

DAC-IPAD FEBRUARY 21-22, 2023

GOOD AFTERNOON MEMBERS OF THE PANEL,

I AM GARLAN BURRIS, FATHER OF MAJOR ERIK J. BURRIS-US ARMY.

MY SON'S TRIAL WAS JUDICIAL MALPRACTICE ON A GRAND SCALE. THIS CASE IS THE ULTIMATE EXAMPLE OF HOW COMMAND INFLUENCE CAN INTERFERE WITH JUSTICE. THE GENERAL THAT FORCED THIS CASE TO TRIAL ALSO SELECTED ONE OF HIS OWN 0-6 TO BE PANEL PRESIDENT. THIS FOLLOWED THE PROSECUTION'S DISMISSAL OF A NURSE PRACTITIONER 0-6 WHO HAS TREATED SEXUAL ASSAULT VICTIMS AFTER SHE STATED THAT "SOMETIMES THE VICTIMS LIED."

THIS TRIAL WAS ALSO A LESSON IN ISOLATING A COURT ROOM FROM THE STARK REALITY OF AN ARTICLE 32 HEARING AND REPORT. LTC JESSICA HALLING CARRIED OUT AN EXHAUSTIVE INVESTIGATION OF THE CASE AND HER REPORT CLEARLY FOUND THAT HIS CASE SHOULD NOT GO TO TRIAL. SHE DIDN'T KNOW THAT HER INVESTIGATION WAS TO BE SUPERFICIAL AND HER REPORT LIMITED TO A COUPLE OF PAGES. I HAVE PROVIDED YOU WITH AN EMAIL BETWEEN WILLIAM CASSARA AND RICK DAVIS STATING THAT LTC HALLING WAS SUPPOSED TO BE REPRIMANDED FOR BEING TOO THOROUGH.

THE MILITARY WAS ANGRY AT MY SON FOR DISAGREEING IN TESTIMONY, IN ANOTHER CASE, WITH THE ARMY'S POLICY CONCERNING SEXUAL ABUSE. HE BELIEVED THAT THE POLICY DISCRIMINATED AGAINST ALL MEN AND ALLOWED WOMEN TO MAKE FALSE CHARGES WITHOUT ANY EVIDENCE. MAJOR REBBECA DIMURO, PROSECUTOR ON BOTH ARTICLE 32 HEARING AND COURT MARTIAL, HAD TO KNOW THAT MY SON WAS INNOCENT BUT WAS UNDOUBTLY FORCED BY HER SENIORS TO CARRY ON. BY USING HER KNOWLEDGE OF THE 32 FINDINGS, SHE COULD CONTROL, WITH THE COURT'S APPROVAL, WHAT WOULD BE ALLOWED TO ENTER THE TRIAL. MAJOR GREGORY MALSON, LEAD DEFENSE ATTORNEY AT THE ARTICLE 32 HEARING, RETIRED BEFORE THE CASE WENT TO TRIAL. THIS MUST HAVE BEEN COMFORTING FOR THE PROSECUTION SINCE HE WAS AN OUTSTANDING ATTORNEY.

MY SON'S FIRST WIFE AND HER FATHER WERE TO BECOME THE

ACCUSER'S GREATEST ASSETS. HER FATHER, A RETIRED IG LTC, HAD DEEP CONNECTIONS STILL IN THE MILITARY TO EFFECT THIS TRIAL. HIS DAUGHTER, UPON HEARING THAT THE ACCUSER, HAD LEFT MY SON, TEXTED HER FATHER ASKING HIM, " WHO DO WE KNOW AT BRAGG?" SHE AND HIS ACCUSER HAD FORMED A MUTUAL SELF-SERVING RELATIONSHIP THAT WOULD BE USED THROUGHOUT THIS ORDEAL. THE ACCUSER AND FIRST WIFE WOULD SEARCH FOR AND SHARE ANYTHING THAT THEY COULD TO DISCREDIT MY SON. THE ACCUSER COINED THE PHRASE, "D. IS THE KEY TO E." THIS MEANT THAT HIS OLDEST DAUGHTER WAS GOING TO BE USED AGAINST HIM IF THEY COULD FIND A WAY. THEY FOUND A WAY THROUGH MY SON'S LOVE OF TICKLE TORTURE THAT HIS DAUGHTER LOVED TO PLAY AS WELL. HIS FIRST WIFE ALWAYS HAD A CONTENTIOUS RELATIONSHIP WITH MY SON CONCERNING CHILD VISITATION RIGHTS THAT HAD BEEN COURT ORDERED.

