



LCPL ANGEL PONCE, USMC

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There's a True Story Behind "A Few Good Men"

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There may be no greater moment in cinematic courtroom drama than the culminating sequence of the 1992 movie "A Few Good Men." When Lieutenant Junior Grade Daniel Kaffee (Tom Cruise) contemptuously demands the truth from Ground Forces Commander, Guantanamo Bay, Colonel Nathan Jessup, played by Jack Nicholson, famously replies, "You can't handle the truth." Col Jessup's subsequent diatribe pummels us with the unfathomably difficult role of the Marine rifleman, a reality often misunderstood by the public. It ends with an enraged commander admitting to issuing an illegal hazing order that resulted in homicide. On the whole, the movie is certainly a favorite within the judge advocate community, but this scene in particular has endured both in cinematic and Marine Corps lore.

It may then come as a shock to learn that "A Few Good

Men" is based on a true story, to which the film parallels closely yet pays no tribute. Unlike the movie, however, this story runs deeper and darker before veering into the bizarre like a tailspinning "True Detective" nightmare. It is the tragically unknown story of one of the real Marines who helped form the inspiration for the film and then suffered a mysterious demise.

In 1987, a young playwright named Aaron Sorkin received a call from his sister, Deborah, a lawyer in the Navy Judge Advocate General (JAG) Corps. Deborah was on her way to Guantanamo Bay, Cuba, to defend a group of Marines. She told Aaron that her clients had nearly killed another Marine after receiving a hazing order from a superior officer. This inspired Aaron to write out an entire story on cocktail napkins that night. "A Few Good Men" was born and would launch Aaron's career. Today, he is considered one of the most talented active screenwriters with a resume that includes "The West Wing," "The Social Network," "Moneyball," and "The Trial of the Chicago 7."

"A Few Good Men" was a massive success, but it was never advertised as being based on a true story. Although the film's depiction of the Marine Corps was often disconcerting, it sparked popular interest in military justice (the popular television show "JAG" would debut in 1995 and lasted 10

seasons) and a cultural phenomenon in that one famous line. Then, as is often the case when a film has a large financial and cultural impact, someone filed a lawsuit. Claiming that their private stories were used without permission, a group of Marines filed suit in Texas against the film's production company. Very little came of the action and, sadly, the true story of "A Few Good Men" remained in relative obscurity.

In 1986, a group of Guantanamo Marines calling themselves "The Ten" hazed a fellow Marine. The victim, Private First Class William Alvarado ("William Santiago" in the film), was an odd-man-out of sorts. In the film, the character was sympathetically depicted as a bit slower and weaker than the other Marines. In reality, he was described as someone who did not carry his weight leaving more work for the rest of the platoon. Like the victim in the film, Alvarado had written letters to his congressman requesting a transfer from Guantanamo and disclosing information about illegal fence line shootings committed by his fellow Marines. The commanding officer of Guantanamo, a Marine colonel, learned of the PFC's letter. Despite command concerns that word of his conduct would reach the other Marines and endanger him, PFC Alvarado was not transferred. Sometime later, "The Ten" performed what they referred to as a "code red" on PFC Alvarado.

In September of 1986, in the early morning hours, "The Ten" entered PFC Alvarado's barracks room. They restrained him with tape and stuffed a pillowcase in his mouth. Then, they blindfolded, beat, and dragged him out of his room. One Marine proceeded to pull out a buzzer to shave Alvarado's head, but before that could happen, the Marine noticed something was going horribly wrong. Alvarado started choking and spitting up blood before turning purple and falling unconscious. The Marines immediately stopped and called emergency services. Unlike the movie's depiction of events, however, the victim survived.

None of "The Ten" ever denied what had happened. Most of the Marines accepted non judicial punishment (NJP) but three Marines refused to admit guilt to the charges. One was Lance Corporal David Cox, the Marine who held the buzzer and called 911. Cox elected trial by courts-martial, pleading not guilty, and claiming adamantly that the "code red" was not an act of retribution. Rather, it was ordered by a superior officer and therefore, he would not admit to legal fault. The case proceeded to trial.

Given the seriousness of the incident, Cox felt that accepting NJP would result in his separation from the Corps with at least an other than an honorable discharge. This was unacceptable to him. Cox loved being a Marine. He loved the Corps' structure and discipline. Until this incident, he had maintained a reputation as a model Marine, and he refused to admit to anything that would characterize his service negatively. He was eventually charged with attempted

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PHOTO BY SGT ESDRAS RUANO, USMC

murder and simple assault charges and taken to a general court-martial. When offered a plea deal, he refused, telling his lawyer that "being a Marine was all he had." If his career in the Corps was over, it was not going to be with his consent.

