



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

MTN  
Docket No: 6835-14  
21 July 2015

From: Chairman, Board for Correction of Naval Records  
To: Headquarters Marine Corps

Subj: REVIEW NAVAL RECORD OF 5 U.S.C 552(b) (6) USMC,  
5 U.S.C 552(b) (6)

Ref: (a) 10 U.S.C. 1552  
(b) SecDef Memo dtd 3 Sep 14

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, that her other than honorable (OTH) discharge be changed.

2. The Board, consisting of 5 U.S.C 552(b) (6) reviewed Petitioner's allegations of error and injustice on 26 June 2015 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active duty on 8 February 1984. She received nonjudicial punishment (NJP) for wrongful use of cocaine on 20

MTN

Docket No: 6835-14

June 1985. Subsequently, she was processed for separation under other than honorable conditions by reason of misconduct, and on 13 December 1985, she was so discharged.

d. In her application, Petitioner asserts that she had Post-Traumatic Stress Disorder (PTSD) at the time of her service and that it was the cause of her misconduct. She attached a psychologist report that states that the PTSD was incurred during her military service.

CONCLUSION:

The Board initially notes Petitioner's NJP and does not condone her misconduct. However, the Board concluded that her request warrants favorable relief in the form of recharacterization of her service based, in part, due to her diagnosis of PTSD. The Board noted that the Petitioner provided a detailed medical history and PTSD diagnosis from the Camp Pendleton Naval Hospital. This evidence led the Board to reasonably conclude that the PTSD condition was caused by traumatic service connected events and existed at the time of her discharge. In addition, the fact that the Petitioner did not engage in misconduct until after the traumatic incident that led to her PTSD was persuasive to the Board and led them to conclude that the PTSD was a causative factor in the misconduct that led to the Petitioner's discharge. Finally, after carefully considering all the evidence, the Board felt that the Petitioner's diagnosed PTSD should mitigate the misconduct she committed while on active duty since the PTSD condition outweighed the severity of the misconduct. In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 13 December 1985, she received a "honorable discharge."

b. That a copy of this report of proceedings be filed in Petitioner's naval record.

c. That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 7 May 2014.

MTN

Docket No: 6835-14

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5 U.S.C 552(b) (6)

T. J. REED  
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5 U.S.C 552(b) (6)

ROBERT J. O'NEILL  
Executive Director