THE ACCUSER ONLY WENT TO LIVE WITH MY SON IN NORTH CAROLINA TO TRY TO GET EVIDENCE OF ABUSE AFTER SHE HAD FOUND OUT THAT SHE WAS EXPECTING THER SECOND CHILD. THIS CHILD WOULD COMPLETE THE REQUIREMENTS FOR HER TO INHERIT AN ESTATE, WHICH WAS TO BE MARRIED AND HAVE TWO CHILDREN. SHE WOULD NOT DIVORCE MY SON UNTIL MAY 11, 2015 TO INSURE THAT SHE COULD REAP THE MANY BENEFITS THAT THE ARMY READILY PAID HER INCLUDING MY SON'S FOREFITURE OF PAY THAT HE REFUSED TO SIGN FOR. HIS ACCUSER AND HER FAMILY HAVE BANKRUPTCIES AND FORECLOSURES AND SHOULD BE CONSIDERED TO BE, AS HER FIRST HUSBAND SAID, " A NEST OF GRIFTERS."

IN ADDITION TO OUR SON'S CASE, ASK MAJOR CLARENCE ANDERSON III AND LTC ARVIS OWENS ABOUT BEING DISCRIMINATED AGAINST BY (SEXIST) POLICIES IN OUR MILITARY.

SINCE THE CONVICTION, THE APPELLATE PROCESS AND NOW PAROLE ACTIONS HAVE BEEEN NO LESS THAN COMPLETELY CONTROLLED BY THE CONSPIRATORS. THE FIRST WIFE AND FATHER-IN-LAW HAD FREE REIGN TO AFFECT THIS CASE. THEY HAD POSITIONS AT TEXAS A & M AND WERE CLOSE TO ITS ROTC PROGRAM, AND THE FATHER WAS SOME KIND OF MILITARY CONTRACTOR. FOLLOW THEIR ACTIONS. THERE HAS TO BE AN ASTERIC NEXT TO MY SON'S NAME. ANYONE WANTING TO CONCERN THEMSELVES WITH THIS CASE IS WARNED AWAY.

MY SON HAS STARTED HIS NINTH YEAR BEHIND BARS. HOW WOULD YOU FEEL IN THIS SITUATION? AS THE PROUD FATHER OF WHAT I CONSIDER AN AMERICAN HERO, HOW AM I SUPPOSED TO FEEL? THE JAG CORP HAS NO BUSINESS TAKING JURISDICTION OF SEXUAL ABUSE CASES. WITH SUCH AN EASILY MANIPULATED SYSTEM OF JUSTICE, JUSTICE IS LOST.

ON BEHALF OF MY SON, ALTHOUGH THESE ARE MY WORDS, THESE ARE MY EXPECTATIONS.

- 1. REVERSE THE CONVICTION WITH PREJUDICE.**
- 2. CREDIT FOR ALL TIME SERVED-GOOD AND BAD.**
- 3. HONORABLE RETIREMENT AS, AT LEAST, AN O-5.**
- 4. COMPENSATION FOR EIGHT PLUS YEARS OF INCARCERATION.**
- 5. THE MILITARY PAYS FOR THE CHILD SUPPORT IN ARREARS SINCE HIS CONVICTION.**
- 6. PAY OFF HIS STUDENT LOAN(S) AND CLEAR HIS CREDIT BUREAU REPORT.**
- 7. PAY FOR HIS PARENTS FINANCIAL LOSSES IN ALL ASPECTS OF DEFENSE AND SUPPORT SINCE THE ACCUSATIONS WERE MADE.**
- 8. REINSTATE HIS GOOD STANDING WITH THE TEXAS BAR AND PAY FOR ANY FEES ASSOCIATED.**

OR, A NEW TRIAL IN A NEUTRAL VENUE. AS MY SON SAID, 'THE FOUNDER OF THE JAG CORP MUST BE ROLLING IN HIS GRAVE.'

**THANK YOU.
GARLAN L. BURRIS**