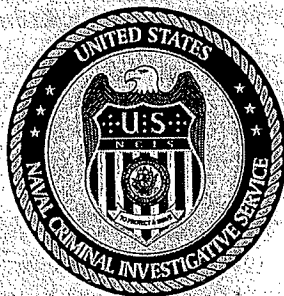


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From: NAVAL CRIMINAL INVESTIGATIVE SERVICE - FIELD OFFICE, WASHINGTON, DC

To: OFFICE OF THE STAFF JUDGE ADVOCATE/ATTN: COL. CHRIS MINER

Subj: S/ROWE, JAMES MATTHEW/CAPT USMC

CCN: 25JAN11-DCWA-0055-8FMA

Encl: REPORT OF INVESTIGATION (INTERIM) 28 MAR 11

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REPORT OF INVESTIGATION (INTERIM)

28MAR11

RAPE (II)

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US
V/KLAY, ARIANA BEVIN/1ST LT USMC
F/W/MO02/S/532-94-8850/07JAN81/SEATTLE, WASHINGTON
DUSTA: MARINE BARRACKS WASHINGTON DC
N/DOWNS, ARIANA BEVIN/1ST LT USMC
F/W/MO02/S/532-94-8850/07JAN81/SEATTLE, WASHINGTON

COMMAND/MARINE BARRACKS WASHINGTON DC/54900

MADE AT/DCWA/WASHINGTON DC/JANISE A. BUCKMON, SPECIAL AGENT

REFERENCE

(A) NCISFO Washington DC Case File:V/KLAY, Ariana Bevin/1ST LT USMC
CCN: 20Sep10-DCWA-0342-8FMA

EXHIBITS

- (1) Statement of V/KLAY/25Jan11...(Copy All)
- (2) IA: Review of OMPF Files/02Feb11...(Copy All)
- (3) IA: Results of Database Checks/11Feb11...(Copy All)
- (4) IA: Results of Interview with S/ROWE/17Feb11...(Copy All)
- (5) IA: Results of Consensual Telephonic Conversation/15Feb11
- (6) IA: Results of Interview with Ms. Maigen ROWE/17Feb11...(Copy All)
- (7) IA: Results of Interrogation of Capt Jeremy S. SCHMIDT/24Feb11
....(Copy All)
- (8) Statement of Cpl Garrett QUINN, USMC/09Mar11...(Copy All)
- (9) Statement of GySgt Richard DEBOY, USMC/16Mar11...(Copy All)

EXECUTIVE SUMMARY

1. This reactive investigation was initiated after V/KLAY reported she had been sexually assaulted at her off base residence on 28Aug10 by S/ROWE and his friend Jeremy, NFI. On 25Jan11, V/KLAY was interviewed and provided a sworn statement. A consensual telephonic conversation between V/KLAY and S/ROWE was recorded and transcribed. S/ROWE acknowledged that there was sexual contact with him, Jeremy and V/KLAY on 28Aug10. On 17Feb11, S/ROWE was interviewed and invoked his right to counsel. Cpl Garrett QUINN, USMC reported V/KLAY was intoxicated on 27Aug10 and got sick several times, while he helped her home. Cpl QUINN saw S/ROWE and Jeremy at V/KLAY's home in the early hours of 28Aug10, however he did not witness any sexual assaults. Capt Jeremy SCHMIDT, USMC was interviewed as a possible suspect, however he was out of the country during the timeframe. GySgt Richard DEBOY, USMC was interviewed and reported S/ROWE called him during the early hours of 28Aug10, to report Cpl QUINN was at V/KLAY's residence. Col Christopher MINER, USMC, Staff Judge Advocate (SJA), Combat Development Command and Col Anthony JOHNSON, USMC, Commanding Officer, Marine Corps Artillery Detachment were briefed on

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CONTROL: 25JAN11-DCWA-0055-8FMA

28Mar11

captioned investigation. Investigation pending additional interviews.

NARRATIVE

1. This reactive investigation was initiated concerning a suspected violation of Uniform Code of Military Justice (UCMJ) Article 120 (Rape, Sexual Assault, and other sexual misconduct).

2. As background, Reference (A) documented V/KLAY's initial interview on 20Sep10, and further documented information regarding a separate sexual assault that V/KLAY reported; which occurred at a different time, place and involved different suspects. Subsequent to Reference (A), V/KLAY reported details of an alleged second sexual assault which she refused to provide details during her initial interview. This investigation was initiated to document all future activity pertaining to the alleged second sexual assault. On 25Jan11, V/KLAY provided a sworn statement with the details of the alleged second sexual assault, Exhibit (1) pertains.

3. On 02Feb11, RA reviewed OMPF files from Quantico Personnel Detachment regarding S/ROWE. S/ROWE is an Active duty, USMC Captain, assigned to the Marine Artillery Detachment, located at Fort Sill, Oklahoma, Exhibit (2) pertains.

4. V/KLAY provided information that S/ROWE and Jeremy (NFI) may have attended The Basic School (TBS) together. A review of the TBS "Cruise Book" revealed Jeremy S. SCHMIDT, was in the USMC and assigned to an IMA Detachment. On 11Feb11 a review of database checks for SCHMIDT produced negative results for criminal history, Exhibit (3) pertains.

5. On 17Feb11, S/ROWE was provided his Military Suspect Waiver of Rights, and declined to speak with NCIS until he was able to seek USMC legal counsel/representation, Exhibit (4) pertains. S/ROWE was fingerprinted, photographed and released to Col Anthony JOHNSON, Commanding Officer, Marine Corps Artillery School, USMC.

6. On 15Feb11, a consensual telephonic conversation between V/KLAY and S/ROWE was transcribed and reviewed. S/ROWE apologized several times and acknowledged having sexual contact with V/KLAY on 28Aug10 Exhibit(5) pertains.

