



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

██████████
Docket No. 1044-23

Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 14 February 2023. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations, and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the correspondence related to your detachment for cause (DFC). The Board considered your contentions that the actions taken to remove you from command were unjust and not according to law, customs or guidance. You claim that you have received eight fitness reports documenting five years of exceptional performance and you received a 5.0 evaluation weeks before your DFC. You also claim that the Commodore was aware of the issues you were dealing with in your command and routinely expressed his faith and confidence in you. You assert that the Commander of U.S. Surface Forces Atlantic directed your removal from command, but did not meet with you or visit the command despite repeated requests for support.

The Board noted that the Commander, Expeditionary Strike Group [REDACTED] requested your DFC due to his loss of confidence in your ability to command. The Commander noted that his decision was based on the results of a February 2022 command investigation which determined that you, the executive officer, and command master chief failed to adequately investigate or address allegations of misconduct made in the most recent Defense Equal Opportunity Climate Survey (DEOCS) and you failed to proactively address other low/declining DEOCS metrics over the previous three surveys. The Board also noted that according to the request for DFC, the failure to adequately address past misconduct undermined your leadership position within the command and ultimately, it was clear that you could not continue in your position. The Board noted, too, that the Deputy Chief of Naval Personnel approved your DFC. The Board determined that your DFC was processed according to MILPERSMAN 1611-020. The Board also determined that the Commander's loss of confidence was properly articulated in his request, and your DFC was supported by a command investigation. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

2/17/2023

Deputy Director