

DEPARTMENT OF THE NAVY

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: IG Office
Time/Date: 1545 090708

I, Pietro P Scarselli

have been advised by Mr David Gill

that I am suspected of Dereliction of Duty

I have also been advised that:

- (1) I have the right to remain silent and make no statement at all;
- (2) Any statement I do 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 civilian 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: Pietro Scarselli

Time and Date: 1545 090708

Witnessed: D Gill c6

8 Jul 09

Time and Date: _____

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.

8 Jul 09

MEMORANDUM FOR THE RECORD

At 1545 on 8 July 2009, I interviewed Major Pietro P. Scarselli in my office concerning the allegations.

Major Scarselli was provided a Military Suspect's Acknowledgement and Waiver of Rights, initialed and signed it on 8 July 2009 in my presence.

The following questions were asked of Major Scarselli and his responses are annotated below each question.

1. What is your full name, rank, billet and how long assigned to PMO?

A. Pietro Paolo Scarselli, Provost Marshal. I checked-in 29 Jan 07, but did not take over officially until May 07. I have not had any previous tour of duty at MCAGCC.

False Official Statements or Reports, False Swearing, Obstructing Justice:

2. Have you ever instructed your MP's to change their official incident reports once completed?

A. No, and I have never received notification of anyone doing so.

I was notified by LtCol Ashbacher, SJA, to come to her office and discuss inconsistencies in the incident reports that impacted a Court Martial. It was alleged to be done by a Watch Commander.

We do review the blotter for any misinformation. There is no SOP for notifying, nor at CID.

2a. By whom and how often?

A. N/A

3. What happened at the scrapper shooting incident?

A. No knowledge.

3a. Who did you apprehend and did he admit to the shooting incident?

A. N/A

3b. Were you told to change your report or the statement collected? If yes, by whom? CID? If yes, who at CID?

A. N/A

3c. How was the report changed and what was changed in the report?

A. N/A

ENCLOSURE (74)

3d. Had you collected any evidence? If yes, what happened to the evidence?

A. N/A

4. Have you instructed PMO personnel to report that search and seizure was consensual, even if it was not? If yes, by whom and how often?

A. No. I have never instructed, nor have I heard of any such occurrence.

One time the Kennel Master asked; "do we have enough to conduct a search?"

Cruelty and Maltreatment:

5. Have you ever mistreated, embarrassed, hazed anyone, or seen someone treated similarly?

A. No, nor have I seen anyone treated similarly. I was never notified of any mistreatment, nor any discussion with the Provost Sergeant on this topic.

I did publish a Provost Marshal Philosophy. Also DUI Consequences which was the result of a rash of DUI incidents (5-6). The PMO personnel must read, sign and acknowledge. It was recently updated to comply with HRO for the CPO's.

5a. By whom and how often?

A. N/A

5b. Are you afraid to turn in anyone at PMO for hazing, abuse or any other form of maltreatment or disrespect?

A. No reason for anyone to be fearful of reporting abuse, etc.

5c. If yes, why?

A. N/A

6. Have you ever heard any supervisor, civilian or military, communicate a dislike for another member of PMO?

A. Officer Mills complained to the union because of a comparison between herself and Officer Lopez by SSgt Baker.

6a. By whom and when?

A. I never spoke to SSgt Baker on the subject. SSgt Baker was moved from Kennels to Operations. SSgt Baker did some time together with MGySgt Humbertson in Operations for turnover. Sgt Evans was becoming a SSgt, so I made him the Kennel Master. SSgt Baker was provided guidance as to speaking with civilians. I assumed that he knew how to conduct himself as a Marine SNCO.

Unlawful detention:

7. Have you passed, or heard passed, in a section meeting or any meeting that if someone gives them an attitude, throw them in jail or detention for a few hours? To include to piss them off or words to that effect?

A. No.

7a. By whom and how often?

A. N/A

Drunk on Duty/ Alcohol related issues:

8. Do you have any knowledge of any member using alcohol on the job or after work drinking parties at PMO?

A. Yes, after work parties.

8a. Who, when and where?

A. Tuesdays during 2008, no on the job drinking. Set up a BBQ, Beer Pong, Washu (Texas horseshoe) after training. We also had 4 functions a year. Mess Night, Family Day (Victory Field), Halloween, Christmas and Thanksgiving dinner at PMO.

Mess Night had maximum participation. Halloween Party had maximum participation. Mess Night/Marine Corps Ball - not pay, work the shift.

9. How often does PMO have drinking parties on Tuesday night?

A. Social functions - not every Tuesday, some consecutive. Last one was in Jan 09. Inside or outside depending on weather.

9a. Who all is in attendance?

A. Open to everyone (all PMO), family members. Sections coming off duty, training section, Vehicle Registration, SRT, K-9.

9b. What can you tell me about Beer Pong or Family Night?

A. Table tennis type game with a ping pong ball. Cups w/water - no gambling.

9c. Any underage drinking? Who encourages it?

A. No underage drinking, nobody encouraged. Sodas and water available. All Marines at PMO check-in with me. I maintain a birthday roster, know if they are old enough. I did ask at the last Mess Night for underage drinking, it was not approved. Underage Marines identified at Mess Night for preventing alcohol being served.

9d. What about confiscated alcohol, evidence, provided for consumption at these social gatherings?

A. No knowledge.

Adultery:

10. Who is committing adultery within PMO?

A. No knowledge. There were allegations. Driskell the dispatcher made mention. Sgt Ellestad and Cpl Swafford's wife were playing around the desk. CID - conduct an internal audit to provide validation. Parallel notification to HQ Bn & Provost Marshal.

