

ROGER F. WICKER

MISSISSIPPI

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AND COOPERATION IN EUROPE

United States Senate

WASHINGTON, DC 20510

SUITE 555

DIRKSEN SENATE OFFICE BUILDING

WASHINGTON, DC 20510

(202) 224-6253

www.wicker.senate.gov

September 30, 2021

General David H. Berger
Commandant
United States Marine Corps
3000 Marine Corps Pentagon
Washington, DC 20350-3000

Dear General Berger:

This week the Marine Corps placed Lieutenant Colonel Stuart Scheller in pretrial confinement at the Regional Brig for Marine Corps Installations East aboard Marine Corps Base Camp Lejeune, North Carolina, as he awaits an Article 32 preliminary hearing. According to media reports, he has been accused of violating Uniform Code of Military Justice (UCMJ) Articles 88 (Contempt toward officials), 90 (Willfully disobeying superior commissioned officer), 92 (Failure to obey an order), and 133 (Conduct unbecoming an officer and a gentleman).

The UCMJ requirements for pretrial confinement are very specific. Restraint is not required in every case and should be no more rigorous than required to ensure the person's presence at trial or to prevent foreseeable serious criminal misconduct. I request further information to understand better how these conditions apply to Lt. Col. Scheller's situation.

Please provide the rationale, including any associated administrative or judicial records, used by Lt. Col. Scheller's chain of command to justify and document the decision to place him in pretrial confinement. Regardless of the accusations, he deserves the same rights as any other service member.

Thank you for your consideration in this matter.

Sincerely,



Roger F. Wicker
United States Senator