



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

██████████
Docket No. 10304-24

Ref: Signature date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████,
USN, XXX-XX-██████████

Ref: (a) 10 U.S.C. §1552
(b) SECDEF Memo of 3 Sep 14 (Hagel Memo)
(c) PDUSD Memo of 24 Feb 16 (Carson Memo)
(d) USD Memo of 25 Aug 17 (Kurta Memo)
(e) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting an upgrade of her characterization of service and the addition of the Humanitarian Service Medal. Enclosure (2) applies.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 14 April 2025 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, policies including references (b) through (e). In addition, the Board considered an advisory opinion (AO) from a qualified mental health professional. Although Petitioner was provided an opportunity to respond to the AO, she chose not to do so.

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, the statute of limitation was waived in accordance with the Kurta Memo.

c. Petitioner was granted enlistment waivers for her number of dependents and eczema. She enlisted in the Navy and began a period of active duty on 9 June 2004.

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

d. On 12 August 2004, while at still [REDACTED], Petitioner received nonjudicial punishment (NJP) for dereliction in the performance of her duties in that she willfully failed to stand a proper watch. Following this incident, she was issued administrative remarks documenting the infraction and advising her that subsequent violation(s) of the Uniform Code of Military Justice (UCMJ) or conduct resulting in civilian conviction(s) could result in administrative separation under Other Than Honorable conditions.

e. On 23 July 2007, while onboard [REDACTED], Petitioner received a second NJP for assaulting or willfully disobeying a superior commissioned officer and drunken or reckless operation of [a] vehicle, aircraft, or vessel. Subsequently, she was diagnosed with alcohol dependence and completed inpatient residential treatment.

f. In July 2008, Petitioner requested separation due to non-compliance of her family dependency care plan.

g. On 8 August 2008, Petitioner was found guilty by the [REDACTED] of assault and battery. She was sentenced to twelve months of home electronic monitoring and monetary fines.

h. On 20 August 2008, Petitioner was notified that she was being recommended for administrative discharge from the Navy by reason of parenthood, pattern of misconduct, commission of a serious offense, and civilian conviction. Petitioner waived her procedural right to consult with counsel.

i. Petitioner's commanding officer (CO) forwarded the administrative separation package to the separation authority (SA) recommending that Petitioner be administratively discharged from the Navy with a General (Under Honorable Conditions) characterization of service. In his recommendation, the CO commented, "I have determined that she has shown a continued disregard for military authority. I believe she has no potential for further naval service." The SA approved the recommendation for administrative discharge for pattern of misconduct and, on 3 September 2008, Petitioner was so discharged.

j. Petitioner contends the following injustices warranting relief:

- (1) She is entitled to the Humanitarian Service Medal (HSM) awarded to [REDACTED] for its participation in operations in [REDACTED] in 2006;
- (2) She originally requested separation from active duty under parenthood; however, her separation was ultimately characterized as a pattern of misconduct following an alcohol-related arrest which she attributes to undiagnosed PTSD stemming from traumatic events she witnessed during active duty service;
- (3) Since her discharge, she has earned Associate of Applied Science (AAS), Bachelor of Science (BS), and Master of Science (MS) degrees;

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

(4) She has continued to support the Department of Defense in various capacities; serving both as a contractor and a civilian employee.

k. For purposes of clemency and equity consideration, the Board noted Petitioner provided Department of Veterans Affairs (VA) documents and a "Camp Essentials Checklist" document.

l. As part of the Board's review, a qualified mental health professional reviewed Petitioner's request and provided the Board with enclosure (3), and advisory opinion (AO). The AO stated in pertinent part:

Petitioner was appropriately referred for psychological evaluation, properly evaluated, and treated during her enlistment. Her Alcohol Use Disorder diagnosis was based on observed behaviors and performance during her period of service, the information she chose to disclose, and the psychological evaluation performed by the mental health clinicians. There is no evidence of another mental health diagnosis in service. Temporally remote to her military service, the VA has granted service connection for PTSD. Unfortunately, there is insufficient information regarding the precipitant trauma to attribute her problematic alcohol use to PTSD symptoms, particularly given pre-service problematic alcohol behavior that continued in service. Additionally, it is difficult to attribute the circumstances of her separation from service to mental health concerns, as the record indicates that she was discharged for violation of family care regulations.

The AO concluded, "it is my clinical opinion that there is post-service evidence from the VA of a diagnosis of PTSD that may be attributed to military service. There is insufficient evidence to attribute the circumstances of her separation from service to PTSD or another mental health condition."

CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief. Specifically, the Board determined Petitioner is entitled to the Humanitarian Service Medal based on her service onboard [REDACTED].

Notwithstanding the recommended corrective action below, the Board determined Petitioner's assigned characterization of service remains appropriate. The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in Petitioner's case in accordance with the Kurta, Hagel, and Wilkie Memos. These included, but were not limited to, Petitioner's desire for a discharge upgrade and her previously discussed contentions.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that Petitioner's misconduct, as evidenced by her NJPs and civil conviction, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of Petitioner's misconduct and found that your conduct showed a complete disregard for military authority and regulations. The Board observed

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

Petitioner was given multiple opportunities to correct her conduct deficiencies but chose to continue to commit misconduct; which led to her GEN discharge. Her conduct not only showed a pattern of misconduct but was sufficiently pervasive and serious to negatively affect the good order and discipline of her command. The Board further determined that Petitioner was afforded considerable clemency when she was awarded a GEN discharge despite the fact that her misconduct qualified for an Other Than Honorable (OTH) characterization of service. The Board also considered the likely discrediting effect Petitioner's civilian conviction has on the Navy. Additionally, the Board agreed with the AO in that there is insufficient evidence to attribute the circumstances of her separation from service to PTSD or another mental health condition. As explained in the AO, her service connection for PTSD is temporally remote to her military service and there is insufficient information regarding the precipitant trauma to attribute her problematic alcohol use to PTSD symptoms; particularly given pre-service problematic alcohol behavior that continued in service. Lastly, the Board determined that an Honorable discharge was appropriate only if the member's service was otherwise so meritorious that any other characterization of service would clearly be inappropriate. Therefore, the Board concluded that Petitioner's discharge was proper and equitable under standards of law and discipline and that the discharge accurately reflects her conduct during her period of service.

While the Board carefully considered the evidence Petitioner submitted in mitigation, even in light of the Kurta, Hagel, and Wilkie Memos and reviewing the record liberally and holistically, the Board did not find evidence of an error or injustice that warrants granting Petitioner a discharge upgrade or granting an upgrade as a matter of clemency or equity. Ultimately, the Board concluded the mitigation evidence Petitioner provided was insufficient to outweigh the seriousness of her misconduct.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

That Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215), the period ending 3 September 2008, indicating the addition of the Humanitarian Service Medal.

No further changes be made to Petitioner's record.

Petitioner be provided a copy of the DD Form 215.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. 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. 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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4/18/2025

[REDACTED]

Executive Director

Signed by: [REDACTED]