

STATEMENT

Place: NCIS Washington Field OTC
Date: 15 OCT 2010

I, Ariana Klay, make the following free and voluntary statement to Special Agent Janise Buckmon whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of an alleged sexual assault.

For identification purposes, I am a white female with blue eyes, born in Seattle, Washington on Jan 7th, 1981. My social security number is 532948850.

At the Marine Corps Ball I was in charge of the officer's suite before and after the ball. I was tasked with providing beverages and refreshments for the other Officers and their dates. I had about 2 drinks before I went down to the ceremony. My husband attended the ball with me, but left shortly after the ceremony because he had to work the next day and he was not happy that I was hanging out with Suzanne, my boss because he knew I drank more around her and he thought she was a bad influence based on what I had told him about her relationship with Maj Jones and Capt Wilson. After the ceremony in the Officer's Suite, Maj Jones made some jungle juice (filled punch bowl that I had made white Sangria in with various other drinks so that it was mixed) which I drank. At one point Major Warren complimented me, I don't remember the exact compliment only my surprise that he said it there in front of his wife. I was already not feeling that good from drinking and went into the bathroom area by the sink, and was leaning against the counter. In the bathroom area by the sink, Major Warren showed up and said something along the lines of "imagining the possibilities." I did not tell him I was disturbed by his comment. I thought it might be a sexual innuendo, but was not sure.

I do not remember the rest of the evening, but was told by Suzanne and LtCol Filson that I had "fallen down like a tree" and that my wine glass spilled on the carpet and that Suzanne and LtCol Filson both helped put me to bed. When I woke up I was by myself and feeling extremely sick with little memory from the night before. I looked at my phone, it was around 0700 and I saw an outgoing call from a number without a name from around midnight, I called the number and it went to Major Warren's voicemail. I thought it was strange that his number was in my phone. Shortly after I woke up, Suzanne came in the room and said she had stayed next door with her date, who was LtGen Trautman's aide, Major Biddell. She talked about how Maj Jones had been jealous of her being with a date and how Maj Warren had been acting strange towards me. I told her that he said some weird things to me and repeated what I remembered. I left the room as quickly as possible, noting that it looked like someone else had cleaned up. I later learned that LtCol Filson and his wife had helped out with the room clean up. I disregarded what had happened because I was mostly disturbed that I had "blacked out" and was embarrassed that I fell down from alcohol in front of senior people I work with and wanted to get back to performing at my job.

The next month (December) at the "Hanging of the Greens" (Christmas) party in Centerhouse, Maj Warren was very drunk and kept looking over at me and yelling to Capt Agoulnik to "get Lt Klay another drink." Capt Agoulnik shrugged and started making a drink, Maj Warren yelled out that he

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on *1/16/01*

AKC needed to "put more liquor" in the drink very loudly and people began to look over at him because it was somewhat of a scene and he was not able to stand up very easily because of intoxication. I moved to the library room and Maj Warren followed me over there and put his hand on my back. *AKC*

AKC I moved back to the drum room because I felt uncomfortable, Maj Warren followed. In the drum room Maj Warren's hand was on my back and he started touching my butt on the outside of my clothes while I was talking to another officer. I moved away from the situation and started talking to another officer who's identity I don't recall, but my movement was to get away from Major Warren. Maj Choat said something to me about it "being creepy" and that he would watch out for me. Maj Warren ordered me another drink and told Capt Agoulnik to "make it a triple." Capt Agoulnik told me that he made it just diet coke when he handed it to me. When I tasted it, it was only diet coke as he said. *AKC*

AKC Maj Warren came over to me again, this time standing behind me, and put his arm around my shoulder area and his moved down to my breast over my clothes, his entire hand was on top of my breast. I moved back over to the library room where he followed me again. Maj Warren told me he needed to talk to me about something important from the ball. I moved to the foyer with him at a reasonable distance. In the foyer, he said that we had a conversation at the ball and kept asking what I thought about it and asked me if I remembered it, I told him that I did not remember the conversation even though I vaguely knew what it was. *AKC*

AKC He told me he was going to drive home and asked me to give him a ride to his car. I told him I would give him a ride to his office since I felt sober enough to drive. Maj Warren attempted to kiss me in the foyer and I moved away and told him that he was very drunk and didn't know what he was doing, I told him I could give him a ride to the Navy Yard. I felt bad for him because he was making a fool of himself and didn't seem to know what he was doing and could barely stand up. I had talked to him a few times for work reasons between the Ball and the Christmas party and he was nice, but never did anything inappropriate. I never had any sexual relationship or anything more than professional acquaintance with him prior to this. *AKC*

