

## STATEMENT

Place : Bldg 7208, Miramar, CA

Date : August 5, 2008

I, Elizabeth Marie EASLEY, make the following free and voluntary statement to Special Agent John BURGE 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 Jessica BROODER being raped by Douglas WACKER.

For identification purposes I am a Hispanic female, born June 14, 1983 in Yuma, Arizona. My social security number is 601-12-5071. I am 5'9 1/2", 138 lbs, with brown hair and brown eyes. I am currently a part time student at the University of San Diego School of Law, San Diego, CA. My home address is 2034 San Diego Ave., San Diego, CA 92110.

Jessica Brooder, Rebecca Barker, Forrest Merithew, Susan Woo, Bobby O'Brien, Douglas Wacker, and I went to dinner in a place in the French Quarter. The rest of our group happened to be eating at the same place, so we joined them for dinner. Susan, Jess, and I ordered a bottle of wine, but the place did not have a full bottle available. I later ordered another glass of wine. I ended up having about 2 glasses of wine at dinner.

After dinner we decided to look for a jazz club. As we were walking we passed a place that served some type of famous New Orleans drink. The drink was green, had a lot of sweet and sour, and was served in a long tall glass with a straw. Doug bought Jess and Forrest a green drink, Bobby bought himself one, and I bought myself one. We had not finished the drinks by the time we got to a jazz club called the Funky Pirate, so we sat outside and finished drinking them. I could not finish mine and Forrest helped me drink it.

Once we got into the Funky Pirate I headed back to the bathroom while everyone else headed for the bar. When I came back I opened a tab and bought myself a Vodka-7up with a splash of cranberry and also bought Jessica a drink. While we watched the band play jazz a sign would flash which would signal kami-kazi shots, which were little test-tube beakers filled with kami-kazi. We all got a shot, and left once the band was finished.

We were walking back to the hotel and passed by a club that was playing some dance music. We decided to go in and dance some. I realized I had left my tab open at the funky pirate, so I left and walked back to the jazz club. When I got there the bartender told me Jess had also left her tab open. I closed out both tabs and left. Forrest had followed me and told me I should not have gone off by myself, so he walked me back to the dance club. I told him thank you for walking me.

When I got back to the club everyone was dancing, and I went to the dance floor. I remember some guys we did not know trying to dance with Jess and Becky, and I told them we all had boyfriends and were just out with the girls for the night. Later in the night Doug asked me if I wanted something to drink. I told him yes and asked him to get me a vodka with 7up. He asked me if Jess would want a

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drink and what she drank and I told him sure, she would probably want a drink. I told him to get Jess a vodka tonic.

Later Doug came back with my drink, and walked off to find Jess to give her a drink. I took one sip from my drink, and felt dizzy and did not like the taste of it, so I decided to stop. I put down my drink on the table and went to get some water from the bar. I came back to the dance floor, and at some point Jess had me try a sip of her drink. I did not like it as I do not like tonic water and only had a small sip. I started dancing and this is when my memory starts to disappear.

I only have flashes of the rest of the night. I have a flash of Jess in the bathroom throwing up and I am holding her hair back. I also have a flash of leaving the bathroom and looking at the club and seeing it empty. I was confused because I thought it was full. I then have a flash of sitting at a table in a bar with what looks like slurpie machines, and I believe it was called the Big Easy. I had been to a bar earlier in the trip that had slurpie machines filled with alcoholic drinks, which was called the Big Easy I believe. I was sitting at the table facing Jess and Doug sat down and gave us drinks with straws. I also remember sitting at the table and looking to my left and seeing a man in a yellow shirt talking on a phone looking at us from behind a pillar.

My next flash is being in the hotel lobby. I am standing talking to Jess and the elevators are behind her, and the lobby desk is behind her to my left. My next flash is in a hotel room. I am lying on my back in the bed nearest the window and Jess is on my left also lying on the bed. The room is dark, and I can see a person kneeling between us on the bed. I can not make out who it is.

My next flash is I am lying on my back in the bed near the bathroom, and there is a man in boxer-like shorts straddling me. The bathroom or hall light is on at this point.

