



UNITED STATES MARINE CORPS  
HEADQUARTERS BATTALION  
MARINE AIR GROUND TASK FORCE TRAINING COMMAND  
MARINE CORPS AIR GROUND COMBAT CENTER  
BOX 788200  
TWENTYNINE PALMS, CALIFORNIA 92278-8200

5800  
HQBN  
23 Apr 09

From: Forwarding Officer  
To: Major C. Blair

Subject: PRELIMINARY INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT AT THE PROVOST MARSHAL'S OFFICE

Ref: JAG Manual.

1. This appoints you, per chapter II of the reference, as the investigating officer to inquire into the facts and circumstances surrounding allegations of misconduct at the Provost Marshal's Office.

2. Your primary purpose in conducting this preliminary inquiry is to make a determination regarding the validity of the allegations made by Mr. Jeremy Jolley. Report your opinion as to whether or not further investigation is warranted in this case by 1600 28 April 2009.

3. Limit your preliminary inquiry to an interview of Mr. Jolley and an interview of Officer Mills (currently employed as a federal law enforcement officer at the Provost Marshal's Office).

4. Make a determination as to the credibility and validity of the following allegations:

- A. PMO Marines making false official statement on official reports.
- B. PMO Marines threatening other Marines with retaliation if they do not comply with unlawful orders regarding the making of false official statements.
- C. Cruelty and mistreatment.
- D. Unlawful detention.
- E. Drunk on duty.
- F. Perjury.

ENCLOSURE (1)

- D. Adultery.
  - E. False Swearing.
  - F. Fraternization.
  - G. Gambling with Subordinates.
  - H. Instructing Justice.
  - I. Marines submitting false training reports.
  - M. Retaliation against civilian employees for union issues.
5. Make a brief determination as to the validity of the allegation of unfair hiring practices.
6. Provide a brief assessment on the validity of the allegations regarding a hostile working environment for civilian employees.



B. D. MCGOWAN

ENCLOSURE ( 1 )



**UNITED STATES MARINE CORPS**  
HEADQUARTERS BATTALION  
MARINE AIR GROUND TASK FORCE TRAINING COMMAND  
MARINE CORPS AIR GROUND COMBAT CENTER  
BOX 788200  
TWENTYNINE PALMS, CALIFORNIA 92278-8200

5800  
HQBN  
30 Apr 09

From: Commanding Officer  
To: Commanding General, Marine Corps Air Ground Combat Center  
Subj: PRELIMINARY INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT  
AT THE PROVOST MARSHAL'S OFFICE

1. Forwarded. I believe that further investigation is warranted. Respectfully request that this preliminary inquiry be forwarded to the Command Inspector for additional action.

A handwritten signature in black ink, appearing to read "B. D. McGowan".

B. D. MCGOWAN

ENCLOSURE ( 2 )



UNITED STATES MARINE CORPS  
MARINE AIR GROUND TASK FORCE TRAINING COMMAND  
OFFICE OF THE STAFF JUDGE ADVOCATE  
MARINE CORPS AIR GROUND COMBAT CENTER  
BOX 788100  
TWENTYNINE PALMS, CALIFORNIA 92278-8100

5830  
SJA/cb  
29 Apr 89

From: Major C. Blair  
To: Commanding Officer, Headquarters Battalion

Re: PRELIMINARY INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT  
AT THE PROVOST MARSHAL'S OFFICE

Ref: (a) JAG Instruction 5800.7E (JAGMAN)

- Encl: (1) Preliminary Inquiry appointing letter  
(2) Statement of Officer Jolly  
(3) Incident Report from Officer Jolly  
(4) Statement of Officer Mills  
(5) Email pertaining to BUIs in PMO  
(6) Time card of Officer Mills with comp time rules  
(7) Email soliciting golf

Preliminary Statement

1. This reports completion of the preliminary inquiry in accordance with reference (a) and pursuant to Enclosure (1) into the circumstances surrounding the allegations of misconduct at the Provost Marshal's Office (PMO). As per Encl. (1), this investigation was limited to contacting only two civilian officers working for PMO. There were no difficulties encountered and no one refused to make a statement.

2. Most of the allegations outlined in the below findings of fact are based on hearsay, rumors or are first hand but have no corroboration; however, all should be further investigated and most can be corroborated with additional interviews.

