

IN THE CASE OF: ██████████

BOARD DATE: 7 December 2023

DOCKET NUMBER: AR20230002331

APPLICANT REQUESTS:

- removal of the DD Form 785 (Record of Disenrollment from Officer Candidate-Type Training) from her from her Army Military Human Resource Record (AMHRR)
- removal of code ZK (Disciplinary) and code K (Misconduct) from her Army Training Requirements and Resources System (ATRRS) record

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552)
- Self-authored Letter
- DD Form 785, undated
- Headquarters, 3d Battalion, 11th Infantry Regiment (Officer Candidate School (OCS)), Fort Benning, GA, Memorandum (Dismissal from OCS), 25 April 2022
- Headquarters and Headquarters Company, 81st Stryker Brigade Combat Team, Camp Murray, WA, Memorandum (Request for Removal of DD Form 785 – Record of Disenrollment from Officer Candidate-Type Training in Interactive Personnel Electronic Records Management System and Disciplinary Code on the ATRRS Transcript), 12 July 2023
- Email (Open Door Policy (in Writing)), 13 July 2023
- Email (OCS Dismissal), 24 October 2023, from Lieutenant Colonel (LTC) ██████████, Commandant, U.S. Army Officer Candidate School, wherein he states:

FACTS:

1. The applicant states:

a. The DD Form 785 filed in her AMHRR contains the following errors and injustice:

(1) Section I, block 3 (Branch of Armed Forces), shows "AC [Active Component]." The OCS staff did not pay attention to the document or did not know what

to enter in block 3. The correction must show "Army," not "AC," because block 3 is asking which branch of Armed Forces, not component.

(2) Section II, block 14 (Date Disenrolled), is blank. No reason was given why the OCS staff did not enter the date she was disenrolled.

b. No one briefed her about how the DD Form 795 was supposed to be completed. A briefing should have been conducted on the date she was dismissed. The DD Form 795 was not given to her until the last minute before she left OCS. The OCS staff had plenty of time to review the form with her because she stayed there for about 2 1/2 weeks after she was notified of her dismissal. She identified the errors after she opened the dismissal folder and went over the form shortly after she returned home.

c. According to the DD Form 785, she was dismissed because she violated the OCS Honor Code by possessing a note with grids and pattern codes during land navigation week. When she received her dismissal counseling, she didn't recall the information about notes when the briefing was given because the briefing was fast and contained a lot of information; she was not able to take everything in. Also, she saw many candidates possessing their notes during land executions. On the date of the incident, the note she possessed was not hers. It was offered by one of the candidates in her platoon. The candidate kept offering his notes, even on the day before the incident happened (fourth day of land navigation) and he approached her and one other candidate 30-45 minutes before the incident happened (fifth day of land navigation) and offered his notes again. Although she didn't understand his intention, she ended up accepting his notes. After 30-45 minutes, a cadre member said he wanted to search a group of candidates who were taking the test. At that time, she was caught, and she lost her opportunity to take the land navigation test. She admitted she should not have accepted the other candidate's notes at the time. She acknowledged it was her fault and that she made a terrible mistake, but she did not possess the notes and did not share the notes with others during the test. It happened before the test, so they should've given her a negative spot report and re-briefing about the notes. She does not believe what happened to her was cause for dismissal.

d. The briefing about possessing notes was not properly given to candidates although OCS leadership believed the cadre did their jobs. Only a small group of candidates were searched on the last day of land navigation week. More than two-thirds of the population was not searched throughout the whole land navigation week. In the sworn statement she provided to the brigade commander, she included the name of the candidate and other candidates who received his notes. The brigade commander thought her sworn statement was nonsense because she included the candidate's name and he didn't understand during her rebuttal. When she had a rebuttal meeting with the brigade commander, she was nervous, so she couldn't explain everything.

e. The OCS staff treated her terribly after the dismissal was finalized. The commander placed her on "battle buddy watch" for 4 to 5 days, including the weekend, when everyone was on 4-day pass because he thought she would harm herself or commit suicide. At that time, she firmly told the chaplain and all the cadre members that she would not hurt herself, but nobody listened or believed her. Also, she told one of the cadre members that she had no parents and no close friends with whom she could share the painful experience, so putting her on "battle buddy watch" would make her situation worse. She asked him to contact the commander to let him know about her situation.

2. The Army Board for Correction of Military Records (ABCMR) does not have access to the ATRRS database. There is no evidence indicating the applicant contacted her battalion S-3 to request removal of the disciplinary and misconduct codes from her ATRRS transcript. As a result, this portion of her request will not be discussed further in this record of proceedings.

3. Following prior enlisted service in the Regular Army, she enlisted in the Army National Guard on 15 March 2018.

4. Headquarters, Military Department, State of Washington, Office of the Adjutant General, Orders 51-2076-00168, 17 March 2022, ordered her to full-time National Guard training to attend OCS effective 3 April 2022.

