

Original Complaint Summary View - 4618

Complaint Overview

Date Submitted	Nature	Start Date	End Date
Nov 19, 2021	Criminal Action such as Theft, Robbery, or Violation of the Law	Nov 16, 2021	Nov 18, 2021

Complaint Description

See attached.

Complainant Information

Name	Address #	Apt #, PO Box	APO/FPO	City	State	Zip Code	Country	Phone	Email
Anonymous									
Is the complainant anonymous	Does the complainant request confidentiality	Is the complainant willing to be interviewed	Preferred Contact Method	Service	Status	Grade /Title	Organization	Relationship to Complainant	
Yes	Not Specified	Not Specified	None provided	Not Specified	Not Specified		Not Specified	None provided	

Subjects

Name	Rank /Grade	Duty Position	Unit /Organization	Email	Phone	Other Contact
Judge Advocate Division, Headquarters Marine Corps Christopher Shaw	Col	Deputy Director		christopher.shaw@usmc.mil	(703) 693-9106	

Witnesses

Name	Rank/Grade	Duty Position	Unit/Organization	Email	Phone	Other Contact
See attached, See attached	See attached	See attached	See attached			

Complaint Detail

Date	Location	Attempted to Self-Resolve	Violations	Cause of Incident	Ongoing Investigations	Complainant's Resolution Request
Not Specified	Camp Lejeune and Cherry Point Air Station	No	See attached.	See attached.	See attached.	Investigate; protect Marines from Colonel Shaw and his influences; report findings to entire judge advocate community, in particular, the Defense Services Organization, who is most at risk of what occurred and is occurring.

Additional Parties Contacted Regarding Complaint

Type	Name	Rank /Grade	Duty Position	Unit /Organization	Congressional Office	Media Organization	Start Date Contacted	End Date Contacted	Date(s) Estimated	Email	Phone
None provided											

Supporting Files

Name	Size
19 November 2021 Complaint Against Col Christopher Shaw.pdf	478.09 Kb
promotion notes.pdf	67.26 Kb

Legal Services Support Team (LSST) Cherry Point Meeting with Colonel Christopher Shaw:

16 November 2021 at the LSST-Cherry Point Building

I have been informed that during a meeting with the Legal Services Support Team (LSST) at Cherry Point, Colonel Christopher Shaw posed hypotheticals to the group about what they would do if they observed a senior officer touching the shoulder of a female Marine. I heard the responses ran the spectrum of possible responses one could expect. As someone familiar with the pending investigation into an allegation against Colonel Robert “Bob” Fifer by Major Melanie McClinnis, I recognized the “hypothetical” as matching the precise facts of that allegation. This hypothetical seemed inappropriate given these Marines fall under the chain of command of Colonel Fifer in some capacity. I do not know all of the attendees at this meeting, but I believe Lieutenant Colonel Susan Upward, the Officer-in-Charge of LSST-Cherry Point, would know.

Meeting #1: Defense Services Organization (DSO) Sit-Down with Colonel Shaw

1300 – 1500 on 18 November 2021 at Bldg. 64B-2, Camp Lejeune

During this meeting, Colonel Shaw met with members of the Camp Lejeune Defense Services Organization Branch Office. The following people were present: Major Kurt Sorensen, Captain Matt Thomas, Captain Michael Blackburn, Captain Jon Bunker, Captain Laura Brewer, Captain Tom Persico, First Lieutenant Steven Trottier, and Captain Cameron McAlister. Captain Brewer missed portions of the brief to tend to her newborn. Captain McAlister arrived at the meeting late due to other conflicts.

Colonel Shaw opened the meeting by introducing himself and his position at Judge Advocate Division for being responsible for Community Development on behalf of Major General David Bligh. At some point during the meeting, he also told us he was responsible for finalizing the slate for PCS/PCA moves.

Colonel Shaw told the group generally about “what happened with Major Grodi” and his “behavior” that got him removed, or words to that effect. Specifically, he said “you all know what happened with Major Grodi” and “he had to be removed as the STC” or words to that effect. He stated that what Major Grodi “did” was unacceptable. He also said, “I bet—no, *I know* Major Grodi had been doing stuff like that a long time before he got caught” or words to that effect. Colonel Shaw said Major Grodi’s name specifically at least three times during this portion of the brief.