Findings of Fact

PMO Marines making false official statements on official reports; Perjury; False Swearing; Obstructing Justice;

1. Staff Sergeant brookins at PMO instructed Officer Jolly to make changes in his incident reports that on 2/1/89 stated

reflect what happened on a call; even though the SSgt was not present at the call. [Encls (2)-(4)]

2. The changes SSgt usually asks Jolly to make in his reports tend to be legally significant changes that line up times and dates or make the accused appear guiltier. [Encls (2) and (4)].

3. Enclosure (3) is an original incident report filed by Jolly that SSgt Brookins wanted changed. Officer Jolly did not change the report, but believes SSgt Brookins changed it himself after it was filed because the final report he saw differed from the one he submitted. [Encls (2) and (3)]

4. Staff Sergeant Brookins has told other Marines and civilians to change their reports. On one occasion, Cpl Mariner refused to change her report and the whole section was punished and made to stay on duty until she changed the report. [Encl (2)]

5. When Cpl Mariner still refused to change the report, Jolly believes someone else's name was put on the report and changed before relieving the section. [Encl (2)]

6. Cpl Watkins told Jolly about responding to the scrapper shooting incident and how he believed a crime may have been covered up. Cpl Watkins said he reported to the scene and interviewed the suspect who admitted to shooting 12-13 rounds and hitting the passenger. Cpl Watkins also said CID told him to forget the statement and took the Marine out of his custody. [Encl (2)]

7. Jolly heard through the rumor mill the new story was the helicopter landed and when the Marine attempted to make contact with the vehicle, the driver came at him so he was justified in shooting at the vehicle (warning shots or self defense). [Encl (2)]

8. Staff Sergeant Brookins teaches the MPs to write in their reports that a search and seizure was consensual, even if it wasn't. [Encl (4)]

9. Many of the Marines in PMO search anywhere and everywhere without the proper authority or probable cause because they are either not properly trained or told to do so by SSgt Brookins and SSgt Baker. [Encls (2) and (4)]

Truety and Maltreatment:

10. MGySgt Humbertson, SSgt Brookins, SSgt Baker, and SSgt Fuentes belittle, and are rude to, civilian employees and Marines. [Encl (2)]

11. Most Marines are scared of the SNCOs and will not report maltreatment or PMO issues to others out of fear of retaliation. [Encls (2) and (4)]

12. Staff Sergeant Brookins belittles and berates Jolly. He has also snapped his fingers at him to order him to do things. [Encls (2) and (4)]

13. The Staff NCOs have a habit of instituting unlawful EPD/EMI to deal with Marines who make mistakes. This punishment usually includes clean up duty, gate duty or even picking up after the MGySgt's dog. [Encls (2) and (4)]

14. When Cpl George wrecked a vehicle while driving code to a call in November, he was sent to work in vehicle registration until his EAS and MGySgt Humbertson sent a berating email out to everyone in PMO with a video clip of the accident comparing Cpl George to a murderer and a rapist. [Encls (2) and (4)]

15. Someone also posted the video clip on YouTube under MP in the barracks. [Encls (2) and (4)]

16. After the accident, all MPs and most civilian officers were punished by having their vehicles taken away. The officers were on walking patrol and even had to walk to all of their posts. [Encl (4)]

17. SSgt Baker tells Marines, "don't pull a George" in reference to his accident. [Encl (4)]

18. On 30 September 2008, SSgt Baker held a meeting pertaining to the new schedule going from 4 to 6 sections, which included all the watch commanders, patrol supervisors and desk sergeants (essentially all Cpls and above). During this meeting, SSgt Baker told his audience, "I'll be honest with you, I can't stand Mills" and that he hoped his new officers would not be like officer Mills. Mills heard about this from Sgt Campbell. [Encl (4)]

19. Sggt Baker's comments about Mills humiliated her and she wondered if his opinion would affect the way others viewed or

the bowling stadium sometime in January 2009. [Encl (2)]

28. Lt Daly knew Jolly saw him and called him into his office yelling at him to mind his own business; Jolly was fired shortly after this incident. [Encl (2)]

29. Jolly knows the name of the Marine and his wife but declined to get them involved in the investigation at this time because they are trying to work their marital problems out and he doesn't believe Lt Daly is seeing her anymore. [Encl (2)]

30. MGySgt Humbertson is openly having a relationship with the civilian supervisor of vehicle registration, Chastity, who is married to another Marine ME. [Encs (2) and (4)]

31. Sgt Elstad was sleeping with Cpl Buxton's wife (and others). When the staff found out, they switched sections to keep the two Marines apart. [Encl (2)]

