

CONTACT: GLORIA ALLRED
(323) 653-6530
Email: gallred@amglaw.com

Statement of Erika Butner

Good afternoon,

On April 7th, 2017, just over a month since the Marines United nude photo scandal came to light, a joint teleconference with senior Marine Corps leadership, federal law enforcement agents and press was held in order to update the press corps on the investigation into the sexually explicit photo sharing of female service members and unsuspecting American citizens.

Participating in the teleconference were the Director of the Naval Criminal Investigative Service Andrew L. Traver, Assistant Commandant of the Marine Corps General Glenn M. Walters, Marine Corps spokesman Major Clark D. Carpenter, and Thomas Brennan of The War Horse.

Remarks made by Director Traver, Major Carpenter, and General Walters are especially troubling to me and deserve attention.

Director Traver stated “30,000 members of Marines United, only a few had access to the pictures”. I would like to challenge that statement. The link was public when originally posted, Marisa and I were able to access it without being members of the Facebook group, as could anyone who received the link.

Additionally, Director Traver asserted that, “Half of the images are male, it's about half and half.” I question how this could be true. Marisa and I saw the contents of the share drive with our own eyes. The only males represented in the images which we saw were those engaging in sex acts with women. Most of the images on the Marines United page that we viewed were of women not men.

Director Traver stated that as a whole, NCIS only deals with crimes that “rise to the threshold of felony criminal activity.” In regards to this statement, are felonies the only crimes that are investigated? Why are misdemeanor charges not being brought to local authorities? Why are criminals not being held accountable?

Director Traver also states that NCIS has uncovered, “27 subjects,” who were involved in these denigrating and illegal activities. 27, out of 30,000? I question that number. In the same conversation, Director Traver states that they have “29” non-felony cases that have been turned over to Marine Corps officials. So which is it Director? 27 or 29?

The message from the Marine Corps and NCIS has been to strongly encourage victims to come forward and report abuse, anonymously or otherwise. Still, despite the message from Pentagon leadership and law enforcement, I am personally aware of women who have made reports to NCIS, only to be later told by those same representatives that their information would

not be accepted. Moreover, I am also personally aware of women who have made anonymous reports to NCIS that have been disregarded.

Why is NCIS ignoring anonymous reports and dismissing 3rd party information? How are we as victims supposed to have the confidence to come forward to our commands and leadership when they have already failed us? The Marine Corps was made aware of the initial Google share drive on January 30th, yet, it took the Marine Corps three weeks to report this activity to NCIS on February 22nd. Meanwhile, Marisa and I were unaware that the reporting of this share drive had been done by others, when we ourselves had reported the Google share drive to NCIS on January 31, but our complaint was ignored.

As the audio tape of the teleconference went on, Thomas Brennan a reporter from “The Warhorse” directly asked Major Carpenter why he did not turn over the original share drive to NCIS until nearly 30 days later. Major Carpenter and another speaker avoided answering the question. Major Carpenter was a witness to the contents of the google drive when Thomas Brennan initially turned it over to him and a General, multiple Colonels, and other high ranking officers that were also included on that traffic. They all acknowledged the existence of the Google share drive; so why was it not turned over immediately to NCIS? Instead of directly answering the question, they “preferred” to talk about it off record.

We have recently learned that the explicit images from these share drives appear to be for sale in an online criminal marketplace with ties to Russia. A spokesman for NCIS indicated that the “sale of these photos does not necessarily mean a crime has been committed.” The victims in these photos could be service members with access to sensitive government information, or be the family members of someone with such access. They could now be vulnerable to blackmail or worse. I think that NCIS and the FBI need to do a full investigation of the Russian connection.

In addition to downplaying the severity and scope of this issue, and the negligent handling of victim reports to NCIS, the Assistant Commandant of the Marine Corps, General Walters, still doesn’t get it. He said and I quote, “This is not victim blaming. We’re not going after women who post online. We’re looking to change the culture of the Marine Corps, and hopefully the end state would be somewhere where you have enough respect for yourself, and respect for everybody else who’s working around you that there wouldn’t be any pictures. That’s our goal. To build men and women of character to serve in our ranks. I don’t take those kinds of pictures of myself, and I think that’s a pretty good place to be.”

When the leader of the very task force assembled to address this issue continues to assert that the mere existence of the photos is the problem - not the stealing, malicious sharing, denigrating women and calling for violence against women in the military - it is clear that the investigation seems biased and a sham.

Erika Butner
Represented by Attorney Gloria Allred
April 27, 2017