

AFFIDAVIT OF JOHN F. BARLOW

I am Captain John F. Barlow, United States Navy, Retired. I am submitting this affidavit for consideration in the case before the Board for Correction of Naval Records (BCNR) of former Midshipman Kenneth L. LeBrun.

I recently received a letter, dated 9 November 1933, from a Mr. Alan E. Goldsmith, a staff attorney with BCNR. Attached to the letter was documentation pertaining to former Midshipman LeBrun's separation from the Naval Academy. Subsequently, I spoke with Mr. Goldsmith on the telephone concerning the foregoing case and indicated that I would be willing to submit an affidavit, if that would be helpful.

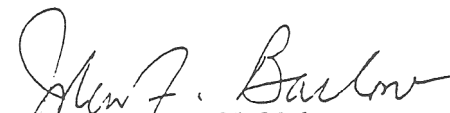
I first reported for duty to the Naval Academy in 1965 when I was serving in the rank of commander. I was assigned as Administrative Officer in the Commandant's Office, a post in which I was serving during all of the events at issue in Mr. LeBrun's case. Later in 1966, after being promoted to captain, I became the Head of the Executive Department (now called Deputy Commandant) and continued to serve in that billet until I was transferred from the Academy in 1968.

After examining the relevant documentation, I have no recollection of Mr. LeBrun's case. I can only attribute this failure to the more that 28 years that has passed since his discharge and because, in my capacity as the Commandant's Administration Officer during the time frame at issue, I would only have had a marginal involvement in such a case.

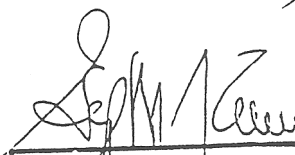
The reason I am submitting this affidavit, despite my lack of recollection concerning this specific case, is Mr. LeBrun's contention, in essence, that the allegations against him should have been processed under the honor system and not the conduct system. After reviewing the documentation and based on my recollection of the policies in effect at the Academy in the time frame at issue, I am convinced that the case was not one which was suitable for resolution in the honor system. In this regard, the offense which Mr. LeBrun apparently committed is a serious one. It was not the policy to use the honor system in such cases; it was used only in less serious cases, such as an individual looking at another midshipman's test paper.

One must understand that the Naval Academy came to the honor system much later than the Military Academy at West Point. In this regard, when I was graduated from the Naval Academy in 1945, there was no honor system. I am unsure when such a system was implemented at the Naval Academy, but when I reported for duty in 1965, the Academy was still "feeling its way"

with the honor system and, as I said previously, we were limiting its use to cases of lesser importance.


JOHN F. BARLOW
CAPTAIN, USN (RET.)

Subscribed and sworn to before me this 5th day of January 1994.


NOTARIAL SEAL
GEORGE M. KOSER, Notary Public
Ardmore, L. Merion Twp., Montgomery Co.
My Commission Expires Feb. 20, 1997