10a. How do you know this?

A. First hand.

11. What can you tell me about Sgt Ellestad and his relationships with other personnel's wives?

A. No knowledge of Sgt Ellestad and Cpl Swafford's wife, or of Sgt Ellestad and Cpl Crowder's wife, or Sgt Ellestad and Cpl Buxton's wife. The wives did not want to provide evidence, nor the SNM.

11a. Were you impacted by Sgt Ellestad having a relationship with your wife? (Cpl Buxton)

A. N/A

11b. Reassigned or switched sections to keep you separated from Sgt Ellestad? Who reassigned you and what was communicated? (Cpl Buxton)

A. I was never advised of SNM moved as a result. No requirement within sections, only notified if personnel moved out of operations. Services would be notified of administrative changes.

Gambling with subordinates:

12. Did you have knowledge of the poker games during family night?

A. No. CID plays poker, but no gambling. There was a poker tournament for fund raising for the Marine Corps Ball.

12a. Who plays and is money exchanged?

A. SNCO's participated, I was a guest dealer and CWO-2 Getz was present.

False Training Rosters for HQ Bn:

13. Who was at the PFT in December 2008?

A. Yes that was my score, 220 points. SSgt Baker monitored, SNCO's conducted. Sometime in Dec 08. I have no knowledge of how that roster was compiled or turned in.

13a. Was Major Scarselli?

A. Yes, that score of 220 is correct.

13b. Have you seen Major Scarselli run a PFT?

A. Yes, I last took a PFT 3 weeks ago. Sgt Apsey monitored, and the day of the week selected. There were others present.

13c. Are there height and weight standards for civilian police officers?

A. Yes, but I do not know the details. Similar to MC standards, but not exact.

14. Who has been radar trained and certified?

A. I am not trained. I am not certain if the civilians are trained. Lt Daly is the instructor. Requirement of PMO to conduct training internally, also take care of radar calibration.

14a. How did Cpl Dickson obtain his certification?

A. No knowledge.

Hostile Work Environment:

15. Has any personnel within PMO been treated unfairly?

A. No knowledge. Officer Jolly thought he was, who made a decision to not be posted at gate. Sent a text message to Lt Daly, that he wanted to move sections. On Monday, we saw HRO, he was terminated. Officer Jolly attempted to see the General, he spoke to the aide de camp.

15a. If yes, how and by whom?

A. N/A

15b. Any forms of sexual harassment?

A. No.

15c. If yes, who received it, in what form, and from whom?

A. Cpl Marrinier, Cpl Kendall females at PMO. Physical Security - Thomas, and the back office - Cpl Hammers.

16. What forms of punishment are used to discipline PMO personnel when they make mistakes or question authority?

A. Nobody is on the gate for 30 days, that is ridiculous. The work detail is determined because they are not able to be employed. Special projects section is made up of whatever working parties. Nobody is in the section now, maybe one or two people. PMO beautification, whatever parties are needed. DUI Marines, close to EAS, they painted the mural at PMO. They repainted the wood and ropes, moved furniture. They work during normal working hours. Cpl Furlong did mention to me working back to back shifts, close shifts at Vehicle Registration. I addressed it with Chasity Begg.

16a. Who determines the punishment and for what mistake?

A. Watch Commander, Operations Chief, Operations Officer.

16b. Who in supervision is aware of these type of actions?

A. Operations Chief and higher.

16c. Have you reported it to anyone? Why not?

A. N/A

Unfair hiring practices: (Reserved for hiring officials)

17. Any special hiring or favoritism in hiring?

A. No. HRO and HRSC made the decisions as to who qualified. Daly, Pryor, Humbertson made selections. Active Duty Marine to attend every academy with each iteration. To monitor and make appropriate review of the CCR. Each one of those Marines had my blessing to attend.

17a. If yes, who was hired and by whom?

A. N/A

17b. How do you know of this action?

A. N/A

Miscellaneous:

18. Do you have any knowledge of altered time sheets of employees?

A. No.

18a. Who is doing the changing of time sheets and when?

A. N/A

19. Who does not wear a uniform at work at PMO?

A. Civilian clothes, you paid \$5.00 to the MC Ball fund. It was on Tuesdays, last year on Fridays. Not year round. Scenario driven - wear uniform.

19a. Why not?

A. N/A

20. Who plays golf on Friday afternoons at the base golf course?

A. Golf Tournament, invited to tournaments down below. Don't know in particular, but I gave approval.

20a. Is it every afternoon? Do they return from golf to a duty status after consuming alcohol?

A. No particular pattern, I was notified and I approved. They do not return.

21. How bad is the morale at PMO?

A. Morale is good. Re-enlistment rates are high, no complaints, nobody has Requested Mast, less than 10% in trouble are all good indications. I receive calls for Marines who want to FAP to my unit.

21a. Who is responsible for lowering the morale at PMO?

A. N/A

22. Is there a lack of good order and discipline at PMO?

A. No. ICE Comments of accolades for my Marines on the gate. Never seen or heard anything to take action. Not a lot of people; civilians/military getting into trouble.

22a. Who is responsible for this lack of proper order and discipline?

A. N/A

22b. Have you brought this to the attention of your chain of command?

A. N/A

23. Who is the Deputy G-7?

A. Jim Sanderson

24. Who is Colonel Green?

A. G-7.

25. Who is Colonel Holden?

A. Chief of Staff.

These personnel are transparent to the junior Marines. I am comfortable that the SNCO's and Officers know of this structure.

END OF INTERVIEW



D. N. GILL