



## UNITED STATES MARINE CORPS

MILITARY POLICE COMPANY "A"  
HEADQUARTERS AND SERVICES BATTALION  
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IN REPLY REFER TO:  
1100  
29NOV10

From: Captain Thomas J. Beck, Inspector-Instructor  
To: Commanding General, MCAGCC 29 Palms, CA 92277

SUBJ: LETTER IN THE CASE OF MAJOR SCARSELLI NON-JUDICIAL PUNISHMENT

1. From October 2006 until September 2007 and again from September 2008 until June 2009 I worked at the Provost Marshal's office. The majority of this time I was working directly under Major Scarselli as his Deputy Provost Marshal. During this time I directly observed him nearly every day and how he interacted with and led the Marines of the Provost Marshal's Office.

In April 2009 we were informed that the Inspector General, Mr. Gill, would be conducting an investigation into all of PMO. It was at this time that Major Scarselli held a meeting informing the staff to cooperate fully with the investigator and make sure the Marines were instructed to do the same. We complied fully and the investigation continued. During the investigation I was never called in for questioning or asked to provide a statement for the IG. The first statement I provided was to Major Scarselli's defense counsel in late November 2009. In it I outlined what I knew in relation to the charges against him.

I do not believe that the investigation into the Provost Marshal's Office was conducted in a fair and impartial manner. This was later validated when Mr. Gardner, a former employee in the IG, outlined the extreme prejudice and partiality of Mr. Gill against Maj Scarselli and all of PMO, in an unsolicited letter he wrote to the Courts Martial. Mr. Gill made it his personal crusade to take down the Major and as many in PMO as possible. While I did not always agree with Major Scarselli's decisions, I never witnessed him do anything that was immoral, unethical or that degraded the good order and discipline of the unit. I truly believe the IG used this opportunity to do anything he could to put another 'feather in his cap' and that there is not any unit in the Marine Corps that could be held under the same scrutiny and to the same standard and come out unscathed.

2. The following is the direct knowledge I have in reference to the charges he is currently facing. This is what I would have testified to at the General Court Martial:

a. Article 90:

To my knowledge Major Scarselli never attempted to disrupt or obstruct the investigation into PMO. Having worked with him I could only assume that if he asked GySgt Buchanan "How it went" and "Are you OK" it was out of genuine concern for state of mind and morale of that Marine not as an attempt to debrief him on the specifics of the ongoing investigation. I was working across the hall from Maj Scarselli for several weeks while the investigation was ongoing and roughly 6 Marines per day were being interviewed by Mr. Gill and his staff. I never heard any inappropriate conversations with GySgt Buchanan or any other Marine that had been interviewed. I did see Maj Scarselli brief SNCO's multiple times to ensure they properly planned for and supervised Marines scheduled to report to IG's Office. Furthermore, when the investigation began he held a staff meeting and specifically directed

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all of the SNCO's and Officers cooperate with the investigation and ensure that the Marines under their charge did the same.

b. Article 92: Specification 1:

When allegations and rumors of adultery surfaced in PMO, Major Scarselli would typically charge the Provost Sergeant with conducting an informal investigation to look into the allegations. The MGySgt would interview the Marines involved and occasionally, if they would come in the wife involved as well. When Sgt Ellestad was accused of adultery with Cpl Buxton's wife this is exactly what happened. After interviewing all of the parties involved no one admitted or eluded to any inappropriate behavior and Major Scarselli, MGysgt Humbertson and I didn't feel there was enough evidence to proceed with an investigation. When SSgt Fulton (CLB-7) accused Lt Daly (civilian at PMO) of having an adulterous relationship with his wife MGySgt Humbertson, questioned Lt Daly. Lt Daly denied the relationship. The MGySgt repeatedly asked SSgt Fulton to present the evidence he claimed he had and then we would look into it further. In addition to that we contacted the Human Resources office to see if there was any action we could take. They informed us that we could tell him if he was seeing her to stop but, without proof they were having a relationship there wasn't anything we could do. After MGySgt Humbertson's informal investigations typically, we (the leadership at PMO) would meet with the head of the Criminal Investigations Division (CWO2 Getz or GySgt Brown). We would get CID's opinion on the investigation and if they believed there was anything else that could be done. The answer was almost always no. It is my opinion we gave every allegation its due diligence and if we were presented with evidence it was handled properly. For instance, SSgt Barnes was NJP'd for adultery in 2007. We had hard evidence and when confronted with that he admitted it, he got restriction and lost pay as a result.

