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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

March 11, 2008

James T. Conway  
Commandant of the Marine Corps  
3000 Marine Corps  
The Pentagon  
Room 4E734  
Washington, DC 20350

Dear General Conway:

On May 11, 2007, Marine Lance Corporal Maria Lauterbach filed a claim that fellow Marine Corporal Cesar Laurean had sexually assaulted her on or about April 10, 2007 on the base of Camp Lejeune, North Carolina. On or about December 14, 2007, LCpl Maria Lauterbach was murdered and buried in a shallow grave in the backyard of the home of Cpl Cesar Laurean.

Maria Lauterbach and her family are from Vandalia in Ohio's 3<sup>rd</sup> congressional district, which I represent. The entire nation has been saddened by her death, and that of her unborn child. This case highlights the need to elevate the protection accorded female military personnel who file claims that they have been sexually assaulted and raises serious questions about the procedures that the military has in place for responding to sexual assault claims.

As a member of the House Armed Services and Government Reform and Oversight Committees, I am particularly concerned about: the actions and inactions of the Marine Corps regarding the sexual assault claim made by Maria Lauterbach in May of 2007; the actions and inactions of the Marines once Maria Lauterbach's pregnancy was confirmed in June, 2007, and the actions and inactions of the Marines when Maria Lauterbach, in the words of the Marine Corps, went "UA" on December 17, 2007.

I have been briefed by General Michael Regner. He has informed me that the Marine Corps has reviewed their internal procedures, determined that appropriate procedures have been followed and that the "matter was concluded". I disagree.

Further, the death of Maria Lauterbach shows that the Marines internal procedures need to be reviewed. Her death and that of her child could have been prevented. For Maria

and other women serving, we must determine what should have been done to protect her and her unborn child.

The family has requested that my office obtain answers to some of their questions regarding the Marines handling of this matter. You will note that some of these specific questions are based on the "Opening Statement" issued on January 15, 2008, by Colonel R. Gary Sokoloski, the Staff Judge Advocate, and by Lieutenant Colonel Curtis Hill, the Public Affairs Officer, respectively, for the 2<sup>nd</sup> Marine Expeditionary Force ("II MEF") at Camp Lejeune, North Carolina.

Please respond to the following questions:

- The Opening Statement recites that a Military Protective Order ("MPO") was issued on May 24, 2007, renewed on June 25, 2007, and again renewed on September 25, 2007, only to "preserve the integrity of the investigation" because "the evidence did not contain elements of force or threats." to LCpl Maria Lauterbach.
  - Doesn't a rape accusation inherently contain an element of force or threat?
  - What was done to protect the person of Maria Lauterbach?
  - Who was the appointed victim advocate for Maria Lauterbach?
  - Besides the MPO, was Cpl Laurean subject to any "Gag Order" or was he free to discuss the rape claim with his fellow Marines in the unit? What is the policy?
  - Even though LCpl Lauterbach was assigned to a different building on the same base, since she and Cpl Laurean were still assigned to the same unit, would they not still have some contact during unit assemblies, e.g., safety meetings, Marine Ball, other unit gatherings?
  - Since they were still assigned to the same unit Service Company, Combat Logistics Regiment 27, would not LCpl Lauterbach still have regular contact with Marines who, in turn, would have regular contact (or, perhaps, were even close friends) with Cpl Laurean?
  - Is it true that in unit meetings or other unit gatherings that members of the unit would on some occasions be assembled alphabetically?
    - Alphabetically, how many people in the unit were between

- *Laurean*, and
- *Lauterbach*

- How many people were in the unit?
  - At any time did Maria request, either orally or in writing, a transfer from the unit to another base? To another command?
- From the period beginning on May 11, 2007, and continuing through Friday, December 14, 2007, did LCpl Maria Lauterbach report or describe orally or in writing to the chain of command, any victim advocate, or any NCIS investigator any harassment or physical abuse, such as
  - An on base incident at dusk in late summer or early fall when an unidentifiable Marine came up behind Maria Lauterbach, called her name and when she turned, he punched her directly in the face? Even without a positive identification of the assailant, is this not a "threat of force" that should have received special attention because of the pending rape claim?
  - An on base incident in late summer or early fall when an unknown individual "keyed" - (actually, the individual may have used a screwdriver or other tool) - and put a deep gash in her car from the front end to the rear end?
  - If either of these facts were true, why were they not mentioned in the Opening Statement put out by the Marines on January 15, 2008?
- From the period of April 10, 2007 through May 12, 2007, did LCpl Lauterbach have any attendance issues, administrative counseling or discipline, or any other factor that would reflect on her performance during this time period?
- Are there any documents to reflect that proceedings were initiated, considered or otherwise contemplated that LCpl Maria Lauterbach would be given an administrative and/or medical discharge based in part on her performance from April 1, 2007 through May 11, 2007, or based in part on her medical condition and/or treatment during her time in the Marines?
- In view of the confirmation of pregnancy on June 27<sup>th</sup>, why was no DNA sample taken from Cpl Laurean between the period of June 27<sup>th</sup> and November 5, 2007?

- The Marines have reported that Cpl Laurean denied having any sexual contact or any sexual conduct with LCpl Lauterbach. Did Cpl Laurean refuse to give a DNA sample?
- Did the Marines at any time request Cpl Laurean to submit a DNA sample?
- It has been reported that in October 2007 Cpl Laurean had assured NCIS officer Megan Grafton that he would submit a DNA sample when the baby was born. Under these circumstances, why was no DNA sample taken from Laurean in October?
- The family would like copies of the medical records of Maria Lauterbach, beginning with the rape report on May 11, 2007, and continuing forward.
- Is there any system to notify civilian authorities when a person who is the subject of an MPO moves off base? Was this done?
- Is there any system to advise a Marine "protected" by an MPO that she might seek a civilian protective order if she moves off base? Was this done?
- When LCpl Lauterbach did not report for duty on Monday, December 17, 2007, why, in view of the pending rape claim against a fellow Marine, was no attempt made to search for her ?
  - Under those same circumstances, why was no attempt made to question Cpl Laurean?
  - Was any mechanism in place to trigger a special reporting requirement up the chain of command when the victim of a claimed sexual assault goes UA?
  - Was a request made orally or in writing to accelerate -- perhaps through the use of a DD Form 553 -- Maria Lauterbach's status from "UA" to "deserter" in order to activate a more intense search for her?
    - Was any such request approved?
    - If denied, what were the reasons?
- Was any mechanism in place to trigger a special reporting requirement up the chain of command when the victim of a claimed sexual assault does not appear at a scheduled OB appointment?

- At the January 15<sup>th</sup> press conference, the Marines described LCpl Lauterbach as a “solid” Marine and Cpl Laurean as a “stellar” Marine. What facts justified the different descriptions?
- I understand that Cpl Laurean’s wife, Christina Laurean, has recently been put on active duty status with the Marines.
  - What was the date of her activation?
  - What were the reasons for her activation?
  - Is she currently the subject of any restrictions or investigation?

Thank you for your attention to this important matter. If you have specific questions, your staff may contact my Chief of Staff, Stacy Palmer-Barton at 202-225-6465.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Turner", with a long, sweeping horizontal line extending to the right.

Michael Turner  
Member of Congress