My next flash is I am lying in the same position on the same bed and I am very confused. I know I am in the wrong bed because in my hotel room I slept in the bed near the window. I also did not know where Becky was and thought it was odd she was not there. I then look to my left and see Jess lying on the bed near the window and Doug naked lowering himself on top of her. The hall or bathroom light was on and I was able to clearly see he was naked. Jess had her bra on at this time. I sat up, and said something with a this in it. Either "I;m not into this" or "I don't want to do this", put on my pants, grabbed my purse and ran out of the room. I turned around and saw the room number was 1008, a number I remembered because I had to use the code 10-08 numerous times every shift I was on for my old volunteer work. I then called my boyfriend Donald.

My next flash is in my old room, and Becky leaning out of the bed telling me to "Go get her!" Next I remember being at room 1008 and pounding on the door. It took a while for the door to open, at least 20 seconds, and when it did Doug was standing there in his boxers. I went past him into the room, pulled Jess out of bed, and told her we were leaving. I then tried to get her dressed. I put on her bra and shirt, could not find her underwear, and then pulled on her jeans. I could not figure out how to get them on her, and ended up putting them on backwards. At this point Doug laughed at me and told me I had them on backwards. I grabbed Jess's shoes and realized I had left my shoes there as well. I did not realize until then that I was not wearing shoes. I grabbed our shoes and got Jess out of the room.

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I then have a flash of Jess crying on the bed in our room with Becky and asking "what happened?". I remember feeling extremely angry because she was so distraught and she had a right to know what happened. I then left our room.

Next I remember getting to room 1008 and pounding on the door. Doug opened it and I asked him what had happened between him and Jess. He was laying down on the bed nearest the bathroom and said he was not going to tell me, if Jess wanted to know what happened she would have to ask him. I remember saying "I can't believe I stood up for you" and storming out. I do not know why I said that as I do not remember standing up for him.

At some point after that Doug texted Jess and then texted me, saying if she wants to know what happened then she should talk to him. I replied she does not want to talk and if he cared he would let her know what happened without subjecting her to more pain. I do not recall making these texts, I only know what was said by the copies of the texts.

The next flash is I am scratching Jess's back and singing to her, trying to get her to sleep. We were on the bed nearest the bathroom.

The next morning Becky woke us up and asked if we were going to work. I remember feeling physically ill. I was extremely achy, my stomach hurt, and I had a very bad headache. Jess and I then went back to sleep. When we woke up we talked some, but I do not recall what we said. That morning I do not have missing chunks of time like the night before, it is more I remember what happened but do not remember the details, like everything Jess and I talked about.

Doug called Jess that morning, and after she did not answer he came to our room. I do not remember everything he told us that morning, only a few things. He gave us a chronological order of the night. He said Jess threw up on the bar at the dance club and I took her to the restroom. He then said we told him we wanted to drink so he took us to the bar with the slurpie machines and got us a couple of drinks. He told us we started talking about having a threesome and said we wanted to have one with him. So he went back to the hotel and got a room. He said all three of us were kissing in the room and he was rubbing our stomachs. At that point I stopped listening and hid under the covers of the bed I was lying in. Up until that point I thought nothing had happened involving me, and was appalled at myself. I was also extremely confused because I know I would never do that. Doug continued talking, and at one point he said after I left nothing else happened but kissing with him and Jess. I then asked him, "Are you sure? Because when I left Jess had her bra on and when I came back it was off." Doug then said oh yeah, more clothes came off, but that was it. He then offered to talk to Justin, Jess's boyfriend for Jess. Jess felt very relieved that Doug said they did not have sex because she had already told Justin she had slept with Doug as that is what she thought had happened.

After he left Jess and I bought plane tickets to leave because we were so upset. Jess bought a plane ticket to go to San Diego and I bought one to go to Tucson.

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This statement, consisting of this page and 3 other page(s) was typed for me by myself 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: 

Sworn to and subscribed before me this 5 day of August in the year 2008 at

Building 7208 at Miramar, California

Witnessed: 

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