#### Fraternization:

32. Every Tuesday night Major Scarselli (and possibly MGySgt Humbertson and SSgt Brookins) has mandatory "family night" where he requires the Marines (including Staff NCOs and junior Marines) congregate in the back of PMO and play beer pong together. [Encs (2) and (4)]

33. Major Scarselli provides most of the alcohol for beer night, but SSgt Baker brings his Jack Daniels and sometimes confiscated alcohol is provided by MPs. [Encs (2) and (4)]

34. Mills's watch commander, Cpl Mariner, told her SSgt Brookins wanted the confiscated alcohol brought to the PMO "family night" for consumption. [Encl (4)]

35. Underage Marines drink at family night and are encouraged by Maj Scarselli to do so. [Encs (2) and (4)]

36. Jolly heard from Cpl Watkins that SSgt Brookins allegedly sent a text message to a new LCpl or Cpl (female) saying, "why don't you wash your cunt and come over" (or words to that effect). [Encl (2)]

#### Gambling with subordinates:

37. Major Scarselli often finishes "family night" with playing poker for money. He plays mostly with Staff NCOs and civilians

out unit Marines may be playing as well. [Encs (2) and (3)]

38. One of these nights when Maj Scarselli was playing poker to raise money for the birthday ball, Jolly found a civilian wandering around PMO and he escorted them back to the poker game. [Encl (2)]

Marines submitting false training rosters:

39. PMO ran a PFT in December 2008 where the highest ranking person was a sergeant resulting in rumors that Major Scarselli received a score, even though he was on leave. [Encl (2)]

40. Ken Charles of SRT still has the roster because he thought the issue might be investigated and he is suspicious of the "phony business" going on at PMO. [Encl (2)]

41. Lt Daly is overweight and not within standards but has not been counseled. [Encl (4)]

42. Brookins and Baker are overweight and likely out of Marine Corps Standards; however, Brookins measured Baker and Baker measured Brookins for the weigh in and the results are not likely accurate. [Encl (4)]

43. Mills, who was formerly certified on radar when she was active duty, studied for and passed another radar certification test. When Cpl Dixon asked to take the radar test, he was given Mills's answers to study and take the test from. Cpl Dixon has never previously used radar or been certified. [Encl (4)]

Retaliation against civilian employees/Hostile work environment:

44. Officers Jolly and Mills usually work the road units due to their prior MP experience and knowledge of procedures. [Encs (2) and (4)]

45. Being put on the gate to work for an extended period of time is normally reserved for jr. officers or viewed as a punishment. [Encs (2) and (4)]

46. Mills was put on the gate for months as punishment for going to the union over a disagreement over procedure on handling a supposed "crazy" person on base. [Encs (2) and (4)]

47. Jolly was put on the gate for 3-4 days as punishment for voicing his opinion to SSgt Brookins about FABS driving without a license. [Encl (2)]



48. Officer Van was on the gate 30 days and in housing 30 days because he was being punished for going to the Union. [Encl (2)]

49. SSgt Brookins swore at Mills saying, "you fucking civilians always do what you want" and various other swear words and phrases that offended her. [Encl (4)]

#### Unfair Hiring Practices:

50. No one at PMO knows or follows the federal labor laws. SSgt Baker said he didn't care about them, even though that is what governs the civilian employees. [Encl (2)]

51. Military members must wait 180 days before applying for a SNCO position under the federal regs yet many of the current SNCOs attended the academy while on terminal leave, came back, retired, then started immediately. Examples include Lt Colner (formerly MGysgt Gomez) and Capt Pryor (formerly MSgt Pryor). [Encls (2) and (4)]

52. Civilian positions in PMO are held for active duty Marines who are retiring. SNCO's are guaranteed positions before they even get out of the Marine Corps. Jolly overheard Brookins say he is guaranteed a watch commander position. [Encls (2) and (4)]

53. The staff, specifically the SNCOs and Maj Scarselli are right and since Lt Daly worked on base as an active duty accident investigator (SSgt) he had an "in" to get his job even though he didn't qualify for the civilian equivalent position. [Encls (2) and (4)]

54. The head instructor for RSSI told Jolly he was in the room when Maj Scarselli called HQMC to change the job description for Lt Daly's position so he would qualify. Gary Weston (a SNCO), MGysgt Humcriston and Lt Daly were also in the room during this call. [Encl (2)]

55. The staff only picks and promotes who they like (who are part of their drinking club) and not who are most qualified. [Encls (2) and (4)]

56. Mills believes HRC is in "coahoots" with PMO and the hiring process. Mills was a former SSgt with 14 year's experience applying for a 5-6-7 position and she was only given level 6 because she wasn't part of the "club" [Encl (4)]

