

VFW: Medal of Honor Faker Caused Harm

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INDIANAPOLIS — The national commander of America's largest combat veterans' organization is aghast that a California-based federal appeals court would rule in favor of a Medal of Honor impostor.

"The court just dishonored every genuine military hero in our nation's history," said Thomas J. Tradewell Sr., who leads the 2.1-million Veterans of Foreign Wars of the U.S. and its Auxiliaries.

The case involved water district board member Xavier Alvarez of Pomona, Calif., who claimed during a 2007 meeting that he was a retired Marine who received the Medal of Honor.

He was sentenced under the 2006 Stolen Valor Act to perform 400 hours of community service at a veterans hospital and fined \$5,000.

By a 2-1 vote, the 9th Circuit Court of Appeals on Tuesday ruled that Alvarez's false claims were covered by First Amendment free speech protections, because there was no intent to harm others.

"Alvarez held a prominent position within his community," said Tradewell, a combat-wounded Vietnam veteran from Sussex, Wis.

"His false claim generated more respect from his peers and news of his conviction rocked his community. He dishonored those who earned our nation's highest medal and countless others whose equally heroic acts went unrecorded from the heat of battle," said Tradewell.

"I call that intent to cause harm and hope federal prosecutors carry this case to the Supreme Court," he said. "There are things that are sacrosanct in this country, and protecting the honor and memory of true American heroes is one of them."

NATIONAL HEADQUARTERS

406 W. 34th Street
Kansas City, MO 64111
Office 816.756.3390
Fax 816.968.1157

WASHINGTON OFFICE

200 Maryland Ave., N.E.
Washington, D.C. 20002
Office 202.543.2239
Fax 202.543.6719

info@vfw.org
www.vfw.org