c. Article 92: Specification 2:

When the rifle qualifications became mandatory for the Marines of PMO, Major Scarselli specifically directed that the training section develop a plan to ensure all the Marines received an opportunity to qualify. Since we did not have sufficient quotas from the Bn they developed a plan to send the Marines to Barstow and conduct a range for all the Marines that still required it. To my knowledge, this met the requirement. I heard of no complaints or issues with the range. If someone was given a score that did not shoot I have to assume it was an administrative error. None of these issues were brought up the chain of command.

d. Article 92: Specification 3:

I have never seen Maj Scarselli tolerate anything that could be perceived as hazing. I was aware that when Marines had lapses in judgment their SNCO's would often take them off of their normal duties, standing an armed post, and have them conduct duties with less responsibility. These Marines usually worked regular hours for the operations or training sections and did office chores such as; taking out the trash, police call, filing reports, sweeping and mopping. Additionally, he always ensured, during promotions, that no Marines put chevrons on without the backings, so they couldn't get 'snakebites' from them. He also gave me a verbal counseling for not ensuring I did the same during a promotion ceremony I conducted, when a 1stSgt promoting one of our FAP Marines didn't put the backings on before slapping his collar. On another occasion, the Major, the MGySgt and I were going to the chow hall and saw a Marine standing at parade rest in the sun outside a company office near the chow hall. We came out and saw the Marine standing in the same place Maj Scarselli went to him and then to the Marine's 1stSgt to get him out of the hot summer sun. The

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Marine was UA for an extended period of time and was told to stand there by his 1stSgt. He proceeded to tell the 1sSgt he can't do this kind of action because it is hazing.

e. Article 92: Specification 4:

Major Scarselli never allowed Marines under the age of 21 to drink at PMO events. If they obtained alcohol at any of the Provost Marshal's events it was done outside of his or my knowledge and specifically against his direction. He had one time requested an underage drinking waiver from the CG for a Mess Night we held in spring of 2009. It was denied and complied with.

f. Article 134:

When I learned that Major Scarselli and MGySgt Humbertson had moved in together, I expressed my concern to Maj Scarselli. After an honest and frank conversation with him I understood that he did not believe that it would have an adverse affect on the good order and discipline of the unit. After about a month of working alongside both of them, it became very clear to me that was the case. The two of them always maintained a clear professional working relationship and neither party breached that. It wasn't common knowledge and it is my opinion that it did not affect the morale of the unit or its good order and discipline.

3. Major Scarselli is not the perfect officer; however he is one of the best that I have observed in my short career. He has an amazing ability to juggle multiple difficult and complex tasks at once, mostly through his ability to supervise and direct his subordinates. I haven't seen him miss a deadline or fall short on a mission. He constantly instructs his junior officers and staff NCO's ensuring they are always learning and becoming complete Marines. Major Scarselli enforces and promotes the costumes and courtesies of the Marine Corps more than any other officer I have ever met. He shows a genuine concern for his Marines and improves their morale through his charismatic compassion, all the while holding them accountable for their actions and to the standards directed. Despite the current charges against him I would gladly serve with him in the future. The Marine Corps is a far better place with him in our ranks than we would be without him.

4. Point of Contact in this matter is Capt Beck, I can be reached at (859)494-8821 or Thomas.j.beck@usmc.mil.

  
T. J. BECK