While Colonel Shaw did not say specifically what Major Grodi allegedly did, Colonel Shaw used two examples of other people engaging in unacceptable workplace behavior involving speech. The first situation involved racist remarks regarding Hispanics and their stereotype of high-birth rates. The second situation involved the use of the word “bitch” in an appropriate manner. He also mentioned examples of officers engaging in unwanted touching and kissing. He also provided an example of an officer looking at someone’s name tape for too long as unacceptable behavior. These examples were shared close in time to his mention of Major Grodi. The

proximity of these examples with his reference to Major Grodi tells me that the allegations against Major Grodi likely involve derogatory comments of a racial or sexual nature.

Later in the meeting, when discussing the PAC Order, Colonel Shaw stated there were Marines engaging in deviant behavior who needed to be removed from the Marine Corps.

The comments Colonel Shaw made about Major Grodi makes me hesitant to speak out on Major Grodi's behalf given Colonel Shaw's position of authority at Judge Advocate Division. I am also aware that there are people who attended that meeting that would have previously considered speaking out on Major Grodi's behalf at any future court-martial or administrative separation board. These individuals may feel pressured to withhold support now after Colonel Shaw's comments. Some of these individuals present are witnesses to matters covered in the pending investigation.

Colonel Shaw also told the group that it was unacceptable to touch another Marine's shoulder and that we "shouldn't be touching each other." Again, being familiar with the accusation against Colonel Fifer, I found it inappropriate for Colonel Shaw to use an example so closely related to what the accusation was in a pending investigation. Additionally, the message conveyed makes me hesitant to speak out on Colonel Fifer's behalf in relation to that matter due to Colonel Shaw's position of authority at Judge Advocate Division. I am also aware that there are people who attended that meeting that would have considered speaking out on Colonel Fifer's behalf at any future court-martial or administrative separation board. These individuals may feel pressured to withhold support now after Colonel Shaw's comments.

Besides referencing or discussing the Colonel Fifer and Major Grodi matters, Colonel Shaw also made several other remarks that called into question Judge Advocate Division's support of the Defense Services Organization and the impact that has and will have on our system of justice.

At one point, Colonel Shaw was informing the group of a proposal for O6 judge advocates to be the referral authorities for special victim cases. One Captain asked what measures would be put in place to protect those O6 judge advocates from improper influences, whether it be from the chain of command, politics, or Congress. That Captain referenced the present protection attorneys in the Defense Services Organization have, as their fitness reports are written by other attorneys within the Defense Services Organization. Colonel Shaw then sought to clarify this characterization of the protection of attorneys in the Defense Services Organization. Colonel Shaw described that arrangement as a "legal fiction" stating "you think you are protected, but that is a legal fiction. You may be shielded with that fitrep, but you are not protected...there are still promotion boards and the lawyer on that board is going to know you...it's a small community and your name will be known. Bottom line, you are shielded, but you are not protected" or words to that effect. He even said specifically to that Captain, "I know your name, I know what cases you are on, and you are not protected" or words to that effect.

Later in the conversation, a Captain asked if there were going to be any changes to the length of time attorneys would spend in each billet. Colonel Shaw referenced two series of war crimes cases from the war in Iraq and said that judge advocates spent "five, six years in Defense" for those cases and there were "secondary effects" or "consequences" to spending that much time in

defense. Again, he referenced promotion boards, our small community, and that fact that the lawyer on the promotion board “will know what you did” or words to that effect. He specifically said, “some people were not promoted who should have been promoted.”

Colonel Shaw explained to the group how proposed legislative changes would alter the structure of the prosecution offices on the respective bases. Specifically, he mentioned more resources going to the prosecutors and victims’ legal counsel. When someone asked about what, if any, additional resources and manpower would be given to the Defense, Colonel Shaw said it was “not going to be equal, but it would be equitable.” He then asked Major Sorensen the ages of his children, which Major Sorensen said were two and around eight months. Colonel Shaw then used an analogy, stating that Major Sorensen may treat his children equitably, but not equally. Again, Colonel Shaw stated the resources given to the Defense would “not be equal, but it would be equitable.” He also said “things don’t need to be equal, but they need to be equitable, *in order to get to the right result*” or words to that effect. He provided no clarifying remarks as to what that meant. He did not explain why Judge Advocate Division saw prosecution and resources for those claiming to be victims of a crime as more important than defending the Constitution and Marines presumed to be innocent.

