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Congress of the United States
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Washington, DC 20515-0512

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NATIONAL SECURITY

GUN VIOLENCE PREVENTION
TASK FORCE
Vice Chair

June 21, 2013

The Honorable Eric Fanning
Acting Secretary of the Air Force
1400 Defense Pentagon
Washington, DC 20301-1400

Dear Acting Secretary Fanning:

We are writing in response to a recent development in a case that further calls into question the discretion of commanding officers in legal cases and the miscarriage of justice in this specific case. In November, an all-male military jury of four colonels and one lieutenant colonel found Lieutenant Colonel Wilkerson guilty of aggravated sexual assault, stemming from an assault that took place in Lt. Col. Wilkerson's house while his wife was asleep.

On February 26th, Lieutenant General Craig Franklin, a three star general overturned the punishment, setting Wilkerson free and reinstating him on active duty. In his reversal decision, General Franklin relied on letters of support from Lt. Col. Wilkerson's colleagues, which were not admissible in court. Lt. Col. Wilkerson's failed polygraph was also inadmissible, and reviewed by General Franklin, but did not appear to impact General Franklin's decision. The underpinning of the reasoning that General Franklin later provided was that he felt Lt. Col. Wilkerson was a model soldier and family man, and that the alleged behavior was antithetical to his previous conduct.


Last week, the Air Force confirmed that Lt. Col. Wilkerson is guilty of an extramarital affair and fathered a child from that affair. This revelation is consistent with much of the evidence the prosecution presented in the case, and further illustrates the flawed judgment of General Franklin in this case. It also exposes yet again the deficiencies in the Uniform Code of Military Justice that we are working to address.

Due to a five-year statutory limit on adultery or conduct unbecoming an officer, Lt. Col. Wilkerson cannot be brought up on charges for this offense. But discussions with several military legal experts indicate other appropriate actions can and should be taken to address this injustice.

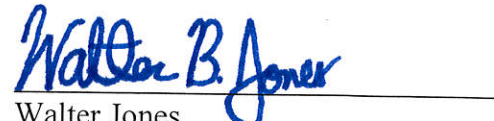
We, the undersigned call on the Air Force to convene an Involuntary Discharge Board in this horrible miscarriage of justice. Lt. Col. Wilkerson's gross misconduct also merits you conduct a grade determination for the purpose of demoting Lt. Col. Wilkerson to his rank at the time of his first offense.

Many in the military have described sexual assault as a "cancer" in the ranks that you are struggling to combat. The most meaningful thing that can be done to address this cancer is to hold offenders accountable. This is a clear and important opportunity to follow through with what you and others consistently state is a zero tolerance policy. We look forward to your response and are available to discuss this matter further.

All the best,



Jackie Speier
Member of Congress



Walter Jones
Member of Congress



Yvette Clarke
Member of Congress



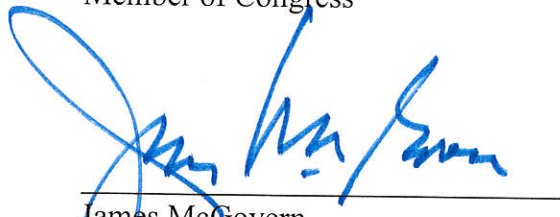
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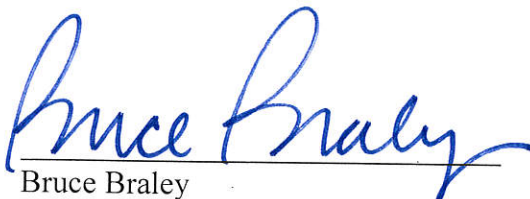
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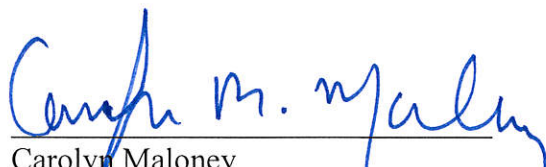
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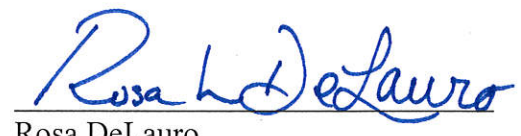

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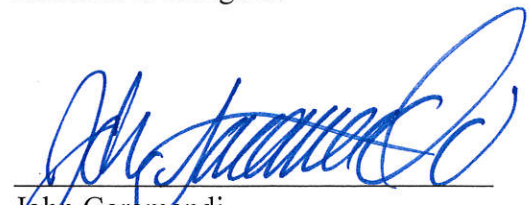

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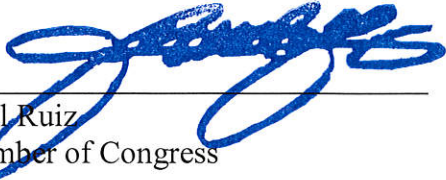

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