7. On 17Feb11, Ms. Maigen ROWE (M. ROWE), wife of S/ROWE was interviewed concerning her knowledge of events that occurred on 27Aug10 and 28Aug10. M. ROWE provided details of the evening after the USMC Parade, on 27Aug10 and the morning of 28Aug10, Exhibit (6) pertains. M. ROWE further provided details "Jeremy", as Jeremy OWENS, a former USMC member, and friend of S/ROWE.

8. On 17Feb11, Capt Jeremy S. SCHMIDT was identified and interrogated concerning his knowledge of the sexual assault of V/KLAY on 28Aug10. Capt SCHMIDT provided a passport and advised he was out of the country during the timeframe of the alleged assault, Exhibit(7) pertains.

9. On 09Mar11, Cpl Garrett QUINN, USMC was interviewed and reported

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CONTROL: 25JAN11-DCWA-0055-8FMA

28Mar11

he helped V/KLAY to her residence because she was intoxicated and needed additional support to walk. QUINN advised V/KLAY vomited several times within a short period of time, which concerned him. QUINN recalled falling asleep at V/KLAY's home and waking up to S/ROWE screaming while walking through V/KLAY's home, Exhibit (8) pertains.

10. On 16Mar11, GySgt Richard DEBOY, USMC, was interviewed and reported S/ROWE contacted him in the early hours on 28Aug10, from V/KLAY's home, to report Cpl QUINN was also at V/KLAY's residence. DEBOY reported he spoke with Cpl QUINN but did not want to know the specifics of why he was at a USMC officer's home, Exhibit (9) pertains.

11. On 28Mar11, S/ROWE advised he was able to have legal counsel; however, he did not want to participate in the investigation and would make all statements in a judicial setting.

12. On 20Mar11, Col MINER and Col JOHNSON were briefed on captioned investigation. Investigation pending additional interviews.

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0200004

STATEMENT

Place : NCISFO Washington DC

Date : February 1, 2011

I, Ariana B KLAY, 1st Lt USMC, make the following free and voluntary statement to Janise BUCKMON, Special Agent 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 a sexual assault on 28Aug2010.

Starting in Jan of 2010 I became friends with Capt Rowe. He was mean to me but also seemed to want to help me. He told me he hated female Marines, but also told me he noticed I had low confidence at the drill competition and told me that I shouldn't. He gave me advice about how to improve my marriage and quit drinking and also advised me not to hang out with my boss Suzanne because she was a bad influence and not respected because of her sexual philandering. I hung out with him one on one on several occasions and with groups at our weekly mandatory drinking events. He did not like to talk to me in public because he was very preoccupied with maintaining his image at the barracks and told me that he would never be seen talking to woman Marines. I thought this was weird, but was flattered that a well respected officer in the unit wanted to help me, even if I also kind of didn't like him. I was a junior officer there and he would report to me who would say bad things about me and who to trust and not to trust. His advice seemed accurate and helpful for the most part.

He seemed street smart to me and everyone seemed to respect him. He did tell me that his Marines and many of the Marines talked about me in a negative sexual way. This was upsetting to me and he told me he could tell I cared a lot about what others thought.

Capt Rowe had told me about his struggles with alcohol in the past, including a DUI when he was enlisted and a lifetime of struggle with it. He had gone to many AA meetings and told me it was very hard to quit drinking at 8th and I. He said he did not have or know his father and would sometimes cry about it when he was drunk. I felt bad for him, but he would also say mean things to me when he was drunk. I confided with him that I was very depressed at 8th and I, struggling with alcohol, having marital problems because of conflicts with Suzanne and alcohol and my depression, and had body image issues. He seemed to know what my problems were without me having told him, so I further confided with him things I had not told anyone before that I was struggling with.

I told him that I had been sexually abused by a teacher when I was in gradeschool for approximately two years and that I had no sex drive and an eating disorder throughout high school. I was my high

Continuation of voluntary sworn statement of
Ariana B KLAY, 1st Lt USMC
on February 1, 2011

school valedictorian, national merit scholar, and highly recruited Division 1 athlete, but had very few friends because I felt damaged and wanted to make up for the shame from gradeschool. I was not attracted to guys and wore baggy clothes to hide my body.

In college my eating disorder got worse and I broke my foot. I was very religious, but started drinking around the age of 20. I lost my virginity to my first boyfriend and him and his friend "switched having sex" with us when we were drunk and I never talked to him or my friend again. I hated sex and could not do anything sexual without drinking. I knew this was not normal but was too ashamed to do anything about it.

At the Naval Academy another event occurred that exacerbated my sexual issues. I was raped by another Midshipman in 2004 that I had never met. A cop drove by and it was reported. Although it went to an article 32 no determination could be found. The lawyer I had consulted with was the perpetrator's defense lawyer and I had told him I did not want any public humiliation. He initiated a lawsuit against me for "emotional shock and trauma" for fighting the rapist. I was never served the lawsuit but it made National News. I almost failed out of my classes that semester after having previously been on the Dean's list several times and became very depressed and started binge drinking. I met my husband shortly after my Naval Academy graduation. I drank very little and knew he was a great influence and helped me a great deal. After my deployment to Iraq, we had our family wedding and I PCS'd to 8th and I. My issues about my body and sex began to have a strain on our marriage. My boss Suzanne encouraged me to drink with her constantly, and became angry if I did not go out drinking with her. I did everything I could to try to leave Suzanne and the Command. I felt like there was too much attention on me and it felt humiliating. I hated sexual attention of any kind. Capt Rowe knew these things and confided to me that he could not have sex because of his problem with drinking and his childhood, where he observed really sick things happen.

He seemed to understand me in many regards and I trusted him. He was the first person I had ever spoken about the childhood stuff to. I felt it became more a part of my life as my issues with sex were straining my marriage. He also knew my boss' behavior created a destructive environment and told me I should leave the Command since he could tell the rumors from the junior Marines, which he said would always be there and were there for any other relatively attractive female Marines who did not have husbands working at the Barracks. On about 3 different occasions when I was feeling particularly depressed we would drive out to the country and talk about how much we hated the

Continuation of voluntary sworn statement of
Ariana B KLAY, 1st Lt USMC
on February 1, 2011

Barracks and the people there. We did not have a sexual relationship as neither of us could even have sex and neither of us wanted to. I trusted him and appreciated his advice.

