



## UNITED STATES MARINE CORPS

9TH MARINE CORPS DISTRICT

3805 E 155th Street, Bldg 710  
Kansas City, Missouri 64147-1309

IN REPLY REFER TO:

1 Oct 10

From: Major Carlos Rowe, xxx-xx-4333/0402  
To: Commanding General, Western Recruiting Region

Subj: PERSONAL STATEMENT

1. As you are well aware, I stand before you today as a result of a pre-trial agreement reached in a case with multiple allegations. I would like to make very clear upfront, that the decision to accept Commanding General's NJP was an extremely difficult one as I do not want it to be misperceived in any way as an admission of guilt. I accept full responsibility for my actions and perception of impropriety they may have caused and I apologize to you, the Corps and those Marines and civilians I led at 9<sup>th</sup> Marine Corps District.

2. On 7 November 2009, I joined my fellow Marines and members of the Marine Corps family in celebrating the Marine Corps Birthday. During the course of the evening, I consumed alcohol, as is not unusual during this festive event. While some may have been led to believe I was drunk, I assure you that I was not. While I admit that I was under the influence of alcohol, I was no way intoxicated to the point of being disorderly or disrespectful. I emphatically believe my actions the night of the ball, while in uniform and in a public place, do not constitute drunk and disorderly conduct. Raoul's Velvet Room Night Club located in Overland Park (the public place in question) markets itself as a classic cocktail lounge and is one of the nicest bars / clubs in town. Active duty service members are offered free attendance any night of the week. My attendance there was a celebration continuance of the festivities of the Marine Corps Birthday Ball, as well as display to the local community the strong Marine Corps presence. As a result of this being my third tour on Marine Corps recruiting, I was extremely mindful of my actions, not only as a Marine Corps Officer, but also as a potential conduit to the positive recruiting tool that the Marine Corps dress blue uniform represents. Throughout the evening, I engaged individuals present on a variety topics ranging from recruiting to deployments, while also accepting the gratitude of a grateful nation. Many in attendance wanted to thank us, express their gratitude, and engage us in conversation. While some of these exchanges did include alcohol, I was extremely cognizant of my role as senior Marine on deck and my responsibility to ensure all were safe, but also respectful while upholding the positive Marine Corps image. Raoul's recognizes the sacrifices made of service members and continues to offer free entry to all military members. As an establishment serving alcohol, they are also under local and state laws to discontinue service to anyone appearing intoxicated. While different standards exist as to what is acceptable conduct within Marine Corps and civilian establishments, I

did not violate either during my time at Raoul's Velvet Room. Additionally, there have not been any issues associated with any military service members, especially those appearing in uniform. While this event occurred nearly a year ago, the management of Raoul's is adamant that no disorderly conduct occurred on its premises during our visit. However, I did pass out later on in the night on a bed in a hotel room in front of Marines and a female civilian. From this action, the perception exists that my conduct may have deviated from the ideal standard I have set for myself as a commissioned officer. While I recall waking up shortly afterwards, my memory is extremely vague in regards to what occurred while I was asleep.

3. As stated above, I am facing this NJP due to an investigation initiated as a result of a hotline complaint in April 2010. This complaint not only detailed actions that occurred the night of the Marine Corps Birthday Ball, but my actions since joining 9<sup>th</sup> MCD and WRR. The nature of complaint involved excessive travel / tad, along with allegations of sexual misconduct (assault and contact while dancing at a night club), fraternization, and conduct unbecoming. While accepting TOTAL responsibility for my actions, I also want to make it crystal clear that the additional charges are baseless, without merit, and an attempt by some to improperly influence a decision to remove me from duties.

4. My acceptance of Commanding General's Non-Judicial Punishment is not an attempt to mitigate the charges or bypass the justice system. It was in fact a very difficult and heart-wrenching decision to accept the recommended pre-trial agreement, knowing that to do so, I do not get to face my accusers and have my day in court. I do understand that in order to move forward, I must accept responsibility as a person and Marine Officer for my role and the issues behind why I was subjected to a hotline complaint, along with these other charges. I can stand before you and argue the merits of my case. There are those that observed my actions throughout the evening in question and would testify that I was not drunk or disorderly. Others would disagree. I realize that my presence at that point in time, in addition to my outgoing personality, allows for perception to become reality, regardless of my condition. I accept the reality of the situation and thus my attendance in front of you today.

