

29 Apr 11

From: Captain Christopher G. Blosser 1766/4402 USMC
To: Commanding General, 3d Marine Aircraft Wing

Subj: REQUEST FOR CLEMENCY ICO CAPTAIN DOUGLAS S. WACKER, USMC

1. I write this letter in support of Captain Wacker's request for clemency.

2. I first met Captain Wacker in August, 2006 when we both entered the Excess Leave Program at the University of San Diego (USD) School of Law. Between then and January 2009, I observed Captain Wacker on a near daily basis interacting with the faculty, local legal professionals, and fellow law students. His conduct during those interactions represented the Marine Corps well and demonstrated the high degree of professionalism and character that we demand of our officers.

3. As a former artillery officer and current judge advocate, I have served with hundreds of officers in garrison, training, and combat over the past eleven years. Based on those experiences, I can say that Captain Wacker's work ethic and loyalty to the Corps are unquestionably among the best. Unlike many Law Education Program students, Captain Wacker did not rest on his laurels while at USD. Instead, he pursued every opportunity to get involved and also improve his legal skills for future service as a judge advocate. The following are a few examples of my personal observations:

a. He became a member of the Moot Court Board in 2007 and helped to organize and execute eight multi-day tournaments, including two highly ranked national tournaments. As a testament to his extraordinary contributions, he was selected to coordinate the largest moot court tournament in San Diego for 2009.

b. In November 2008, Captain Wacker initiated and organized a highly publicized and well attended discussion panel about the Military Commissions at Guantanamo Bay. Captain Wacker was able to assemble a distinguished panel including a Military Judge who presided over the Military Commission of Salim Hamdan, a former Deputy Assistant Secretary of Defense for Detainee Affairs, a former prosecutor in the military commissions, the Defense Counsel for David Hicks (the Australian detained at Guantanamo), and an expert witness for the military commissions. The discussion panel received accolades from the school and San Diego legal community and spoke volumes about his abilities and initiative as an officer.

c. Captain Wacker became President of the University of San Diego's Veteran Law Student Association (VLSA) in 2008. Although this was only the second year of the association, he took it from a meager group for veterans to get acquainted to a group dedicated to serving the veteran community of San Diego with needed legal services. He

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also organized a Marine Corps/Navy birthday celebration that was not only a showcase of veteran support, but a recruiting tool for military judge advocate programs. His vision set the VLSA on a path to success. Carrying his passion for veterans' affairs further, Captain Wacker will be serving as a volunteer on the Veterans Treatment Review Calendar (VTRC) Team and will be providing legal assistance to veterans suffering from PTSD and TBI.

d. Due to Captain Wacker's law school performance and perseverance, he obtained prestigious internships at the United States Attorney's Office in San Diego, the California Court of Appeal in Orange County, and the Washington State Supreme Court. Among his internship supervisors was a retired Marine Lieutenant Colonel who spoke highly about Captain Wacker's work performance.

e. Captain Wacker maintained a positive and loyal attitude toward the Marine Corps throughout the nearly four year legal battle despite its adverse impact on his reputation, personal relationships, law degree, and Marine Corps assignments. At one point, in response to a comment from me about how he was seemingly handling the situation far better than expected, he said, "We Marines keep up the fight and I love the Corps."

4. As a judge advocate and one of the first witnesses to be interviewed by NCIS, I question the objectivity and nature of the investigation into the offenses for which Captain Wacker was court-martialed. Starting with my first interview, Special Agent Burge went to great lengths to sway my opinion of Captain Wacker's character and guilt. Additionally, Lieutenant Colonel Jones' Findings of Fact and Conclusions of Law on the Motion to Dismiss for Unlawful Command Influence provides further insight into the unorthodox nature of the investigation.

5. With the above in mind, I strongly support Captain Wacker's request for clemency and respectfully request you disapprove the court-martial's finding of guilty for a violation of Article 133. Notwithstanding the unusual sentence and recommendation of the court-martial, the finding of guilty raises a number of concerns for Captain Wacker's future - including, among others, his ability to practice law. I am confident that he would be an excellent judge advocate and would actively pursue an opportunity to serve with him again.

6. For any questions regarding this matter, I can be reached at DSN: 315-645-3075 or christopher.blosser@usmc.mil.



C. G. BLOSSER