Capt Rowe had told me he was one of the few officers not having sex with my boss. At one point my boss was giving him a back massage in public at a work drinking event and he seemed to like it. I sent him disgusted text messages which his wife Maigen saw. I openly talked about my friendship with Rowe to my husband, but Rowe told me he did not tell Maigen because his wife knew he hated female Marines and would think it's weird that he was friends with me.

Rowe seemed to struggle with drinking much worse than I was, at least initially. He told me that Col Smith had noticed he didn't spend much time at the mandatory weekly bar social events. Col Smith encouraged him as a company commander to participate. Rowe said that when he started going he fell back into depression, insomnia, and alcoholism, three things that I had started to have as well. Although Rowe would say mean things to me sometimes, like that his Marines said they watched me sunbathe naked in my backyard from the towers and other false things. He also told me that just like Jenn Ryu, a former Captain who had been at the barracks, rumors about me of a sexual nature would always exist. He said rumors about her included body bearers being seen going in and out of her house on 9th Street because she was having sex with all of them. I told him I did not believe the rumors. He told me that was the way it was in the Marine Corps and that I should get out since I was not thick skinned, I agreed with him and wanted badly to leave the Command.

The last parade of the season was August 27th 2010. I was extremely upset after a junior Marine had sexually harassed, threatened, and pushed me up against a wall at a local bar and said sexually insulting things that my boss had actually done. I was very angry, humiliated, and sick of the environment and the tolerance of that kind of behavior that Rowe always acknowledged to me existed, while I was outside I was crying and he continued to mock me while his friends videotaped it, I slapped the Marine and walked away. Rowe told me that he knew the barracks would do what's best for its image and not care what really happened as had happened with his friend Capt Snyder. He had referenced the Marine doing similar behavior a few months and that nothing was done. He seemed concerned about how severely depressed I was and I told him that I told him I didn't think I could handle it there for another day. He encouraged me to leave and I told him I had already tried to leave. My husband began to think I needed help because I just laid around depressed all the time and cried all the time which I had never done before that summer after Wilson's public false allegation of adultery.

AKL that my boss was actually doing. I was also running until the point of passing out or throwing up. I felt like Rowe was my only friend at the Barracks at that time. Rowe told me that people did not like me there (8th & I) out of jealousy or just hatred and that they interpreted me effort into clothes and make up as wanting to have sexual attention. *AKL*

AKL After the final parade, 27 Aug 2010, I began drinking heavily. I felt I could not be around other people because of how humiliated I felt about rumors associated to me that were my boss's sexual behavior. Capt Rowe had his wife, (Megan ROWE) and best friend and Marine he had deployed with, Jeremy, with him along with all the other officers and their guests in centerhouse (8th & I). I drank about an entire bottle of wine and several mixed drinks. I had a bottle of wine in my purse that came from Suzanne's liquor cabinet that she maintained under her desk. I left about midnight to change over to civilian clothes and walked with a girl Shalynn Bartlett who was a guest. I drank a decent amount more, about another two glasses of wine or so. When I came back into centerhouse, Suzanne had another mixed drink waiting for me and I continued to drink. I had eaten very little that day, I had breakfast but don't recall what it was. I remember nothing after centerhouse. *AKL*

AKL The next morning I woke up approximately 0700 to the sound of Capt Rowe yelling inside my house downstairs. Jeremy was behind him and was trying to calm him down. I was naked and by myself on the couch and still drunk from the night before. Rowe appeared to be drunk. Rowe said that one of his body bearers was upstairs in my house, LCpl Quinn, USMC (NFI). I had no idea what he was talking about and was terrified and confused and started crying. I walked over to the laundry room area and put on some PT clothes. ROWE got on the phone with Gunny Deboy who told him that Quinn was missing from the morning liberty formation. Rowe took me into the kitchen and closed the doors and said Jeremy was going upstairs to "take care of Quinn." We were both yelling at each other very loudly and I am sure that Quinn could hear us if he was there. Rowe told me that I was a slut and a whore and lied to him and humiliated him in front of his wife. He said that I had lied to him about not being able to have sex, and that he had come into my house because he "thought I was dead." He said that my door was wide open and that my dog was in the front yard and my keys were still in the door. The couch and chair were moved around and the contents of my purse were spilled out right by the front door. He told me that SSgt Thomas, USMC (8th & I, S-3) had called Gunny Deboy and said that I was seen walking away with LCpl Quinn, one of Rowe's Marines while Rowe had been yelling at me. He told me he thought I was walking away with one of his Marines in front of him to spite him in *AKL*

front of his wife since Rowe had been following me around the bars across the street because he was worried about me since I kept talking about the incident with Gillespie. ROWE said that I told him that I didn't care anymore and was hoping to get hit by a car on the way home or to drink myself to death.

I had barely ever talked to LCpl Quinn and thought he was professional with me at all times I can recollect. I never actually saw him in the house. Gunny Deboy was his company Gunny at the time and Capt Rowe was his company commander.

ROWE continued yelling at me and threw some things around in the kitchen he told me he wanted to be in the Kitchen so his Marine didn't see him there. I was yelling for him to stop and kept saying that I remembered nothing from last night, past the time in centerhouse.

ROWE told me that the Marines thought I was his girlfriend and that I had humiliated him in front of them last night. He told me that he could no longer lead his Marines. Once Jeremy had apparently walked LCpl Quinn outside, later Rowe had said that Jeremy told Quinn to never speak about the incident or anything he heard. Rowe also later said that he had had Gunny Deboy talk to Quinn and said Quinn was "scared shitless" and wouldn't say anything. I went to the living room and sat down because I felt like I was going to throw up. I was wearing PT gear now and didn't feel good. I had also taken a couple sleeping pills (maybe 3-4) the night before, before going to centerhouse which I had sometimes done with alcohol.