Colonel Shaw also informed us that Congress was uninterested in hearing any more about the importance of fair trials, and so Judge Advocate Division had stopped trying to convince them of the importance of that. He stated that Congress was not happy with the results of our court-martial and resources were going to change to get to the “right result”. Instead, Congress wants to talk about increasing victim resources and convictions and that was where Judge Advocate Division’s attention had turned. Specifically, what needs to be done to increase the number of convictions.

Colonel Shaw also discussed the changing standards within the Marine Corps as it related to unprofessional behavior. He used a specific example from his time as a second lieutenant in which a “young gay Marine” was “beat up” during a hike because he was falling out due to his hungover status. He stated this incident was “outside of statute of limitations” so he felt like he could share that he allowed this beating to occur. His comment that the event was “outside the statute of limitations” troubled several in the audience, as many of our clients have their careers affected (whether by loss of rank or adverse characterizations of service) as a result of actions taken that are not prosecutable for one reason or another, to include the statute of limitations. During his explanation of this example, he smiled and laughed, which was inappropriate given the subject matter of what he was discussing: the unlawful beating of a young homosexual Marine. At no point during the brief did he explain why the sexual orientation of the victim in that story was at all important to whatever point he was trying to convey. The fact that he mentioned it suggested that the sexual orientation of the Marine was a factor in his determination to allow the beating to occur, which is troubling.

Colonel Fifer entered the brief at around 1445, and I do not recall any other inappropriate comments from Colonel Shaw after Colonel Fifer entered the room.

Prior to many of these previously mentioned answers to questions, Colonel Shaw took time to deliberate and consider his answers. He would also say, “I want to make sure I’m saying what I’m allowed to say” or words to that effect.

Meeting #2: Legal Services Support Section East (LSSS-E) Sit-Down with Colonel Christopher Shaw

1500 – 1700 on 18 November 2021 at Bldg 64B-2, Camp Lejeune

The people in attendance for this meeting were the following: Colonel Shaw, Colonel Fifer, Lieutenant Colonel Troy Campbell, Lieutenant Colonel Tyler Brummond, Mrs. Lorna Welch, Major Perry Duncan, Major Kurt Sorensen, Mrs. Kathleen Muldoon, Major Benjamin Grodi, Master Gunnery Sergeant Howell, and a Master Gunnery Sergeant who had accompanied Colonel Shaw from Judge Advocate Division. There may have been another person or two in attendance, but I did not see them.

During this meeting, Colonel Shaw began by saying he wanted to back-brief the LSSS Leaders (“Leaders”) on what he told the LSSS Marines during his various briefs over the last couple days. He told the Leaders he told the Marines about the “Grodi situation” and or words to that effect, which Colonel Shaw said he believed the Leaders were “tracking”. After he mentioned this, Colonel Robert “Bob” Fifer told Colonel Shaw that not everyone was aware of the situation, and that was inappropriate to talk about since the investigation was still pending. Colonel Shaw pushed back, and Colonel Fifer informed Colonel Shaw that Major Benjamin Grodi was present at the meeting. At this point, Major Grodi announced himself to Colonel Shaw, who then apologized, stating “I did not know you were present.” Colonel Fifer then told Colonel Shaw he would ask everyone else to leave unless Colonel Shaw changed topics. Colonel Shaw then agreed he would change topics.

The attempted discussion by Colonel Shaw about the pending investigation into Major Grodi was unwelcome and made me uncomfortable. I also felt like there would be a negative repercussion against me if I were to speak on Major Grodi’s behalf as a witness because of Colonel Shaw’s negative characterization of Major Grodi, as well as Colonel Shaw’s position of authority at Judge Advocate Division. I was surprised and shocked by the casual way in which Colonel Shaw spoke about the allegation against Major Grodi.

