



24 Frank Lloyd Wright Dr
Ann Arbor, Michigan 48105
PH: 734-827-2001 • Fax: 734-930-7160

Contact: Kathleen Lynch
734-827-2001

For Immediate Release: July 19, 2010
Total Pages:4

A Sad Day for America and the Marine Corps—LtCol Chessani Retires

ANN ARBOR, MI – He defended our Nation for over twenty-three years . . . often away from his wife and children . . . so that we could be home safely with ours. All patriotic Americans owe a debt of gratitude to this American hero.

After a protracted four and a half year legal ordeal over the “Haditha massacre” - a massacre that never happened - LtCol Jeffrey Chessani completed his final day of active duty service in the United States Marine Corps last Friday, July 16, 2010. Thus ended the promising career of one of America’s most effective combat leaders in Iraq—a political scapegoat to appease the anti-war press and politicians.

LtCol Chessani served three combat tours in Iraq as well as serving in the First Persian Gulf War and in Panama, receiving numerous awards and honors. At the time of the Haditha incident, he was commander of the 3rd Battalion (“The Thundering Third”), 1st Marines—one of the most decorated units in the history of the Marine Corps.

This loyal Marine officer faced criminal charges as a result of a legitimate combat action taken by four of his Marines after being ambushed by insurgents in Haditha, Iraq, on November 19, 2005. He cared deeply about the young Marines entrusted to his command, and refused to “throw them under the bus” to save his own career.

On November 19, 2005, at approximately 7:15 a.m., a Marine convoy was rolling through Haditha, Iraq — a terrorist stronghold. Suddenly, a roadside bomb went off, destroying a Marine Humvee, killing one Marine and seriously injuring two others.

The Marines immediately received fire from the ambushing insurgents, who were shooting from nearby civilian-occupied homes. A four-man fire team responded as

trained: they cleared several houses occupied by the armed insurgents, and in the ensuing room-by-room, house-by-house gun battle, it was reported eight enemy were killed.

Tragically 15 civilians also died. In urban combat, where insurgents purposefully use civilians as human shields, civilian casualties are tragic, but not uncommon. In fact, sometimes the insurgents themselves kill civilians to achieve a propaganda victory by blaming the Americans.

LtCol Chessani immediately reported the deaths of the 15 civilian Iraqis to his superiors. Upon hearing of the 15 civilian deaths, not one of LtCol Chessani's superiors — including top generals — considered it unusual. Not one ordered a further investigation. In fact, they commended him for a job well done.

However, several months later, a known Al Qaeda propaganda operative instigated an inflammatory *Time* magazine news article written by reporter Tim McGirk — later proven to be false — accusing the Marines of massacring innocent civilians.

Pennsylvania Congressman John Murtha, a leading anti-war critic, saw his opportunity and jumped in. Murtha was head of the House military appropriations subcommittee — a position with significant power over the military. He echoed the *Time* magazine story.

Murtha appeared on several major television networks and publicly accused the young enlisted Marines of “**cold blooded**” **murder** and Marine officers of a “**cover-up.**” He blamed it all on the stress of being in Iraq too long. Incredibly, these accusations were made even before the investigation was completed.

Murtha was the same person caught on tape negotiating bribes with Arab Sheiks during the FBI's 1980 Abscam investigation — he was an un-indicted co-conspirator in that case.

The trumped-up charge: failing to properly report and investigate the November 19, 2005 incident. The Government did everything it could to convict LtCol Chessani. It spent millions of taxpayer dollars, employed over 65 Naval Criminal Investigative Service (NCIS) agents — the largest investigation in that agency's history — and granted immunity to scores of witnesses, all in their attempt to make Jeffrey and the “Haditha Marines” political scapegoats.

Lt. Colonel Paul Ware, USMC, an Investigating Officer who heard testimony in several cases involving the charged enlisted Marines, blasted the credibility of the government witnesses and expressed concern that the allegations were nothing but a tactic **“to erode public support of the Marine Corps and mission in Iraq.”** He went on to say:

“Even more dangerous is the potential that a Marine may hesitate at the critical moment when facing the enemy”

Retired General Thomas McInerney, former Joint Force Commander and Vice Chief of Staff of the Air Force, called the prosecutions of the Haditha Marines **“despicable.”** He warned:

“We cannot fight a war like that . . . We’re not taking care of our people.”

Evidence of what our nation lost by the unjust prosecution of LtCol Chessani, can be garnered from a few excerpts from his official Combat Fitness Report, a required annual evaluation of a Marine officer’s performance prepared by his superiors. It covered the period of September 2005 to February 2006 — which included the date of the Haditha incident:

- **“Leads Marines from front in every operation. Demonstrates moral courage every day.** Doesn’t hesitate to report bad news fast or contest unrealistic plans/poor concepts. Despite the complexity and size of his AO [area of operations], he always maintains a calm, cool demeanor.”
- **“Always seeks advantage over complex, diverse insurgent enemy. Truly one of the finer thinkers in this COIN [counterinsurgency] environment.”**
- **“One of the top 3” infantry/cavalry battalion commanders “of 13 who have served with RCT –2 [the regiment] during OIF. A superb leader, who knows his men, knows the enemy, knows his business.** Doesn’t attract a lot of fanfare; just gets the job done to an exceedingly high standard.”
- **“Long ball hitter; recommend selection for promotion to Colonel and TLS [Top Level School].”**

The Reviewing Officer, Major General Huck added his comments: “Top notch officer with outstanding potential. Promote and select for TLS [Top Level School]. Post

TLS slate for Regimental command and subsequent joint tour. **Unlimited potential and value to the Marine Corps. Capable of the most challenging assignments.”**

The Thomas More Law Center, a national public interest law firm based in Ann Arbor, Michigan, and detailed military lawyers, LtCol Jon Shelburne, USMC, and Capt Jeffery King, USMC, successfully defended LtCol Chessani throughout his prosecution. The criminal charges against Chessani were dismissed on the grounds of Unlawful Command Influence. The government lost its appeals of that dismissal.

Not giving up its quest for a scapegoat, the government then convened a Board of Inquiry to determine allegations of misconduct. On December 11, 2009, the Board of Inquiry ruled that LtCol Chessani was not guilty of misconduct, but stated he must retire without loss of rank. And on June 25, 2010, the Secretary of Navy announced his acceptance of the military Board of Inquiry findings.

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