5. Her records contain the DD Form 785 showing in:

a. Section 1 (Identification Information on Student at Time Disenrolled):

(1) block 3 (Branch of Armed Forces), "AC";

(2) block 13 (Dated Entered Program), 4 April 2022;

(3) block 14 (Date Disenrolled), no entry; and

(4) block 15 (Date Scheduled for Commission), 24 June 2022.

b. Section 3 (Reasons and Circumstances for Disenrollment): "[Applicant] is being recommended for dismissal due to violating the OCS honor code and OCSOP [Officer Candidate Standard Operating Procedure] Chapter 2-1. OCS cadre found written numeric and punch codes in her possession that correlated with the course. OC's [Officer Candidates] were briefed prior to each iteration to discard any notes that were used during lane execution."

c. Section 4 (Evaluation to be Considered in the Future for Determining Acceptability for Other Officer Training):

(1) an "X" was placed in block 5 (Definitely Not Recommended); and

(2) Remarks: "Candidate dismissed for violation of the OCS Honor Code (in possession of land navigation test points, grid, and punch patterns during testing period)."

6. The Headquarters, 3d Battalion, 11th Infantry Regiment (OCS), Fort Benning, GA, Memorandum (Dismissal from OCS), 25 April 2022, dismissed her from OCS effective 25 April 2022 by reason of "OCS Honor Code Violation."

7. The Headquarters and Headquarters Company, 81st Stryker Brigade Combat Team, Camp Murray, WA, memorandum (Request for Removal of DD Form 785 – Record of Disenrollment from Officer Candidate-Type Training in Interactive Personnel Electronic Records Management System and Disciplinary Code on the ATRRS Transcript), 12 July 2023, shows she submitted a request to the Chief, Personnel Division, Army National Guard, for removal of the DD Form 785 and disciplinary codes shown on her ATRRS transcript.

8. Her email (Open Door Policy (in writing), 13 July 2023, shows she emailed a member of her unit leadership, requesting a meeting under the open door policy to share her situation and ask for his endorsement for Federal OCS.

9. The email from Lieutenant Colonel (LTC) ██████████, Commandant, U.S. Army Officer Candidate School (OCS Dismissal), 24 October 2023, states:

I am aware of the land navigation cheating incident that occurred within your class in which 23 other officer candidates were recommended for dismissal. I understand that some officer candidates received differing decisions from LTC ██████████ or the Brigade Commander from that incident. Federal OCS faces external scrutiny of its policies, systems, and processes on a weekly basis from the chain of command at The Maneuver Center of Excellence (including preliminary inquiries and AR [Army Regulation] 15-6 investigations), 199th Brigade Equal Opportunity program, the Fort Moore and Training and Doctrine Command Inspectors General, Congress, and up to the White House. Every allegation levied against my predecessor regarding bias, bullying, unfair treatment, etc. was returned unfounded. He retired honorably on 1 October and can no longer reverse his decisions made while on active duty.

I do not have the authority or desire to reverse my predecessor's decisions regarding recycles or dismissals. After one year, you are eligible to reapply for

Federal OCS and go through the board process again. The difficulty you are facing in seeking commission is the consequence of your violation of the OCS honor code, not the fault of cadre or fellow students. The DD Form 785 in your file is working as intended as LTC [REDACTED] "definitely not recommends" you as eligible for any commissioning source in any Army component or other branch of service. After the period for appeals, these matters at Federal OCS are closed.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the applicant's military records, the Board found relief is not warranted.
2. The Board found insufficient evidence that would support a recommendation to remove the DD Form 785 from the applicant's record. While there appear to be minor errors on the form, the Board found that, ultimately, these are harmless errors that do not form a basis for removing the form from the applicant's record. Based on a preponderance of the evidence, the Board determined the presence of the DD Form 785 in the applicant's record is not an error or unjust.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

2/12/2024

X [REDACTED]

CHAIRPERSON
[REDACTED]

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Army Regulation 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. The ABCMR considers individual applications that are properly brought before it. The ABCMR will decide cases on the evidence of record; it is not an investigative body. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

a. Paragraph 1-8 provides that the ABCMR members will direct or recommend changes in military records to correct the error or injustice, if persuaded that material error or injustice exists and that sufficient evidence exists in the record.

b. Paragraph 2-8 provides that the ABCMR staff will review each application to determine if it meets the criteria for consideration by the ABCMR. The application may be returned without action if the applicant has not exhausted all other administrative remedies.

2. Army Regulation 600-37 (Unfavorable Information), 10 April 2018, sets forth policies and procedures to authorize placement of unfavorable information about Army members in individual official personnel files; ensured that unfavorable information that is unsubstantiated, irrelevant, untimely, or incomplete is not filed in individual official personnel files; and ensured that the best interests of both the Army and the Soldier are served by authorizing unfavorable information to be placed in and, when appropriate, removed from official personnel files. Paragraph 7-7 states Army Regulation 15-185 contains policy and procedures for applying to the ABCMR for the purpose of correcting

military records. Applications should be sent to the ABCMR to correct an error or remove an injustice only after all other means of administrative appeal have been exhausted, including available appeal actions provided in this regulation.

3. Army Regulation 600-8-104 (Army Military Human Resource Records Management) prescribes policies governing the Army Military Human Resource Records Management Program. The AMHRR includes, but is not limited to, the Official Military Personnel File, finance-related documents, and non-service related documents deemed necessary to store by the Army. Paragraph 3-6 provides that once a document is properly filed in the AMHRR, the document will not be removed from the record unless directed by the ABCMR or other authorized agency.

//NOTHING FOLLOWS//