Cox was eventually acquitted of attempted murder but found guilty of assault. He would spend 30 days in the brig before finishing out his full tour of duty and remarkably received an honorable discharge. (This differed significantly from the film in which the accused are found guilty of conduct unbecoming a Marine and given dishonorable discharges.) For Cox, the courts-martial process left a bad taste in his mouth for years to come. Nonetheless, he retained his "once a Marine, always a Marine" attitude.

As is common for many Marines, Cox struggled with consistency and focus after exiting the Corps. He did odd jobs to make ends meet and had some success with earning a two-year paralegal degree, but nothing ever came of it. Things stabilized a bit when he settled down with his longtime girlfriend, Elaine Tinsley. Then, to Cox's consternation, he saw the movie "A Few Good Men."

Cox never maintained that "A Few Good Men" was a poor movie. In fact, he was quoted as saying that if he "hadn't known the truth, it probably would have been the best movie



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[he]’d seen in [his] life.” The apparent alterations, however, bothered Cox. He was upset not only because the real victim did not die, but also because he was portrayed as receiving anything but an honorable discharge. Cox felt his name had been dragged through the mud in the Corps only to have Hollywood portray him as a dishonorable Marine. Other Marines from The Ten felt the same and asked Cox to join when they initiated their lawsuit. At that time, however, Cox did not feel that he was at a place in his life where he wanted to deal with the immensity and stress of a lawsuit. He told his brothers he would take time to consider their offer. Unfortunately, he would never have the chance.

By January 1994, Cox started to feel a bit more optimistic. He had acquired a part-time position with UPS and expected to receive an offer for full-time employment within days. Cox was elated and even told Elaine that he now intended to join the lawsuit. On the night of Jan. 4, Cox went for a celebratory drink with his brother. He came home late and elected to sleep on the couch.

The following morning, Elaine left for work as Cox slept.

Around noon, she called back to the house, but there was no answer. At 1 p.m., she checked the voicemail, heard a message from Cox’s boss saying UPS had offered him the position, and called the him at home to congratulate him. Again, no answer. She returned home at 5:30 p.m., but Cox was nowhere to be found.

To Elaine, the home appeared to be fine. However, all the interior doors were open, and their pet rabbit was hopping around freely. Outside, Cox’s truck was still in the driveway. Strangely, the keys were in the ignition and an uncashed paycheck was on the dashboard. After a day, neither Elaine nor any friends or family saw or heard from Cox again. Elaine then filed a missing persons report.

That spring, a man canoeing down a nearby river discovered human remains. It was Cox. Medical examiners were quick to the scene, and it did not take long to determine the cause of death. Cox had been shot execution style with a bullet to the back of his neck and three more into his left torso. Three 9 mm shell casings were also found at the scene. Beyond a doubt, this was a murder.

Most troubling was determining how Cox came to be at the location of his murder. He was found wearing a military issued camouflage field jacket, his USMC scout sniper hoodie, jeans, and white sneakers. According to family and investigators, Cox never wore military-issued clothing outside. The white sneakers particularly threw off the investigators. Evidence indicated that Cox had walked to the location he had been found, a wooded area off the river. On the day of the murder, however, there was 8 inches of snow on the ground. This indicated to the investigators that Cox may not have left his home willingly despite no



apparent signs of a struggle. Beyond that, however, police could not elucidate any details about the killer. The case almost immediately went cold and remains unsolved.

No one knows exactly what happened to Cpl David Cox on Jan. 5, 1994. In 2019, two veteran Marines and current police officers announced their intention to re-open the case, but no new findings have been reported.

The true story behind “A Few Good Men” is tantalizing and layered. Like a forest, the further you venture into it, the harder it becomes to recall where you entered. In that sense, David Cox’s story, though compelling, illustrates greater points that can sadly be lost in Hollywood drama. True

stories, exactly the way they occur, are often too narratively imperfect to make a complete movie. Nonetheless, credit is almost always given even where the film is only a loose adaptation. Although “A Few Good Men” is very close from the transcript of Cox’s courts-martial, no credit has ever been paid to the truth.

Ultimately, the legacy of “A Few Good Men” has left no room for the true story. This is a shame. The real story contains the same themes: accountability in the face of unlawful orders, the perils of mismanagement from military leadership, and the potential dangers of clique-like “in”-culture within Marine units.

It also addresses the meaning of “honorable” service, the ever-present conflict between the necessity of the Marine Corps and the side effects of its existence, and difficulties those outside of the Corps have in trying to understand its culture. Is it better then for the public to believe that junior enlisted Marines like Cox are dishonorably discharged rather than given another opportunity? Is it best that the true story, with its incredibly grim ending, remains unknown? It is hard to say, but there is undoubtedly more to be learned than from the movie alone.

Author’s bio: 1stLt Jared M. Allyn graduated cum laude from Michigan State University College of Law in 2020. He was commissioned in 2021 and is currently serving as the Deputy Station Judge Advocate for Marine Corps Air Station Iwakuni, Japan. 🇯🇵

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