



29 August 2011

The Honorable John M. Facciola
Judge, United States District Court for the District of Columbia
333 Constitution Avenue, NW
Washington, DC 20001
Re: United States of America v. Daniel Choi
Case No. 10-739M-11, formerly US v Raphael Farrow et al.

I write in support of Lt. Daniel Choi, whom I have known since he "came out" as openly gay. Lt. Choi exercised his right to free speech and in so doing, represented hundreds of thousands, if not millions, of people who have been voiceless for decades. His crime, if there is one, is for waiting as long as he did to act, but if that were a crime, I should stand before you, not he.

Lt. Choi served his nation admirably, again standing up and in for millions of Americans who did not or could not. This man of conviction returned to a nation that would acknowledge and thank part of him, but not the whole Dan Choi. When he "came out" as the whole Dan Choi, he was drummed out of the service. His life has never been the same. But Lt. Choi chose to serve in other ways. His selfless actions once back in the United States helped galvanize a national movement to push our politicians to act even as the public in repeated opinion polls had long since concluded overwhelmingly that the Dan Chois of the world should serve as Americans, not liars.

I am not a lawyer, but I am a tax-paying patriot who knows that this nation was founded on the spirit of those who take chances to advance liberty. Lt. Choi has done no more, but also no less. The harsh and extremely unusual charges leveled at him uniquely have the effect of disempowering any citizen from protesting in a like manner, for fear of exaggerated retribution.

The Courage Campaign consists of over 700,000 members across the nation. We have stood with Lt. Choi again and again as he has stood for us. Indeed, over 100,000 letters of support from Courage members are part of Lt. Choi's official separation hearing file at the Department of Defense. We have more than 500,000 petition signatures supporting the repeal of "Don't Ask, Don't Tell" and Dan Choi.

Your Honor, we know you will be fair and just in your judgment. We respectfully add to your deliberations our own observations as citizens that Lt. Choi has saved lives both in the military and as an activist. His work has no doubt stood as a beacon to countless gay, lesbian, bisexual and transgender youth that America is home to all. He harmed no one. I plead with the court to consider the foregoing as you determine Lt. Choi's fate.

Respectfully submitted,

Richard D. Jacobs
Chair and Founder