

Fake Warriors (Second Edition): Identifying, Exposing, and Punishing Those Who Falsify Their Military Service



When the Library of Congress compiled oral histories for its Veterans History Project, 24 of the 49 individuals who identified themselves as Medal of Honor recipients had not actually received that award. (Justice Samuel Alito, *United States v. Alvarez*.) If Fake Warriors will lie to the Library of Congress, who won't they lie to? The fact is they lie to everyone: wives, children, siblings, friends, relatives, colleagues, employers, employees, banks, governments, veterans, reporters, the VA even to themselves. We wrote the first edition of *Fake Warriors* nearly ten years ago. Since then, the Fake Warrior problem has become worse. The second edition of *Fake Warriors* contains substantial new material, including the decision in *United States v. Alvarez* and our Fake Warrior Act of 2012. Chapter 1 *Why are there Fake Warriors?* answers the most frequently asked question about military imposters: *Why do they lie?* Chapter 2 *Who are the Fake Warriors?* lays bare the largely unknown fact that the Fake Warrior phenomenon is real, it is pernicious, it is widespread, and that impostors come from every imaginable strata of our contemporary society. Chapter 3 *What harm do Fake Warriors cause?* shows that Fake Warrior imposture is not a minor social peccadillo, but victimizes vast numbers of Americans, and produces considerable harm. Chapter 4 *How do Fake Warriors Get Away With It?* reveals the devices typically used by Fake Warriors and exposes the social and institutional enablers whose indifference, and sometimes connivance, makes it possible for the impostors to carry on masquerades that, too often, go unpunished. Chapter 5 *How can Fake Warriors be Identified and Exposed?* demonstrates how to identify Fake Warriors, provides the major categories into which most Fake Warrior fabrications fall, and explains how one goes about

exposing them. Chapter 6 How Can Fake Warriors Be Punished? discusses the constitutional distinction between pure speech and speech accompanied by action a distinction central to the legal fight against Fake Warriors. The chapter describes the many legal and social tools available to combat military imposture. We also set forth the respective roles of police and prosecutors, how it is possible to induce prosecutors to bring charges against Fake Warriors, how private attorneys are in a unique position to make a major contribution in identifying, exposing, and punishing impostors, how the legislative and executive branches of our government state and federal can be utilized effectively and how individual initiative can help turn the tide. Chapter 7 is devoted entirely to the Stolen Valor Act: its genesis, journey through Congress, and prosecutions brought pursuant to it. Chapter 8 presents the entire opinion of the Supreme Court of the United States on the constitutionality of the Stolen Valor Acts core provision, with explanatory commentary by the authors. Chapter 9 offers the draft of a proposed federal statute which cures the flaws present in the now-unconstitutional Section 704(b) of the Stolen Valor Act. Conceived and prepared Professor Henry Mark Holzer several years ago, the federal Fake Warrior Act cures the deficiencies found in the Stolen Valor Act by the Supreme Court of the United States in the Alvarez case. It also avoids the constitutional and other problems present in the recently introduced Heck-Brown bill, the Stolen Valor Act of 2011, and the proposed bill by Senator James Webb. We conclude with dramatic case histories of impostors who have confessed to their imposture, and with a plea to patriotic Americans veterans and non-veterans alike. We urge our fellow citizens to recognize that the Fake Warrior phenomenon is a national disgrace which harms our nation and many Americans in cruel and insidious ways.

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