

SAVE OUR HEROES[®]

ADVOCATING FOR MILITARY JUSTICE REFORM AND EQUAL JUSTICE FOR ALL

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

17 July 2018

**Mr. Glenn A. Fine
Principal Deputy Inspector General
Department of Defense, Office of Inspector General
4800 Mark Center Drive
Alexandria, VA 22350-1500**

**Re: Request for Investigation – Possible Violation of Human Rights
Joint Regional Correctional Facility, Fort Leavenworth, Kansas
Army Lieutenant Colonel Karin Watson
Army Lieutenant Colonel Robert Rodock**

Dear Mr. Fine,

This correspondence and attachments are a formal complaint and request for an investigation of the actions and inactions involving the former and current commanders of the Joint Regional Correctional Facility at Fort Leavenworth, Kansas.

Army Lieutenant Colonel Karin Watson and Army Lieutenant Colonel Robert Rodock have not responded to our requests for a reasonable resolution to this problem, leaving this organization no other recourse but to refer the matter to the Office of Inspector General.

INTRODUCTION

Save Our Heroes' Project (SOH) is a 501(c)(3) non-profit organization based in the State of Texas, advocating for U.S. service members who have faced wrongful military justice prosecutions, or who have been wrongfully convicted or incarcerated. SOH Officers, Board Members, and Advisors are men and women, retired and former service members, business and government professionals. You can learn more about our activities and objectives by visiting our website at www.saveourheroesproject.com.

STATEMENT OF THE FACTS

SOH has learned of human rights violations occurring at the Joint Regional Correctional Facility at Fort Leavenworth, Kansas. Specifically, the human rights violations consist of denying incarcerated service members access to their minor children. It is our understanding that this practice reaches beyond the service member in question and appears to have been occurring on a regular basis, potentially involving dozens of other incarcerated service members.

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Here, JRCF Inmate # 96245, Michael J. Guinn, a former Army Staff Sergeant, was convicted and sentenced of one specification of child sexual abuse. SSG Guinn has adamantly proclaimed his innocence and is in the appellate process. The alleged victim of his wrongful conviction is not one of his minor children. Despite his wife and parents having requested SSG Guinn be allowed to see his children, officials at JRCF have denied him access.

As the attachments reveal, SOH attempted, without success, to resolve this issue with the former and current commanders of JRCF.

On 27 March 2018, SOH sent a letter to JRCF Commander Army LTC Karin Watson, addressing this issue and requesting that SSG Guinn be allowed access to his minor children.

On 11 April 2018, SOH received a response from LTC Watson, however she did not address the issue with allowing SSG Guinn access to his minor children.

On 13 June 2018, SOH sent a second letter to the current JRCF Commander, Army LTC Robert Rodock, however, LTC Rodock never responded to our letter.

SOH is also aware that the ACLU of Kansas has sent at least two letters to LTC Watson, and to our knowledge, neither letter resolved the problem.

STATEMENT OF THE LAW

SOH contends JRCF's refusal to allow SSG Guinn access to his minor children constitutes violations of the following provisions:

- Violation of the United Nations, General Assembly, Human Rights Commission Resolution 1386, "Declaration on the Rights of the Child," 20 November 1959.
- Violation of the United Nations "Convention of the Rights of the Child," in Accordance with Article 49, 2 September 1990.
- Possible Violations of the Federal Child Abuse Prevention and Treatment Act (CAPTA) Title 42 U.S. Code § 5106g on the Part of JRCF Personnel.

ARGUMENT

Officials at JRCF have justified the denial of access and contact with SSG Guinn's minor children based on his alleged non-compliance with the provisions of the sexual offender treatment program. However, SSG Guinn cannot comply with the sexual offender treatment plan unless he admits guilt. As explained below, it is our opinion that this represents a constitutional violation of the Fifth Amendment.

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By way of explanation, in order for an incarcerated service member to be allowed entry into the sexual offender treatment program, he must admit guilt. If the service member admits guilt, his admission will be used against him in subsequent appellate hearings. As such, SOH contends officials at JRFC are using the denial of access and contact with the service member's children to force a service member who proclaims his innocence to admit guilt in order to see his kids. This is a violation of the service member's Fifth Amendment right against self-incrimination.

CONCLUSION

Sadly, we believe many innocent and wrongfully convicted service members relent under this pressure and admit guilt in order to be placed in a 'compliant' status. They do this only so that they may visit with their children.

This practice amounts to extortion. When it is forced upon service members who proclaim innocence, it is unconscionable, inexcusable, and is a violation of the United Nations Human Rights Commission.

This problem could be resolved in a matter of minutes. Despite reasonable requests by both SOH and the ACLU of Kansas, spanning several months, these violations of basic human rights, possible violations of federal law and common decency persist with no evidence that any action is being taken to restore SSG Guinn's right to see his minor children.

As such, SOH respectfully requests a formal investigation of LTC Watson and LTC Rodock. SOH further requests that the DoD OIG notify the Senate Armed Services Committee of this violation of SSG Guinn's 5th Amendments rights.

SOH, as part of a normal business practice, respectfully requests a response to this complaint to include what action(s) will be taken.

Respectfully,



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

DJ/mc

cc:

attachments: SOH Letter to JRCF dated 27 March 2018
JRCF Response to SOH dated 11 April 2018
SOH Letter to JRCF dated 13 June 2018