Rowe was still yelling and Jeremy was outside. Rowe told me he was going to tell Ben (my husband) and the Command if I didn't give him head (oral sex), and that I should show him what a whore I was. He pulled down his pants in the living room and told me to suck his dick. I told him no and started crying he yelled for me to "do it!, do you want Ben to know and the whole Command?" I got down on my knees and started doing it,(oral sex)...it didn't last very long, maybe a couple seconds... and Rowe yelled for Jeremy to come watch. Rowe told me to go upstairs. When we were upstairs he told me to get undressed and told me to get down on my hands and knees in my bedroom. I was crying and he told me that I had lied to him the whole time about having sexual issues and that he was glad he had walked in because now he knew what a slut I was. He told me again and again how I had humiliated him in front of his wife. He began having vaginal sex with me from behind and Jeremy was yelling "come on Jim let's go, I'm serious." Jeremy asked him to leave 3-4 times. Rowe told Jeremy "come

Continuation of voluntary sworn statement of
Ariana B KLAY, 1st Lt USMC
on February 1, 2011

on Jeremy Ariana's going to show you what a slut she is" Jeremy came over slowly with hesitation and pulled down his pants in front of me. Rowe told me to "suck Jeremy's dick." I didn't want to and he said "come on" angrily. Jeremy had a small penis and a belly. He stuck his penis in my mouth and came almost instantly and pulled out and ejaculated into his hands. I tried to move away but Rowe pushed my body back into place and told me he wasn't finished. He told me how I probably liked it. Jeremy was again trying to get Rowe to leave. Rowe came (ejaculated) on my back. Rowe told me that if I told anyone he abided by the same motto he told his Marines "snitches get stitches and lay in ditches" and that back home in Indiana there was a guy "Marve" who would take care of me if necessary. He said in Indiana, secrets go with them to the grave. I laid there and they left.

I was extremely sick and hungover and threw up a few times when they left. Later Rowe called and I answered, he told me he knew I was going to try to kill myself. I told him I had already researched it on the internet and that I was going to try tonight and just didn't want to survive it and be a vegetable or something. He told me not to and said that him and Jeremy were going to come over, he apologized and said that it was a really bad day for everyone and that he would help me get help for my drinking. I told him I was thinking of checking into a mental hospital or something because I wanted to die. He told me not to do it. I agreed about them coming over, he said that they told Maigen they were going site seeing. Rowe told me he was sorry and felt terrible, but that "I had brought him to do that" and that he "didn't realize how bad my drinking had gotten." He told me that he had developed feelings for me and it was the first time he liked someone besides his wife. He told me a lot of nice things to try to get me to not kill myself. I just cried. He told me that I needed to get help for alcohol and that the mental hospital was not the right place. He seemed to genuinely want to help me and he seemed to feel bad. There was no physical contact. Jeremy came upstairs and they left. They were at my house for about 20 minutes.

I called my husband on Saturday before I took the rest of the sleeping pills and told him I was either going to check into a mental hospital or alcohol treatment center. Later that night I took the remainder of the sleeping pills that I had, which was about 17. I don't remember any of the weekend besides that until Sunday evening time, I remember throwing up a lot and still feeling drunk. My husband came back in town late Sunday night and told me that "I had sounded really scared and beaten down" when I talked to him Saturday. We left for New York, I told him on the way that I had tried to kill myself and

AKL wanted to do it again. He felt very sad and told me it would be okay. I felt sick for about 3 days after that. Rowe called me every day after that to talk to me about alcohol recovery and find out what was going on. I called Jim Bob from the Substance Abuse Center and told him I needed help badly, I told him I was very depressed and needed to leave the Command. I got pulled off of my approved leave and paid out of pocket to come home early, leaving my husband and dog in New York for the family get together. When I got back, I was going to be NJPd for slapping the Marine in early August. I don't remember much just that I cried a lot and that Rowe had his wife come over to check on me and make sure I didn't try to kill myself. I told my command and Rowe's wife whatever Rowe told me to say. *AKL*

AKL Every day I talked to Rowe for about an hour or so since he had done alcohol rehab and seemed to want to help me. Capt Agoulnik and my husband thought Rowe's behavior was very weird. "Why does he call you so much and isn't he an alcoholic, how is he going to help you?" my husband would ask. In early September, during the alcohol assessment I wrote that I had been sexually assaulted twice while at 8th and I. I talked to Anna Barton about 1 of the 2 and said I couldn't talk about the second one because it was too humiliating and thought they would think I was making it up since I was supposed to go to NJP in 2 weeks for slapping the Marine. *AKL*

AKL Rowe talked me through the NJP with Gen Flynn which I barely remember, just a lot of crying there too. Rowe seemed genuinely encouraging, and I was able to completely quit drinking. I had horrible insomnia and depression, but felt better after leaving the command. I was at alcohol rehab for 7 weeks and cried every day. I felt frustrated that I was not getting treatment for what I really needed. During the 6th week I told the group of those recovering and health professionals what had happened in detail without names during group and told them I never wanted to report it. They put me on Prozac, Hydroxuzine (sp?), and Prazosin to help with my nightmares, insomnia, and depression. I had never taken any of these types of medications before. When treatment was over I started seeing a therapist, Ms. Piaquadio and Dr. Thode. Dr Thode mainly just gave me the medications and I spent a lot of time talking with Ms. P about the sexual assault and my former boss' sex web at work. *AKL*

AKL I applied to get my Masters in Social Work and wondered if it was right that I would be willing to help others but not myself and debated about reporting it. I spoke to Rowe 2-3 times in Nov/Dec and he said he was getting therapy and that his therapist told him he should have gotten out of the Marine Corps a long time ago. I felt bad for him and did not want to hurt his wife. *AKL*

AKL Around November or so Rowe PCSd to Oklahoma. I could still not stop thinking about the incident that happened in my home. During vacation in Europe I could not sleep and when I came back, told NCIS during a follow up phone call about who it was since I thought it might be more safe since Rowe had PCSd and because I felt like it was a daily burden that had messed me up psychologically despite my efforts to improve my life. AKL

