

Bragg Paratroopers Probed on Porn

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Seven paratroopers in the 82nd Airborne Division at Fort Bragg, North Carolina are under investigation for possibly participating in a gay porn video available at a pay per view website. The paratroopers being were moved from their barracks Monday to protect their privacy, according to a report in *The Fayetteville Observer* (1/31/06).

The 82nd Airborne is one of the most celebrated units in the military. Its 15,000 troops are trained to deploy anywhere in the world within 18 hours. Soldiers from the division have served extensively in Iraq and Afghanistan, and several thousand troops remain overseas.

The division began the inquiry Friday into whether the paratroopers violated the Uniform Code of Military Justice.

Major Amy Hannah, division spokeswoman, confirmed that an inquiry is underway but would offer no details as to how many soldiers are involved or if any of them have been charged.

It is unclear when the investigation will be completed, Hannah said. "We are concerned about the privacy and rights of each trooper involved and that they are treated with dignity and respect," she added.

Military spokesmen linked the investigation to homosexual activity and the antigay policy known as "Don't Ask, Don't Tell."

Maj. Todd Vician, a Defense Department spokesman in Washington, said the military's "don't ask, don't tell" policy states that "homosexual orientation alone is not a bar to service, but homosexual conduct is incompatible with military service."

"We define homosexual conduct as homosexual acts or verbal or nonverbal communication that a member is homosexual," Vician said.

That is "troubling" to Steve Ralls, spokesman for the Servicemembers



Paratroopers of the 82nd Airborne Division descend over a drop zone on Fort Bragg during "Large Package Week."

Photo Courtesy of U.S. Army.

Legal Defense Network (SLDN). "Given the criminal charges that the soldiers involved are potentially facing, the fact that the Pentagon is focusing on this as a DADT story seems absurd and troubling."

The Uniform Code of Military Justice (UCMJ) prevents soldiers from participating in activities such as pornography, regardless of whether they are gay or straight, he explained. About a year ago a female soldier lost her job as a result of posing for *Playboy*.

"Depending on what is in the video and what charges the Army decides to bring against them, the soldiers potentially face charges of sodomy and con-

duct unbecoming, both of which can carry a prison sentence." Those are more serious charges and punishment than under DADT.

Each scene in a video might be filed as a separate charge, and each charge can carry up to a five year prison sentence. Ralls said, "It has the potential to be a very serious problem for the soldiers involved."



For the Pentagon to raise DADT "is very unusual and far off the mark of what they should be concerned about."

Ralls said it is unlikely that SLDN would get involved with criminal charges associated with this investigation. "But we will watch closely and if it looks like the military is prosecuting them on harsher charges or going after a harsher sentence than they would with a heterosexual case, then we would certainly call the Pentagon on that."

It is unclear how the Army came to be aware of the video. Under the rules implementing DADT the military is not supposed to conduct fishing expeditions but it may pursue information that is brought to its attention.

Past prosecutions of gay and lesbian service members have come from leads offered by disgruntled roommates and spurned lovers.

The website that is believed to be the center of the investigation has a military theme and is based in Fayetteville, the city closest to Fort Bragg.

According to the *Fayetteville Observer*, the website is registered to the owner of

three production companies — Active Duty Productions, Pink Bird Media and New Fame Media. County real estate records indicate that the man is a Fayetteville resident, living in a one-story brick house in a local subdivision. He told his neighbors that he ran a graphic design firm and a computer company.

Most of the neighbors said the owner is "a nice man." Other said he often threw late-night parties and had male guests, most with military-style haircuts, who visited at all hours.

"We understand it is legal to shoot porn out of your house said a neighbor who asked not to be identified. "You would expect him to be quiet. This is a family neighborhood."

The manager of the site and the director of the movies goes by the name "Dink Flamingo."

"Dink himself films all of the videos featured on [the site], and takes all of the photographs," according to the site's page of frequently asked questions.

Some of the movies produced by Pink Bird Media include *Another Tour of Duty*, *Band of Lovers* and a series called *Bareback Barracks Buddies*.

The site stresses that its operations are legal. "All of the men featured on this site are 18 years of age or older, proof of which is on file. All of the men are fully aware that they are being taped," the site says.

Meanwhile on January 25, a report written under contract for the Pentagon warned that the Army was "in a race against time" to modernize "or risk breaking" the force. Secretary of Defense Donald Rumsfeld downplayed its findings.

SLDN called the report "a wake-up call to Congress that our armed forces must welcome, not turn away, qualified Americans who want to serve our country." It has called on Congress to repeal "Don't Ask, Don't Tell."