57. Mills was told civilians had to be on the job for 52 weeks

prior to getting promoted; yet Cpl Dixon was hired in October and has already been promoted to Cpl. [Encl (4)]

58. Officer Lopez is Maj Scarselli and the Staff NCOs "golden boy." Even though he was a prior TSA employee without any MP experience, he was hired in his current position and even promoted because he is part of their "club." [Encl (4)]

59. Mills is suspicious about Chastity's hiring as the vehicle registration supervisor (GS-9) because MGySgt Humbertson was working at PMO when she was hired and they are having a relationship. [Encl (4)]

Misc complaints:

60. Few of the MPs are trained properly and there exists no PTO to review or learn from. The MPs often violate suspect's constitutional rights during interrogations, search, seizure and detention. [Encls (2) and (4)]

61. Under the regulations, when civilians perform overtime, the employee has the option to take compensatory time off instead of overtime. [Encls (4) and (6)]

62. On Mills's time sheet ending on 4/11/09 she elected to take five hours of overtime for her testimony in court. [Encls (4) and (6)]

63. After she turned in her time sheet, Lt Daly used white out to change the O/U code meaning overtime to CE meaning compensatory time without Mills' permission or knowledge. He forgot to change the code in the remarks section of her time sheet, which still shows her election for overtime (O/U). [Encls (4) and (6)]

64. When an employee elects compensatory time instead of overtime, an additional form (NAVCOMFT Form 2282) must be filled out and signed by the employee and their supervisor. [Encls (4) and (6)]

65. Lt Daly filled out the 2282 form for Mills, signed it and turned it in with the altered time sheet without Mills's signature, knowledge or permission. [Encls (4) and (6)]

66. MGySgt Humbertson got free golf from Desert Falls Country Club and while he sent the email out as a "first come, first

serve" freebie, all his "club" filled the slots. [Encls (4) and (7)]

67. Discipline in PMO is unfair and dependent on whether you are in the "club" or not. Officer Lopez, the "golden boy" pulled over a garbage truck on Hwy 62 in violation of regulation and laws but did not get disciplined and instead was promoted. [Encls (2) and (4)]

68. Maj Scarselli, MGySgt Humbertson and SSgt Baker never wear a uniform at work but instead wear jeans and shorts most of the time. [Encl (2)]

69. Friday afternoons are spent by the SNTs and Maj Scarselli drinking and playing golf together. [Encl (2)]

70. Jolly reported all of this to the IG, specifically he was assigned by the civilian to speak with MSGT Jace. While he complained anonymously for fear of retaliation, he left his cell number but was never contacted from the IGs office. He also left a complaint in writing. [Encl (2)]

71. Major Scarselli may not know about everything his Staff is doing because he lets them run the show. [Encls (2) and (4)]

72. Morale is at an alltime low at PMO for both civilians and Marines. Everyone is afraid to come forward due to retaliation. [Encls (2) and (4)]

#### Opinions

1. Most of Officers Jolly and Mills's statements either corroborate each other or can be corroborated through further investigation.

2. Both officers are extremely credible and forthright; the only question about either of their statements relates to the extent of rumors, hearsay and embellishment or perspective.

3. Misconduct and disrespect are problems throughout PMO contributing to overall low morale with civilians and Marines alike.

4. PMO civilians and Marines are not being properly trained which has the likelihood of negatively impacting future or even past court cases and must be corrected immediately.

Recommendations

1. That a more in-depth Command Investigation or Inspector General Investigation be completed to substantiate any allegations addressed in this investigation or uncovered at a later date.

2. At a minimum, the following people should be interviewed for the follow-on investigation:

First: Mr. Marshall Palmer, LCpl Beebe, Cpl Watkins, LCpl Furlong, Cpl Buxton, Colleen Eldridge, LCpl Kaiser, LCP Richards, Cpl Kitter, Officer Chuck Burkie, LCpl Thompson, Cpl Mariner, Cpl George (now civilian), Officer Van, Officer Ben Charles (SST), Officer Destefano.

Next: Some may need Art 31c rights read first: Lt Dale, CSM Green, SGT Brooks, MGySgt Humbertson, MEd Counselor, MGySgt Rory Weston, Sgt Elstad, Cpl Dixon, MGySgt, Lt Gomez, Capt Pryor, GySgt Buchanan, MGySgt, SGT Montez, Sgt Callicut, SSgt Montez.

*Candee Blair*  
C. BLAIR