SA BUCKMON's QUESTIONS AND Lt KLAY ANSWERS:

- AKL 1. Did Capt ROWE force you to have sex?
YES AKL
- AKL 2. Did Capt ROWE threaten you in anyway?
YES AKL
- AKL 3. Have you had sex with Capt ROWE prior to the sexual assault on 28Aug10?
NO AKL
- AKL 4. Have you ever had sex with Jeremy, prior to the sexual assault on 28Aug10?
NO. AKL
- AKL 5. Why did you not report the assault immediately?
Because I feared that no one would believe me and it was humiliating. I am afraid of ROWE. I was afraid if I told anyone that he raped me what he would do. AKL

AKL This statement, consisting of this page and 8 other page(s) was typed for me by ^{myself} ~~job~~ 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. AKL

Signature: AKL

Sworn to and subscribed before me this 01 day of FEBRUARY in the year 2011
at NCISFO Washington, 1522 HRS

AKL Continuation of voluntary sworn statement of
Ariana B KLAY, 1st Lt USMC_
on February 1, 2011 *AKH*

Witnessed: *[Signature]*
SPECIAL AGENT BUCKNER

Representative, Naval Criminal Investigative

Service

AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

Nothing Follows

[Signature]

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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INVESTIGATIVE ACTION

02FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US
REVIEW OF OMPF FILES

1. On 26Jan11, RA requested Official Military Personnel Files for S/ROWE, from Quantico Personnel Detachment. On 02Feb11, the folder was received and reviewed.
2. Review of the records disclosed S/ROWE enlisted in the USMC in 1999, with a high school diploma and was assigned to Marine Recruit Training Center in Mar00, where he completed Marine Combat Training.
3. In 2003, S/Rowe transferred to DETCOMM Co HQBN 4th MarDiv 3010 White River Pkwy E Drive Indianapolis, IN 46208, from Active duty RUC (85218) to Reserve RUC (75240).
4. No derogatory information was reviewed in the OMPF files. Nearest relative reported as James ROWE (father) and a address of record was reported as 4500 S Stillhouse Hollow Rd N Connersville IN 47331.
REPORTED BY: Janise A. Buckmon, Special Agent
OFFICE: NCISFO Washington, DC

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EXHIBIT

0200014
(2)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

797235 15:27 20110330 IN:SSDEMAIL #2893 OUT:NIPRDAAAM #53196

INVESTIGATIVE ACTION

11FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US

RESULTS OF DATABASE CHECKS

1. On 11Feb11, the following databases were queried and reviewed for Mr. Jeremy SCHMIDT: National Crime Information Center (NCIC), Defense Central Index of Investigations (DCII), Consolidated Law Enforcement Operations Center (CLEOC), Joint Personnel Adjudication System (JPAS) and Law Enforcement Information Exchange (LINX).

2. Further review revealed SCHMIDT, 391-02-6247, DOB:07Aug79, was in the Marine Corp Reserves and assigned to an IMA Detachment. His address was listed as 257 Rutherford Way, Jacksonville, NC 28540.

3. No criminal history was listed.

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OFFICE: NCISFO Washington, DC

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EXHIBIT 0053)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

797263 15:32 20110330 IN:SSDEMAIL #2895 OUT:NIPRDAAAM #53198

INVESTIGATIVE ACTION

17FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US

RESULTS OF INTERVIEW WITH S/ROWE

1. On 17Feb11, S/ROWE was interviewed at 2635 Miner Road, Ft. Sill Oklahoma, regarding his knowledge of an alleged sexual assault on 28Aug10. At about 0850 S/ROWE was advised of his Military Suspect's Acknowledgement and Waiver of Rights, Enclosure (A) pertains.
2. At about 0902, S/ROWE invoked his right to speak with legal counsel before speaking to NCIS regarding the incident. S/ROWE advised that he understood his rights and the allegation that was made against him. S/ROWE further advised that he did not want to provide a written statement and preferred to have a USN or USMC legal advisor.
3. S/ROWE stated "I'm confused why she would do this but I understand". S/ROWE became agitated when RA presented the military suspects form.
4. S/ROWE was fingerprinted and photographed, then released to Col Anthony JOHNSON, Commanding Officer, Marine Corps Artillery Detachment, at about 1330.
5. When asked for a cell phone number or contact number S/ROWE advised he did not have one. S/ROWE stated that his cell phone was turned off because it did not work in the area; however, later that day his wife, Ms. Maigen ROWE, provided two contact numbers for S/ROWE.

ENCLOSURE

(A) Military Suspect's Acknowledgement and Waiver of Rights/17Feb11

REPORTED BY: Janise A. Buckmon, Special Agent
OFFICE: NCISFO Washington, DC

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EXHIBIT (00046)

MILITARY SUSPECT ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: Fort Sill, OK
Date: 17 Feb 2011

I, James Matthew Rowe, have been
advised by SA Janise Buckmon that I am
suspected of SEXUAL ASSAULT & ST RAPE

I have also been advised that:

- (1) I have the right to remain silent and make no statement at all; *JMR*
- (2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding; *JMR*
- (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both; *JMR*
- (4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and *JMR*
- (5) I may terminate this interview at any time, for any reason. *JMR*

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Refused
Signature : Janise Buckmon
Date & Time: 17 Feb 2010 0902 HRS

Witnessed: _____

At this time, I, _____, desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

797276 15:34 20110330 IN:SSDEMAIL #2899 OUT:NIPRDAAAM #53202

INVESTIGATIVE ACTION

15FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US

RESULTS OF CONSENSUAL TELEPHONIC CONVERSATION

1. On 15Feb11, RA received transcription from Capitol Reporting Company, detailing a consensual conversation between V/KLAY and S/ROWE on 25Jan11, Enclosure (A) pertains.

2. During the telephone call S/ROWE acknowledged that there was sexual contact between himself, Mr. Jeremy NFI, and V/KLAY. S/ROWE referred to V/KLAY as his "work wife" and he apologized several times for his actions. S/ROWE advised V/KLAY and he had been friends for approximately a year and he never intentionally hurt V/KLAY.

