

FLEMING, DAVID, Navy Chief Petty Officer, was convicted by a six-member military court on 4 October 1988 for the theft of 16 Secret photographs and four classified training manuals which he had at his home. At the time of his arrest in October 1987, Fleming was chief photographer aboard the submarine *La Jolla*, based at San Diego, California. At that time Federal agents found classified material in Fleming's apartment. Fleming contended that cramped quarters aboard the ship led him to develop photographs at home. Concluding that he knew that the materials, if kept at home, could result in damage to national security, the court convicted Fleming under statutes which apply to acts of espionage. However, no evidence was presented to the court that the Chief Petty Officer had intended to provide classified materials to representatives of another country. Fleming was sentenced to four years' confinement and was given a bad conduct discharge from the Navy. In April 1989 a Navy parole board in San Diego recommended that the remainder of the four-year sentence be commuted. He was released on parole in 1990.

Los Angeles Times 5 Oct 1988, "Sailor Gets Prison in Classified Data Case"

San Diego Union 15 Apr 1989, "Early Release Backed for Sailor Convicted on Security Charges"