AKC I drove him down to the Navy Yard where his office and car was. On the way he tried to put his hand on my leg two times and I pushed it away both times. I pretended to be on the phone with my husband during the car ride, pretending to tell my husband I was going home right away because Maj Warren's touching my leg made me uncomfortable. He was drunk enough that it looked like he was falling asleep in the car and he would not get out of the car when we got to the Navy Yard. I tried to help get him out of the car and into the building. In the building he tried to kiss me again with open mouth and smelled like puke and alcohol. I pushed him away this time and said again "Sir, you don't know what you're doing." He looked like he was going to be sick so he sat down and told me that he was knew Suzanne was doing "bad stuff." He was not making any sense. I asked him if he was good and he said he was. I left and got in my car. While I was in my car I saw him come out to his truck and speed away very fast. The tires screeched as he drove away. *AKC*

AKC The next week I was TAD at Protocol School in Arizona. Maj Warren contacted me a few times about work while I was there. Normally, he had been very focused about work issues, and this time he seemed like he was trying to get information out of me. I told him that everything was fine, but he *AKC*

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seemed very nervous. I was relieved to be away from the Command. Suzanne had acted very disturbed and told me that she had one of the Majors counsel him, either Major Jones or Major Choat (not sure which). I told Suzanne all the details mentioned in this statement. Suzanne did not like Major Warren prior to this and did not want him to be the operations officer (Maj Jones next replacement.) When I returned, Maj Warren was very nice to me and very apologetic. He said he was going through a hard time and showed genuine remorse. I told him that I was going to try to leave the Command to get away from the work dynamic with Suzanne, I asked him for advice about how I could leave the Command. He seemed to be one of the only people at the Command that recognized the issues with Suzanne and supported me leaving there and that is why I feel bad about reporting his actions that I implied to him that I wouldn't. Also he stopped drinking completely after the incident, which I interpreted to be remorse. I was already depressed about working for Suzanne and was very focused on trying to leave via opportunities at CMC protocol or elsewhere. Mar Warren was very quick to help me, which I appreciated. We never discussed the incident, but when he apologized for the night I told him that I forgave him and held nothing against him.

After that Major Warren was very friendly to me in a professional manner, although he did show by the protocol office on two occasions while I was on duty late at night. I had no idea that he was going to stop by when he did. He never did anything inappropriate on those two occasions, but it struck me as odd he was there that late at night, I assumed he was there because he taught EWS classes. GySgt Flores from MCI Company came in one time during one of his visits shortly after he checked into the Command. He just sat on a desk next to me and wanted to make sure I was "okay" and wanted information on how Suzanne was trying to affect the future of the S-3 shop.

I came in today because Colonel Montanus has encouraged me to participate. I am not willing to discuss the other assault at this point because of fear of reprisal and fear of my husband's reaction and because there are no witnesses. Since other people witnessed the Major Warren's incident, I feel more confident it can be proved. I feel relieved to have been removed from the Command. I wrote about the assaults in my letter to LtGen Flynn because I wanted him to know how uncomfortable I was in the Command and for him to know I had previous experience with unpunished assaults which was related to the incident with Cpl Gillespie.

The below are Questions asked by Special Agent BUCKMON and answered by Lt. KLAY. Typed by SA Buckmon.

Are you willing to participate with the groping/ sexual assault?
Answer: Right now, yes.

Are you willing to talk about the rape that occurred while you were at 8th & I?
Answer: No.

Why did you report the sexual assaults?
Answer: I wanted to leave the Command and I wanted LtGen Flynn to know that I had experienced unpunished assaults several times before. I am appreciative that I have been able to leave the Command.

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on

Why did you come to NCIS today?

Answer: I was asked by Col Montanus to give more details in order for NCIS to investigate the sexual assaults.

This statement, consisting of this page and 3 other page(s) was typed for me by KLAY as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: [Handwritten Signature]

Sworn to and subscribed before me this 05 day of OCT in the year 2010 at

NCIS Washington Field OFC

Witnessed: [Handwritten Signature]

[Handwritten Signature]
Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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