3. On page 57, of the transcript S/ROWE stated he did it because "he was drunk and it felt good". S/ROWE related V/KLAY sent text messages to him indicating she wanted to participate in a threesome.

4. V/KLAY advised the only reason she participated in the sexual acts with S/ROWE and Jeremy was because S/ROWE threatened to tell the command and her husband that she was having sex with junior Marines.

ENCLOSURE

(A) Transcript of Consensual Telephonic Conversation/25Jan11

REPORTED BY: Janise A. Buckmon, Special Agent
OFFICE: NCISFO Washington, DC

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EXHIBIT (5)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

797336 15:41 20110330 IN:SSDEMAIL #2905 OUT:NIPRDAAAM #53208

INVESTIGATIVE ACTION

17FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US

RESULTS OF INTERVIEW WITH MS. MAIGEN ROWE

1. On 17Feb11, Ms. Maigen ROWE (M.ROWE), wife of S/ ROWE, was interviewed concerning her knowledge of the events occurring on 27Aug10 and 28Aug10. M.ROWE advised she just relocated to Oklahoma and was using S/ROWE's cell phone because he had purchased a new cell phone. M.ROWE provided S/ROWE's new cell phone number (580)591-3196.
2. M.ROWE is an acquaintance of V/KLAY and had met her through S/ROWE. M.ROWE advised she has been in the presence of V/KLAY approximately 4 social events and had visited V/KLAY'S off base residence once. M.ROWE reported last having contact with V/KLAY in Dec10.
3. M.ROWE reported on 27Aug10, she attended a parade at 8th & I Marine Barracks, Washington DC with S/ROWE, and an out of town guest, identified as Mr. Jeremy OWEN. Immediately after the parade, M.ROWE explained, as a ritual, the USMC members would entertain their distinguished guests at Centerhouse. M.ROWE reported everyone including V/KLAY, OWENS, and S/ROWE participated in drinking alcoholic beverages at Centerhouse. M.ROWE is unaware how much anyone had to drink that night but did state that her husband, S/ROWE and V/KLAY were intoxicated.
4. M.ROWE further advised, after attending the social at Centerhouse a group of friends and associates visited a local bar across the street from the Marine Barracks, "Molly Malone's", where they continued to drink alcoholic beverages.
5. M.ROWE recalls V/KLAY wanted to go to "Ugly Mug", a bar where the enlisted USMC members visit. S/ROWE advised V/KLAY that she should not go there because it was improper to socialize with lower ranking members.
6. M.ROWE advised she, S/ROWE, and OWEN departed the bar approximately 0030, because they had scheduled a White House tour at 0830 the next morning. M.ROWE advised that she drove the three of them to her residence located in Falls Church, VA.
7. On 28Aug10, M.ROWE reported S/ROWE and OWEN departed the house at about 0600 to go to 8th & I, Marine Barracks, Washington DC for a work related event. M.ROWE advised S/ROWE drove a grey in color Jeep Cherokee. M.ROWE further advised S/ROWE parked the Jeep, and took the metro with OWEN to meet her at the White House to attend the

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 25JAN11-DCWA-0055-8FMA

17Feb11

tour. M.ROWE is uncertain what time they met but was certain it was after 0830 because the tour started late.

8. When asked about Jeremy OWEN, M.ROWE stated OWEN is a friend of S/ROWE, and served with S/ROWE in the USMC Reserves in Indiana. M.ROWE advised OWEN is married to Sarah OWEN, and they have two children. M.ROWE advised OWEN traveled to Washington DC alone to spend time with S/ROWE, and departed on Sunday, 29Aug10.

9. M.ROWE advised in Sep10, V/KLAY invited her to her off base residence in Washington DC, and they discussed V/KLAY'S plans of getting treatment for alcohol abuse, V/KLAY'S relationship with her husband, and departing the USMC.

10. No further pertinent information was developed during the interview.

REPORTED BY: Janise A. Buckmon, Special Agent
OFFICE: NCISFO Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

771918 14:03 20110301 IN:SSDEMAIL #59378 OUT:NIPRDAAAM #44875

INVESTIGATIVE ACTION

24FEB11

CONTROL: 25JAN11-DCWA-0055-8FMA

S/ROWE, JAMES MATTHEW/CAPT USMC
M/W/MO03/S/304-98-0267/26OCT79/INDIANA, US

RESULTS OF INTERROGATION OF CAPT JEREMY S. SCHMIDT

1. As background, V/KLAY reported she was raped by S/ROWE on 28Aug10 at her off-base residence located within Washington DC. V/KLAY also alleges during the rape, she was forced by S/ROWE into performing oral sex on S/ROWE's friend only identified as "Jeremy." V/KLAY identified "Jeremy" as a classmate of S/ROWE at The Basic School (TBS) located at MCB Quantico, VA. A check of the TBS yearbook identified Capt Jeremy S. SCHMIDT, USMC, as a classmate in S/ROWE's TBS Company.
2. On 17Feb11, Capt Jeremy S. SCHMIDT, USMC, was interrogated regarding his involvement in, or his knowledge of V/KLAY being sexually assaulted on 28Aug10. Prior to interrogating Capt SCHMIDT, he was advised of his rights, which he waived and elected to be interviewed, Enclosure (A) pertains.
3. Capt SCHMIDT was asked when the last time he was in Washington DC. Capt SCHMIDT stated the last time he was in Washington DC was when he went to a parade while he was attending TBS. Capt SCHMIDT related his wife has family in Fredericksburg, VA, and he was there for Easter last year (2010), but did not travel to Washington DC. Capt SCHMIDT was asked if he knew who Capt ROWE was. Capt SCHMIDT stated he did not know a Capt ROWE. After thinking for a few minutes, Capt SCHMIDT stated he vaguely remembers a Lieutenant ROWE from his TBS class, but stated he has not talked to Lieutenant ROWE or seen Lieutenant ROWE since TBS in 2004.
4. Capt SCHMIDT was asked how he knows 1stLt KLAY. Capt SCHMIDT had a confused look on his face and related he does not know of anyone by the name of 1stLt KLAY. Capt SCHMIDT was asked when the last time he was at the 8th and I Barracks. Capt SCHMIDT stated while he was going through TBS in 2004 his class attended at parade at the Barracks, but he has not been there since that time.
5. Capt SCHMIDT was asked his whereabouts in August 2010. Capt SCHMIDT stated he was not sure, but related he and his wife left the country the end of August 2010 for a late honeymoon. Capt SCHMIDT stated they left on 25Aug10 and traveled to Europe and returned to the United States on 09Sep10. Capt SCHMIDT later provided his passport which confirmed his statement of being out of the country during the interim of the allege rape. A review of Capt SCHMIDT's cellular telephone did not disclose any names similar to S/ROWE's name.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTROL: 25JAN11-DCWA-0055-8FMA