5. However, I would like to take this opportunity to EMPHATICALLY state for the record that the complaint(s) initiating this investigation are completely unfounded and I would like to put your mind at ease in regards to the additional allegations. I am extremely confident had this matter gone to trial, I would have been fully acquitted of all charges. The investigating officer found no instances of fraudulent travel. As my detailed defense counsel and civilian counsel can attest, the credibility of the government witnesses are highly in doubt in regards to the other charges. We (I and my counsel) are highly confident that this matter would probably

have been resolved at the Article 32, but we also understand that this would have been a drawn out case and outcome would have still resulted in a Board of Inquiry. There are always risks associated with going to trial. At this point in my life, while confident in my case, I also realize it is important to preserve what is left of an otherwise successful Marine Corps career. I stand here before you to present my case and accept your judgment of my actions.

6. On 11 July 2010, I was summoned to the Commanding Officer's office and relieved of duties as the Logistics Officer, 9<sup>th</sup> Marine Corps District. It was stated that "some" allegations in the hotline complaint investigation had been "substantiated". At this point, while I was aware of the on-going investigation, I was not given an opportunity to review the evidence against me or the accusers. I was directed to report to the COS of Mobcom for duties until further notice. The Commanding Officer expressed off the record that "he thought I was an asset and that numerous improvements in the performance of both supply and logistics sections were noted. Furthermore, he stated that I brought leadership to the sections (supply and logistics), but felt my problems were alcohol driven". Moving forward I decided to seek an independent assessment from an on base Substance Abuse counselor (SACO) and it was determined I did not have a problem with alcohol. However, I have chosen to continually seek self improvement within my personal and professional life by seeking counseling / support groups within the local community. At this point, my search is on-going.

7. In response to the investigation, I was not only shocked at the charges, but also completely surprised at the recommended disposition of the case. I was finally given notice of the government case on 20 August 2010 in the form of an email from my detailed defense counsel. The following week, I was given a copy of the government case along with the charges from my detailed defense counsel on 26 August 2010. Violation of Article 120 is an extremely SERIOUS charge and one I do not take lightly. While I'm extremely confident that my defense would have prevailed in this case, I also have to live with the fact that some perception of wrongdoing will always exist, no matter the outcome. I have always remained faithful to myself and the United States Marine Corps. The military justice system has a reputation of being guilty until proven innocent. I want to believe that before a neutral and unbiased panel, my case would prevail and the truth revealed. However, I also realize that the burden of proof is very low for conduct unbecoming and that some may judge that my conduct did not meet the burden of proof for a Marine Corps field grade officer. As to the additional charge of fraternization, the elements required to support the charge are not even present. No evidence exists to support that prejudice to good order and discipline has taken place; that discredit has been brought to the service; or a case of military equality exists along with undue favoritism. While I maintain my innocence of this charge, I also bring light to the fact that NUMEROUS close knit activities take place within 9<sup>th</sup> MCD and with command approval as denoted by the use of USMC / NMCI email to

distribute these events. Other charges against me were also dismissed when it was determined that the issue was command-wide and command endorsed.

8. In closing, I accept CG level NJP because I fully accept the consequences of my actions if they are judged to be wrong by you. I also want to accept responsibility for being placed in this position of facing NJP again. While I am extremely disappointed in the rapid jump to conclusion of guilty in this case, I also understand that the leadership has the responsibility to investigate and uphold the UCMJ if alleged violations are found to have occurred. I have always maintained my innocence, a positive disposition, and strong belief that justice would prevail in this case. While I do regret not being able to close out my Marine Corps career within 9<sup>th</sup> MCD and WRR, I also look forward to future challenges, whether in uniform or out. Looking back, I now realize that my aggressive attitude and forceful personality were a motivating factor in alienating some staff sections and individuals who contributed to the anonymous allegations made via the hotline complaint and perhaps also contributed to my removal from duties within 9<sup>th</sup> MCD. It was always my intent to demonstrate to the command that my last tour in the Marine Corps would find me fully engaged and willing to support the command to the utmost of my abilities. While it was noted that numerous improvements in the performance of both logistics and supply sections were observed, change is hard to come by for most. Again, I accept full responsibility for my actions and offer myself up to you for disposition and judgment of those actions.

Respectfully submitted,

A handwritten signature in cursive script that reads "C. O. Rowe".

C. O. ROWE