

**IN THE MATTER OF THE
DEPARTMENT OF DEFENSE, INSPECTOR GENERAL’S
CASE No. 20170404-042380**

Declaration Pursuant to 28 U.S.C. § 1746

I, MICHAEL “MIKEY” L. WEINSTEIN, Esq., hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that:

1. I am an Honor Graduate of the US Air Force Academy, Class of 1977. I am a licensed attorney admitted to practice in the District of Columbia and am the Founder and President of the *Military Religious Freedom Foundation* [MRFF]. The MRFF is an IRS recognized § 501(c)(3), not-for-profit, civil rights organization.

2. The MRFF via its attorney herein filed a DoD/IG Complaint herein alleging that, *inter alia*, Lt Col Jonathan C. Dowty, USAF, violated various provisions of the *Uniform Code of Military Justice* [UCMJ] and applicable Ethics Regulations. That investigation is still pending.

3. On 20 April 2017, Lt Col Dowty, published yet another article on his Blog, <http://christianfighterpilot.com/2017/04/20/col-kristin-goodwin-issues-second-statement-through-mrff/#more-40615>, which again is false. Specifically, in his title he alleges: “Col Kristin Goodwin Issues Second Statement Through MRFF.” That is *false* for two reasons: (1) Brig Gen (Sel) Goodwin has *never* issued *any* “statement” through the MRFF; and (2) thus could not issue any “Second Statement.” False statements by commissioned officers such as Lt Col Dowty, at a minimum in my opinion as a lawyer and former Air Force Judge Advocate, are *at least* “conduct unbecoming an officer and a gentleman” in violation of Article 133, UCMJ.

4. Brig Gen (Sel) Goodwin is neither a client of MRFF nor a client of mine. To my

knowledge, I have never spoken nor otherwise directly communicated in any way with her period and certainly not about our Complaints against Lt Col Dowty and Chaplain (Captain) Hernandez.

5. While I have no idea whether or not the DoD/IG has spoken with Brig Gen (Sel) Goodwin about any of the matters herein, Lt Col Dowty's claims in his above-noted Blogpost that:

A couple of weeks ago, US Air Force BGen(S) Kristin Goodwin, the soon-to-be Commandant of Cadets at the US Air Force Academy, issued a public statement through Michael "Mikey" Weinstein's "charity," the Military Religious Freedom Foundation.

That is blatantly untrue. Brig Gen (Sel) Goodwin has issued *no statement* through either myself nor the MRFF, period.

6. Lt Col Dowty's Blogpost continues:

More recently, Col Goodwin sent a message to the Department of Defense Inspector General — not through internal DoD channels, but through Weinstein's MRFF. *Id.*

That is not accurate either. The communication at issue was MRFF's *lawyer's* 17 April 2017, letter to the DoD/IG's Deputy Inspector General for Administrative Investigations, where in footnote 8, he stated:

The undersigned wants to make it clear that Brig Gen (Sel) Goodwin is *not* a client of MRFF, nor is she a client of the undersigned. She, however, has relayed to MRFF that she remains amenable to being interviewed by your investigators. [Emphasis added].

The "undersigned" was our attorney in this matter, Mr. Rehkopf.

7. Lt Col Dowty's Blogpost continued:

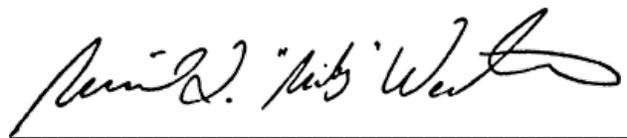
Regarding complaints filed by the MRFF against US troops, the MRFF's civilian lawyers spoke again for Col Goodwin when they told the IG [italics original]

"Brig Gen (Sel) Goodwin is *not* a client of MRFF... She, however, has relayed to the MRFF that she remains amenable to being interviewed by your investigators."

The “troops” involved were only Lt Col Dowty and Chaplain (Capt) Hernandez – no one else. Here, Lt Col Dowty is making an accusation without any basis in fact, *i.e.*, that our lawyer in this matter was somehow “speaking for” Brig Gen (Sel) Goodwin regarding this (or any other) matter, when to my knowledge, there have been *no communications* of any sort between her and our lawyer in this case. That allegation is a reckless disregard of the truth in my opinion, and certainly not something that a subordinate commissioned officer should be publicly “blogging” about in regard to a *superior* commissioned officer.

8. The truth of the matter is that Lt Col Edie Disler, USAF (ret), who is MRFF’s Director of LGBTQ Affairs and a personal friend of Brig Gen (Sel) Goodwin, had spoken with Goodwin. Brig Gen (Sel) Goodwin indicated to Lt Col Disler that she (Goodwin) was “amenable” to speaking with the DoD/IG Investigator. It was Lt Col Disler who then relayed that information to me and I in turn advised our attorney in this matter of it.

I, **MICHAEL L. “MIKEY” WEINSTEIN.**, hereby declare under penalty of perjury, that the forgoing Affirmation is true and correct to the best of my knowledge and belief. Executed at Albuquerque, New Mexico, this 9th Day of May, 2017.

A handwritten signature in black ink, reading "Michael L. 'Mikey' Weinstein". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

MICHAEL L. “MIKEY” WEINSTEIN, Esq.