24Feb11

ENCLOSURES

- (A) Military Suspect's Acknowledgement and Waiver of Rights form for
Capt SCHMIDT/17Feb11
- (B) Copies of Capt SCHMIDT's Passport/17Feb11

PARTICIPANT

Catherine MULHERN, Special Agent, NCISRA Camp Lejeune, NC

REPORTED BY: MICHAEL J. GREGORY, SPECIAL AGENT

OFFICE: NCISRA CAMP LEJEUNE, NC

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Page 2 of 2

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0200136

MILITARY SUSPECT ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCISRA Camp Lejeune, NC
Date: 17 Feb 11
Start: 1230

I, Capt Jeremy Scot Schmidt /usmc/ 391-02-6247, have been advised by Michael J. Gregory that I am suspected of Rape, Sexual Assault and other Sexual Misconduct.

I have also been advised that:

- (1) I have the right to remain silent and make no statement at all;
- (2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- (4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
- (5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature : [Signature]
Date & Time: 17 Feb 11 1234

Witnessed: [Signature]
[Signature]

At this time, I, _____, desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

Edison Seminars / Mentions Special Amociones



Excerpt from the Handwriting Address, Moham's version

We send thanks to all the Annual Life in the world. They have many things to teach us as people. We are glad they are still here and we hope it will always be so.

Visas

CZ

26 08 10 18

PRAMA - RUZYNE 4006

←

STATEMENT

GTQ Place : NCISFO Washington DC
Date : March 9, 2011 GTQ

GTQ I, Garrett QUINN, CPL USMC, make the following free and voluntary statement to 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 sexual assault. GTQ

GTQ I know Lt. KLAY, USMC from 8th and I Command and the Miss DC Beauty Pageant. KLAY asked for volunteers around the Barracks to participate in the event, and I was one of the chosen men to escort ladies.
I know Capt James ROWE, USMC from 8th and I Command. He was my Commanding Officer. I would see him on a daily basis, because ^{his} office is 20 feet away from my barracks room. GTQ

GTQ On or about 28 Aug 10, I recall it was a Friday night, I was walking home from the bars on 8th Street SE Washington DC when I heard KLAY yell my name (QUINN). I started talking to KLAY and her female friend (No Further Information) outside the bars, on the sidewalk. I noticed that KLAY was very intoxicated (wasted), she said she was going home and I offered to walk her home. The bars were closing so I assume it was about 0230. GTQ

GTQ On the way home KLAY threw up once in an alley, urinated in the alley, and threw up on her front porch. It was about a 5 minute walk, 2 blocks away but it took 20 min because KLAY kept getting sick. KLAY had to use my arm as a crutch in order to walk. I don't remember if KLAY unlocked the door or if the door was already open but we walked through the front door. GTQ

GTQ When I arrived at her house, I walked her in and sat her on the couch. Then I went to get her water, from the kitchen. KLAY went back outside, the front door and threw up. When KLAY returned inside her shirt had vomit on it, so she took it off and dropped it on the floor. GTQ

GTQ KLAY was leaning and swaying back and forth while sitting on the couch. I tried to give her water but she said she didn't want it. I told KLAY I was leaving, she didn't want me to leave. I told her I needed to go to bed. It was obscured hour, like three or four in the morning. I walked her up to her bed room, she was on her feet but I had to assist her. GTQ

GTQ I placed her on the bed. KLAY asked me not to go. I sat and monitored her for a moment. Then I laid down on top of her bed. I looked over at her and she was breathing heavy. I asked if she was alright, and didn't get a response. I fell asleep, my body shut down. I had several drinks that night as well, but I was wasn't wasted. I could function but probably shouldn't drive. GTQ

GTQ I awoke because I heard Capt Jim ROWE, my Commanding Officer at the time screaming. I think he was screaming KLAY's name. I don't recall how he got into the house but he came in and walked upstairs into the bedroom. KLAY and I ^{were} on the bed. KLAY was naked, I was fully clothed. When GTQ

GTQ Continuation of voluntary sworn statement GTQ
Garrett QUINN, CPL USMC
on March 9, 2011

GTQ Rowe walked into the room I covered my face so that he could not see me. ROWE said something to the effects of "you gotta be kidding me" and then he walked back downstairs. GTQ

GTQ KLAY jumped up and chased after ROWE downstairs completely naked. I could hear KLAY and ROWE yelling at each other while they were downstairs for about 5 minutes. I sat in the bedroom in shock. KLAY was naked, and she was not naked when I fell asleep. My Commanding Officer (CO) just came through the door and KLAY went downstairs naked. I just waited there for someone to tell me what I should do. KLAY came back upstairs and grabbed her bath robe and told me to continue to wait in the bedroom. GTQ

GTQ ROWE'S friend : white male, heavy set, wearing a hat , t shirt and shorts (No Further Information) came to the bedroom where I was sitting and asked what my name was. I told him not to worry about what my name was. He said that my CO was downstairs and he wants to know. I replied I'm not telling you anything. He went back downstairs to talk to ROWE. GTQ


