



errors; specifically, you did not approve the executive officer's voucher, and your punishment was not on par with others because you were not an O-5 or E-9 like the others.

The Board noted the Navy Recruiting Command (NRC) Office of the Inspector General Report of Investigation into allegations that the Navy Talent Acquisition Group Golden Gate wasted government money for a recent Operational Training Meeting (OTM), monthly production meetings, and the purchase of awards and giveaways. You were the identified Enlisted Processing Officer when the allegation occurred, and there is evidence that you approved unauthorized travel to the OTM in the Defense Travel System (DTS) for personnel not authorized travel. Based on the evidence obtained, the Investigating Officer found that the preponderance of credible evidence indicated that you violated Article 92, Uniform Code of Military Justice (UCMJ).

The Board noted that you received NJP for violating Article 92, UCMJ, for failing to obey the Joint Travel Regulations (JTR) and Department of Defense Instructions by approving travel and expenditures that did not meet the requirements for authorized travel under the JTR. The Commander found you guilty, awarded a Punitive Letter of Reprimand, and forfeiture of \$365.00 for one month. The Board also noted that you acknowledged your Article 31, UCMJ Rights, accepted NJP, acknowledged your right to appeal, and your appeal was denied. Commander, Naval Education and Training Command (NETC) found that the punishment was neither unjust nor disproportionate. Commander, NETC determined that even if another officer's case was dismissed, you remained one of three officers who received identical punishments relating to this case. He also determined that the CDR, NRC carefully considered the matter, properly weighed the facts and circumstances, took into consideration aggravating and mitigating factors, and properly imposed NJP within his lawful discretionary command authority.

The Board determined that the Commander acted within his discretionary authority, and relied upon a preponderance of evidence, including an official investigation, when determining that NJP was warranted. The Board also determined that your NJP was conducted pursuant to the *Manual for Courts-Martial* (2019 ed.). The Board noted your accomplishments, however, the Board found your evidence insufficient to invalidate your NJP. The Board further determined that each case is considered on its merits; therefore, the outcome of another service member's case does not exonerate your misconduct. Moreover, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. As a result, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting removal of the NJP from your record. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You also indicate in your application that you are the victim of reprisal. The Board, however, determined that there was insufficient evidence to conclude that you received NJP as reprisal in violation of 10 U.S.C Section 1034. In making this determination, the Board noted that there was no evidence, other than your statement, that your NJP was imposed as a reprisal 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,

10/3/2023

[REDACTED]

Executive Director  
Signed by: [REDACTED]