

## CHARGE SHEET

### I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) <b>SMITH, Craig R.</b>			2. SSN <b>059-58-2514</b>		3. RANK/RATE <b>BMCS(SW/AW)</b>	4. PAY GRADE <b>E-8</b>
5. UNIT OR ORGANIZATION <b>Recruit Training Command</b>				6. CURRENT SERVICE		
				a. INITIAL DATE <b>31 Jul 2009</b>	b. TERM <b>4 years</b>	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	None		N/A	
\$4,901.70	N/A	\$4,901.70				

### II. CHARGES AND SPECIFICATIONS

10. CHARGE: **I VIOLATION OF THE UCMJ, ARTICLE 80 - Attempts**


**Specification:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, attempt to engage in wrongful sexual contact with Engineman Fireman Terri J. Dull, U.S. Navy, to wit: reaching down the shorts of the said ENFN Dull, and such attempt of sexual contact was without legal justification or lawful authorization and without the permission of the said ENFN Dull.

**Charge II: Violation of the UCMJ, Article 92 - Failure to obey order or regulation**

**Specification 1:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, onboard Recruit Training Command, from on or about 15 October 2010 to on or about 18 October 2010, fail to obey a lawful general order, to wit: SECNAVINST 5300.26d, dated 3 January 2006 by wrongfully creating a hostile working environment for Engineman Fireman Terri J. Dull, U.S. Navy.

**\*\*\*SEE CONTINUATION SHEETS\*\*\***

### III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) <b>BALDWIN, LAKISHA M.</b>		b. GRADE <b>LN1(SW)</b>	c. ORGANIZATION OF ACCUSER <b>Region Legal Service Office Midwest</b>	
d. SIGNATURE OF ACCUSER 			e. DATE <b>28 Mar 2011</b>	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 28<sup>th</sup> day of March, 2011, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

J. E. CLADY

*Typed Name of Officer*

Region Legal Service Office Midwest

*Organization of Officer*

LCDR, JAGC, USN

*Grade and Service*

Staff Judge Advocate

*Official Capacity to Administer Oaths  
(See R.C.M. 307(b)--must be commissioned officer)*

  
*Signature*

FOOTNOTES

1 -- When an appropriate commander signs personally, inapplicable words are stricken.  
2 -- See R.C.M. 601(e) concerning instructions. If none, so state.

Signature

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

15. On \_\_\_\_\_, 20\_\_\_\_, I (caused to be) served a copy hereof on (each of) the above named accused.

Signature

Grade

Typed Name of Officer

Official Capacity of Officer Signing

R

\_\_\_\_\_ 20\_\_\_\_, subject to the following instructions:<sup>2</sup>

Referred for trial to the \_\_\_\_\_

Court-martial convened by \_\_\_\_\_

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

V. REFERRAL; SERVICE OF CHARGES

Signature

Grade

CDR, USN

Typed Name of Officer

T. A. LEWIS

FOR THE \_\_\_\_\_

Commanding Officer, Acting

Official Capacity of Officer Signing

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

Great Lakes, Illinois

13. The sworn charges were received at 0845 Hours, 28 March 20 11 at Recruit Training Command

Designation of Command or

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

Signature

Grade

L1N1(SW), USN

Typed Name of Immediate-Commander-Legalman

LAKISHA M. BALDWIN

Region Legal Service Office Midwest

Organization of Immediate-Commander-Legalman

12. On 28 March 20 11, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

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**Training Command, Great Lakes, Illinois: Page 1 of 5**

**Specification 2:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, onboard Recruit Training Command, from on or about 15 October 2010 to on or about 18 October 2010, fail to obey a lawful general order, to wit: NSTCINST 5370.1, dated 21 March 2008 by wrongfully engaging in an unduly familiar relationship with Engineman Fireman Terri J. Dull, U.S. Navy, while in a staff/instructor to student status.

**Specification 3:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, having knowledge of a lawful order issued by Master Chief Electronics Technician Beth A. Holz, U.S. Navy, not to return to the ship or have contact with any recruits, an order which it was his duty to obey, did, at Recruit Training Command, on or about 15 October 2010, fail to obey the same by wrongfully returning to the ship and went to his compartment.