I know that at least one person in that room (during the LSSS Leaders brief) is a witness—I believe not interviewed yet—to the underlying conduct at issue in an ongoing investigation involving the allegation of an inappropriate relationship between Captain Candace Valentine and Captain C.J. Demmer. I fear the comments regarding Major Grodi may have had a chilling effect upon that witness given that Captain Demmer is the one who initiated the complaint about Major Grodi.

Conclusion:

Colonel Shaw’s comments about Major Grodi at the two meetings constituted maltreatment, bullying, and ostracism under the PAC Order, as well as Wrongful Interference with an Adverse Administrative Proceeding (Article 131g, UCMJ) and possibly Unlawful Command Influence. I

have reviewed the definitions for those terms and the elements for those offenses and they apply to what Colonel Shaw did. Colonel Shaw's "hypotheticals" closely relating to the allegation by Major McClinnis against Colonel Fifer were, at a minimum, unprofessional and inappropriate. Colonel Shaw's comments about Judge Advocate Division's support for the Defense Services Organization and its Marines raise serious questions about the sufficiency of that support.

I am aware Colonel Shaw had meetings with the other sections from LSSS-E, to include the Installation Trial Office (formerly called the Trial Services Office) at Camp Lejeune, during his visit. I am not aware of what he said during those briefs other than his comments during the LSSS Leaders meeting in which he stated he briefed the "Grodi situation" to the LSSS Marines. The attendees at those other meetings should be interviewed to determine the impact, if any, Colonel Shaw had on influencing pending investigations, adverse administrative hearings, or punitive legal proceedings. Those attendees should also be interviewed to determine if Colonel Shaw violated the PAC Order in bullying, maltreating, and/or ostracizing Major Grodi or Colonel Fifer in those meetings as well.

I am also aware that at a previous promotion board held at some point in the last five years or so, someone at Judge Advocate Division provided a brief to the board members about the typical career path for a judge advocate. I have a copy of a hand-out from that brief. I believe the person who delivered this brief and hand-out was from Judge Advocate Division. I believe this promotion board was for the rank of colonel as the board member scribbled the name "Forkin" in the margin, and I understand a Lieutenant Colonel Forkin was passed for the rank of Colonel at some point in the last five years or so. In the margins, a board member wrote that the briefer warned board members to "look out for multiple tours on defense".

After attending the DSO meeting with Colonel Shaw, I spoke with several attendees who said they were (1) concerned about the impact Colonel Shaw might have over their careers because of their time in Defense; (2) worried their questions of Colonel Shaw during this meeting would hurt their careers; (3) worried that continued zealous representation on behalf of their Defense clients would hurt their careers. Several attendees described Colonel Shaw's "shielded but not protected" comment as a "thinly veiled threat" or "threat" against Defense counsel. At least one attendee commented that Colonel Shaw's body language, demeanor, tone of voice, eye contact, clenching teeth, and scowl were apparent in response to questions by defense counsel.

At least two attendees stated they were "witnesses" in relation to the ongoing investigation regarding Major Grodi, and that Colonel Shaw's comments were "highly inappropriate, unprofessional, and deeply troubling" considering the ongoing nature of the investigation. More than one attendee also expressed their concerns about Major Grodi's mental health given Colonel Shaw's public actions during the DSO meeting. I know one person in attendance is a witness in the investigation involving Colonel Fifer and Major McClinnis.

Given Colonel Shaw's comments during his meeting with the Camp Lejeune Branch of the DSO, as well as what happened at a previous promotion board, I am concerned that Judge Advocate Division has a pattern or culture of interfering with the careers of Marines who have served in the Defense Services Organization. I am concerned Colonel Shaw and/or other people at Judge

Advocate Division will take steps to adversely affect the careers of those who work hard in the Defense Services Organization. I am also concerned about the effect of Colonel Shaw's comments on the members of the Defense Services Organization who may hesitate in defending their clients out of concern for their own careers after this meeting. Such an impact would call into question the fairness and administration of justice in the Marine Corps.

I am submitting this IG complaint anonymously out of fear of reprisal from Colonel Shaw given his position at Judge Advocate Division and the comments he made at this visit. I am also worried who else at Judge Advocate Division shares his beliefs and would act out because of this complaint.