law and they know it."

For the handlings of my case, it is odd yet not surprising that **at each decision point** in the flow of my case **followed like a prescription from the statements derived from the UCI events**. For example:

- **Put charges on paper even if unprovable. If you read my charge sheet it was written in this manner, the last caveat being the most unprovable among all the unprovable charge.**



- Once charges are made they will go to court martial because the Convening Authorities (which we would later find out) were not making the recommendations based on the merits of the case but forced by the hand leadership above them (whether for career reasons or out of fear) of the agenda as seen in the case of US vs SOC Keith Barry carried by the influence that "it wouldn't be this far if he wasn't guilty".
- It was the job to find me guilty beyond all reason, because "the defended is guilty" and that happened.
- Jury members are stupid, don't follow the law, and this influential leader hates them. This makes sense as to why my counsel would have me take trial by judge alone.

The remarks were implicit as to suggest how to build and win a case from nothing. The call to action? After getting any kind of improvable charge on paper, ensure trial by judge alone because juries are stupid and are not to the advantage of a guilty finding, which is what happened in my case. This also makes sense of my defense attorneys guidance and rational of "we will go judge alone because he is expected to know the law". That was what was being fed through the JAG Corps.

- With all of the things going on in the environment, several high-profile cases occurring around the same time as mine, the media propaganda, the influence of the agenda and its players, etc. **the judge never stated anything about clearing the air of the UCI type statements nor did he ever acknowledge the existent of the UCI ripe environment** which is unusual given it was the most heavily prosecuted and scrutinized events of the time.

It appears my case was less about justice and more about prejudice. At the time the agenda lead by a polar Democratic political congress weaponized any organization that is had the power of the purse over, namely the Department of Defense (DoD) and the Department of Education (DOE). For better, **the Department of Education cases didn't last long when the lawsuits began, and it started hurting the money.** Accused students could sue and won in many cases to be granted large sums of money for damages which crippled the agenda and the government's ability to manipulate outcomes. Notably, it was also civilian lawyers which require a lot of resources and funding who were able to bring to light the occurrences of UCI as a quasi-form of oversight.

It was eventually found that DOE leadership had made all guidance and rules without any consent and on their own free will and were not "actual rules". Sadly, some young men perished because of the confusing misinformation much like the military, however one cannot sue the military for such a thing. This is an important talking point because at the core military and civilians are protected at the federal level by the U.S. Constitution, however once a military tribunal is done, there is no avenue for relief less new evidence such as a member of the service in leadership speak out. This would be a validator and new evidence much like Admiral Lorge in the case of US vs SOC Keith Barry. Then the Admiral admitted that he had not acted in good faith given the circumstances that everyone faced at that time. This is a prime example of how

easily one can clearly explain prejudice due to the environment as related to apparent or actual UCI.

It is my greatest hope that what I convey is not a finger pointing event; **my intent is to summarize key facts that I know affected how my case was handled and ended and the holistic view requires much more than what I can convey in several pages, or 5 minutes of free speech.** I have been living as an honorable veteran who also served my country honorably but have been living with the terrible consequences of this injustice. The best that has come from this is, my experience in total, and my plight is that it has provided red flags of concern to counter the agenda with reason where others much after me were able to be relieved, but where I have not.

Thank you for your time and consideration reading and learning of this matter as it is greatly appreciated, I look forward to the opportunity of continued dialogue, as I believe my first-hand account of the entire process from the lens of an informed and trained observer.

Very Respectfully,

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