GTQ At this point ROWE called GYSGT DeBOY, USMC to ask for a formation for the Body Bearers. DeBoy called my cell phone and asked where I was. I told him that I was at KLAY's house. De Boy told me to hold on. I could hear ROWE talking to DeBOY. GTQ

GTQ ROWE had his friend come upstairs and tell me to leave as he hid in the kitchen. I was walked downstairs and KLAY was trying to apologize to me saying I'm sorry I don't know why he is mad. I ignored her and walked out the door. I think it was about 0600 when I left the house. GTQ

GTQ I remember there was a formation, because of 96 that weekend, but body bearers did not have to participate. We had a funeral to attend on Monday, so we did not have formation. GTQ

GTQ I walked back to the barracks, where I live. I went straight to GYSGT DeBoy's office to clear up the matter. I told him the entire story of what happened. GYSGT DeBoy told me not to talk bout the incident to anyone. I never did speak about the incident until today. GTQ

GTQ This statement, consisting of this page and 2 other page(s) was typed for me by BUCKMON, JANISE 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. GTQ

Signature: 

Sworn to and subscribed before me this 09 day of March in the year 2011 at

1235 HRS

Witnessed: _____

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

Nothing Follows

~~_____~~

STATEMENT

Place : NCISRA Okinawa, Japan

Date : March 16, 2011

I, GySgt Richard John DEBOY, USMC, make the following free and voluntary statement to Special Agent Brandon McKinnon 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 the sexual assault of 1st LT Ariana KLAY, USMC.

For identification purposes, I am a white male with blonde hair and blue eyes. My social security number is 134-62-3479. I was born on 07Sep79 in Olean, NY. I currently maintain a Secret clearance. I currently reside at Building 2519, Room 305, Camp Hansen, Okinawa, Japan. I am GySgt assigned to Headquarters Company, 3rd Intelligence Battalion, Camp Hansen, Okinawa, Japan.

I originally reported for duty at 8th and I in Nov07. Around Oct09 CAPT James ROWE, USMC became the Commanding Officer for Bravo Company, where I was assigned. I know ROWE was at 8th and I as a Platoon Commander prior to taking command of Bravo Company, but I had little interaction with him as he wasn't in my chain of command. I am unsure of when 1stLT Ariana KLAY, USMC arrived at 8th and I, but I believe it was early in 2010, because I know it wasn't to much earlier than the start of parade season which started in May10. KLAY wasn't in my chain of command so I didn't see her to much. When I did see KLAY, it would be in the gym, at the protocol office, or around the centerhouse. PARADE NIGHTS.

On 28Aug10, I was the acting 1stSgt for Bravo Company because our 1stSgt (Tyrone T. WHITE, USMC) was away at training. The reason I remember the date is because I know it was the last Saturday in Aug10, because our last parade was on Friday, 27Aug10. I was in charge of formation in the morning because we were about to go on a 96. We usually have formation at 0730 in the morning but we start accounting for our Marines prior to that time. Prior to formation, I was told that CPL Garrett QUINN, USMC. (I believe at the time QUINN was only a LCpl, but he has since picked up a rank).

I am unsure of the exact time, but ROWE called my cellphone. ROWE told me that he was at KLAY's residence and that he thought QUINN was at her house as well. I don't remember to much of what ROWE told me, because I was trying to figure out why a LCPL would be at KLAY's house. In addition, I have no idea why ROWE would be at KLAY's residence that early in the morning, but I believe ROWE told me he stopped because when he drove by KLAY's residence he noticed her front door was wide open. KLAY wasn't in ROWE's chain of command so I know he wasn't just checking up on one of his Marines unannounced.

I then spoke with QUINN on the telephone. I am unsure if I called him or he called me, but I remember talking to him on the phone. When I spoke with him, he told me that he was at KLAY's residence and that he heard ROWE yelling downstairs. QUINN also told me another male was with ROWE, but QUINN didn't tell me the other male's name. When I spoke with QUINN, I told him to leave and immediately report to my office. When QUINN arrived at my office, I was just wanting to

Continuation of voluntary sworn statement
GySgt Richard John DEBOY, USMC
on March 16, 2011

250 account for him for the formation. QUINN began to tell me what he was doing at KLAY's residence, but I stopped him because I didn't want to know why a LCPL was at a LT's house. I told QUINN not to tell anyone about what happened because I didn't want him to get into trouble. RJD

RJD In addition, I remember talking to SSgt Christopher THOMAS, USMC about KLAY and QUINN. I don't recall if it was during formation when I was attempting to locate QUINN, or if it was after I had spoken with QUINN. THOMAS told me he witnessed KLAY and QUINN hanging out with each other the previous night (27Aug10) and they both appeared to be extremely intoxicated. THOMAS told me he separated the two. THOMAS didn't tell me why he separated them, but I assume it is because he thought it was inappropriate for a LCPL and LT to be hanging out that closely with each other. RJD

RJD I know there was no command investigation by the company into what happened at KLAY's residence, or why QUINN was at her residence. I don't know why it wasn't reported or why no investigation was conducted, but it could have been because ROWE was at KLAY's house and he didn't want to have to explain why he was there. RJD

RJD I left 8th and I in early Nov10 and went on leave in New York for a little over one month. I reported to Okinawa, Japan in early Dec10. Since I departed from 8th and I, ROWE has contacted me twice via email. The first time he contacted me was to provide me the name of a MAJ at 12th Marines (NFI) to contact if I wanted to spend time with someone over the holidays. However, I do not remember the MAJ's name. I called him one time and he invited me over for Christmas, but I didn't go. The second time ROWE contacted me was approximately two days ago (14Mar11) to check in after the major earthquake and tsunami occurred here in Japan. I have not had any communication with KLAY or QUINN since I left 8th and I. RJD

RJD This statement, consisting of this page and 1 other page(s) was typed for me by Special Agent Brandon McKinnon 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. RJD

Signature: [Handwritten Signature]

Sworn to and subscribed before me this 16th day of March in the year 2011 at

NCISRA Okinawa, JAPAN at 0851

Witnessed: _____

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