



UNITED STATES MARINE CORPS
DEFENSE SERVICES ORGANIZATION
MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE
PSC BOX 20087
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IN REPLY REFER TO:
5800
DSO/twb
16 Apr 20

From: Captain T. W. Blair, Detailed Defense Counsel
To: Commanding Officer, Marine Corps Detachment Dam Neck, Virginia

Subj: MEMORANDUM IN SUPPORT OF MEDICAL DISCHARGE IN THE CASE OF
CORPORAL THAE OHU, USMC

Ref: (a) Medical Board Findings

1. Corporal Thae Ohu is currently pending both a medical retirement from her medical board findings and an administrative separation board for alleged misconduct. Due to the serious nature of Cpl Ohu's medical condition and that it was caused by a sexual assault, we respectfully request that the separating authority permit Cpl Ohu to medically retire per the medical board findings. This is appropriate because:

- a. **Cpl Ohu needs her medical benefits, and initiating adsep or criminal proceedings for minor misconduct would likely deprive her of her VA benefits and her medical retirement.** Cpl Ohu has had to receive years' worth of mental health counseling, medical care, and prescription medication for her PTSD and the after effects of being raped by a fellow Marine. If the command chooses to adsep her or pursue any criminal proceedings she will be put out without access to VA benefits or her medical retirement. This is not the outcome that a commander wants, and can be avoided by allowing her to medically retire.
- b. **The Marine Corps gains nothing from initiating an adsep against Cpl Ohu, but can help a fellow Marine in need by allowing her to medically retire.** Cpl Ohu has been suffering for nearly five years since her sexual assault in 2015. This is well documented in the medboard findings. The Marine Corps has a stated and vested interest in protecting and helping our Marines that are victims of sexual assault. This is a prime opportunity. Allowing Cpl Ohu to leave the Marine Corps with her medical retirement is a more fair and appropriate outcome than prosecuting her, a survivor of sexual assault, for minor misconduct.
- c. **The allegations against Cpl Ohu are not serious enough to warrant the command depriving her of her medical retirement by doing an adsep board.** The allegations of PAC violations are minor allegations in that no one was physically hurt, and the allegations only allege that Cpl Ohu verbally chastised Marines for doing their work poorly. The recent allegations stem from a bad reaction with her prescribed medication that gave her a psychological break. This stems from the PTSD she has from when she was assaulted back in 2015 by a fellow Marine. Cpl Ohu's mental health issues need help in the form of mercy and understanding from the command—not attempted punishment that would ultimately deprive her of

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medical treatment.

- d. **If the Command's Goal is to Separate Cpl Ohu, the fastest way to separate her is through medical retirement per the medboard.** Due to the ongoing travel restrictions from COVID-19, which SecDef has recently announced will be extended past the 11 May deadline, Cpl Ohu's adsep board cannot commence until the travel ban is lifted. Her defense counsel cannot travel from Camp Lejeune to attend any court or adsep proceedings, so any hearing will have to proceed after the travel ban is lifted. On the other hand, if the medboard findings are accepted and Cpl Ohu is allowed to medically retire she will end her active service as soon as the unit can finish her outbound processing.

2. Cpl Ohu's circumstances rate that she should receive her medical retirement. Accordingly, I am respectfully requesting that Cpl Ohu not be processed for adsep, but receive her medical retirement per the med board findings.

3. I am available at your convenience to discuss this case, the med board findings, and any concerns you may have. Please feel free to contact me, my email is tyler.blair@usmc.mil, and my work cell is (910) 939-8252. Thank you for your attention in this matter.

Tyler W. Blair
T. W. BLAIR