

Winston Secures Honorable Discharge and Military Burial for LGBTQ+ Navy Veteran

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After serving his country honorably, our client was removed from service in the late 1980s by the U.S. Navy with an “other than honorable” discharge after he admitted to being gay. He then spent much of the next 30 years of his life homeless and fighting both depression and illness.

In 2011, after the U.S. military repealed its “Don’t Ask, Don’t Tell” policy, he attempted to have his discharge upgraded but was unsuccessful.

Shortly before his death, however, our client contacted the National Veterans Legal Service Program (NVLSP) for help with having his discharge changed. Following his death, his mother postponed his burial service with the hope that his discharge would be upgraded, and he could receive a military burial. NVLSP then reached out to Winston & Strawn for help, and together with his mother, we ensured that our client received the full military honors he had earned and deserved.

Upon learning that her son’s discharge had been upgraded, our client’s mother said, “I am sitting here in tears after receiving this most excellent news. Martin loved the Navy so much and would have returned if he could have. Although he’s not alive to celebrate with me and his brothers, I know that he would be overjoyed.”

Chicago Associate Jordan Bucci said, “It was an honor to be serving in the U.S. military in 2011 when the “Don’t Ask, Don’t Tell” policy was repealed, and it is an honor still to help those who were negatively impacted by the former policy. In this particular case, a family can now see the remains of their son and brother buried with full military honors. It is a good day.”

The Winston team that worked on this matter included Chicago Associates Jordan Bucci and Rachel Wilson.

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Rachel S. Wilson

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