

THE UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT *of* CALIFORNIA

Department of Justice

U.S. Attorney's Office

Southern District of California

FOR IMMEDIATE RELEASE

Wednesday, March 9, 2016

Federal Jury Finds Man Guilty of Conspiracy And Theft of Brass Shell Casings from Marine Corps Base Camp Pendleton

Assistant U.S. Attorney Janet Cabral (619) 546-8715 and Michelle Pettit (619) 546-7972

NEWS RELEASE SUMMARY – March 9, 2016

SAN DIEGO - A federal jury has found John Vescuso guilty of theft of government property and conspiracy to sell and dispose of more than \$500,000 of brass shell casings from Marine Corps Base Camp Pendleton from April 2010 to June 2012.

According to testimony and evidence presented at trial, Vescuso conspired with a former civilian employee on board Camp Pendleton, Cecil Garr, to remove the brass shell casings and other types of scrap metal from the School of Infantry's hazardous materials lot, and to sell those materials for \$555,640 over the two-year time period. The jury returned its verdict on Monday.

Vescuso, who was engaged in the business of recycling scrap metal, paid Garr cash to remove expended brass shell casings from the hazardous materials lot using his personal vehicles. Subsequently, he made arrangements directly with an Orange County, California, scrap metal company to place roll-off containers in the lot to collect the brass shell casings and other scrap metal. Once those containers were full, Vescuso contacted the scrap metal company to retrieve the containers from Camp Pendleton. Vescuso then collected payment directly from the scrap metal company and shared those proceeds with Garr, resulting in a substantial loss to the United States Marine Corps.

Prior to the trial against Vescuso, Garr pleaded guilty to conspiring with Vescuso to steal the more than \$500,000 in brass shell casings from Camp Pendleton.

The investigation of the theft was a joint effort between the Naval Criminal Investigative Service (NCIS) and Defense Criminal Investigative Service (DCIS).

“It is unfortunate that anyone would try to take advantage of the military resources that are so important to our community and to our national security,” said U.S. Attorney Laura Duffy. “We will continue to do our part to ensure the military bases in our community are safe and secure from those who want to cause harm to the mission of the Armed Forces.”

Chris Hendrickson, DCIS Special Agent in Charge for the Western Field Office, said, “America's warfighters deserve the very best to perform their jobs and the taxpayers expect nothing less. Theft of USMC resources takes away precious dollars necessary for the dedicated American warfighter. This guilty verdict should serve as a warning for those intent on defrauding the U.S. military and American public that the Defense Criminal Investigative Service (DCIS) and our law enforcement partners will pursue these crimes relentlessly.”

“The Department of Defense has strict policies and procedures in place to ensure that all property and scrap materials generated during military training are recycled or reused for the benefit of our Armed Forces,” said Charles Warmuth, NCIS Special Agent in Charge for the Marine Corps West Field office. “In this case, the Marine Corps at Camp Pendleton and the taxpayers saw a loss of over a half a million dollars on board Marine Corps Base Camp Pendleton due to the greed of two individuals. NCIS, in partnership with DCIS, worked tirelessly to ensure these individuals were brought to justice. Theft of government property will not be tolerated, and NCIS will continue to investigate and aggressively prosecute all individuals who attempt to engage in this type of criminal activity.”

The defendant is scheduled to appear for sentencing before U.S. District Judge Thomas J. Whelan on June 13, 2016.

DEFENDANT

Criminal Case No. 14CR2863-W

John Vescuso

Age: 40 Wildomar, California

SUMMARY OF CHARGE

Count 1: Title 18, United States Code, Section 371: Conspiracy to Commit the Offense of Theft of Government Property.

Counts 2-4: Title 18, United States Code, Section 641: Theft of Government Property.

Maximum penalties: 10 years' prison and a \$250,000 fine.

INVESTIGATING AGENCIES

Naval Criminal Investigative Service

Defense Criminal Investigative Service

CAS16-0309-Vescuso

USAO - California, Southern

Updated March 9, 2016