**Specification 4:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, having knowledge of a lawful order issued by Master Chief Electronics Technician Beth A. Holz, U.S. Navy, not to return to the ship or have contact with any recruits, an order which it was his duty to obey, did, at Recruit Training Command, on or about 15 October 2010, fail to obey the same by entering the Recruit Navy Exchange and wrongfully engaging in conversation with recruits.

**Specification 5:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, having knowledge of a lawful order issued by Master Chief Electronics Technician Beth A. Holz, U.S. Navy, not to return to the ship or have contact with any recruits, an order which it was his duty to obey, did, at Recruit Training Command, on or about 29 October 2010, fail to obey the same by, while driving his personally owned vehicle at Recruit Training Command, stopping and engaging in conversation with two female recruits who were walking along the side walk.



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**Charge III: Violation of the UCMJ, Article 120 - Rape, sexual assault, and other sexual misconduct**

**Specification 1:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 15 October 2010, engage in sexual contact with Engineman Fireman Terri J. Dull, U.S. Navy, to wit: reaching down the shirt of and grabbing the breast of the said ENFN Dull with his hand, and such sexual contact was without legal justification or lawful authorization and without the permission of the said ENFN Dull.

**Specification 2:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 16 October 2010, intentionally expose in an indecent manner his erect penis while in a female barracks lavatory in the presence of Engineman Fireman Terri J. Dull, U.S. Navy.

**Specification 3:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 17 October 2010, engage in sexual contact with Engineman Fireman Terri J. Dull, U.S. Navy, to wit: grabbing the vagina over the clothing of the said ENFN Dull with his hand, and such sexual contact was without legal justification or lawful authorization and without the permission of the said ENFN Dull.

**Charge IV: Violation of the UCMJ, Article 128 - Assault**

**Specification 1:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 16 October 2010, unlawfully kiss Engineman Fireman Terri J. Dull, U.S. Navy, on the lips with his lips.

**Specification 2:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at



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Recruit Training Command, on or about 16 October 2010,  
unlawfully grab Engineman Fireman Terri J. Dull, U.S. Navy, by  
the hair with his hand.

**Specification 3:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 16 October 2010, unlawfully strike Engineman Fireman Terri J. Dull, U.S. Navy, on the buttocks with his hand.

**Specification 4:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 17 October 2010, unlawfully grab Engineman Fireman Terri J. Dull, U.S. Navy, on the neck with his hand and pushed the said ENFN Dull against the wall.

**Specification 5:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 17 October 2010, unlawfully kiss Engineman Fireman Terri J. Dull, U.S. Navy, on the lips with his lips.

**Specification 6:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, unlawfully punch Engineman Fireman Terri J. Dull, U.S. Navy, on her arms about six (6) times with his fist.

**Specification 7:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, unlawfully grab Engineman Fireman Terri J. Dull, U.S. Navy, on the wrist with his hand and pulled the said ENFN Dull back.

**Specification 8:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at





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Recruit Training Command, on or about 18 October 2010, assault Engineman Fireman Terri J. Dull, U.S. Navy, by reaching at the shorts of the said ENFN Dull with his hands.

**Specification 9:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, unlawfully grab Engineman Fireman Terri J. Dull, U.S. Navy, on her face with his hand.

**Specification 10:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, unlawfully kiss Engineman Fireman Terri J. Dull, U.S. Navy, on the lips with his lips.

**Charge V: Violation of the UCMJ, Article 134 (Threat, communicating)**

**Specification 1:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 16 October 2010, wrongfully communicate to Engineman Fireman Terri J. Dull, U.S. Navy, a threat, to wit: "I'm going to make the rest of your time at bootcamp hell if you don't give me what I want," or words to that effect.

**Specification 2:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 16 October 2010, wrongfully communicate to Engineman Fireman Terri J. Dull, U.S. Navy, a threat, to wit: "I'm going to get you after graduation. I'll find you at your "A" school," or words to that effect.

**Specification 3:** In that Senior Chief Boatswain's Mate (Surface Warfare/Aviation Warfare) Craig R. Smith, U.S. Navy, Recruit Training Command, Great Lakes, Illinois, on active duty, did, at Recruit Training Command, on or about 18 October 2010, wrongfully communicate to Engineman Fireman Terri J. Dull, U.S.



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Navy, a threat, to wit: "You have two choices: For every mistake that I find, you can get punched or kiss me," or words to that effect.

