



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

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Docket No: 4909-21  
1109-20  
Ref: Signature Date



Dear Petitioner:

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

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. A three-member panel of the Board, sitting in executive session, considered your application on 29 September 2021. The names and votes of the panel members 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 the 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Navy and began a period of active duty on 8 November 1968. During the period from 15 April 1969 to 21 September 1970, you received six instances of non-judicial punishment (NJP). Your offenses were unauthorized absence on three occasions, dereliction in the performance of duty and absence from your appointed place of duty. On 17 August 1972, you were informed that you were not recommended for reenlistment due to low military behavior. On 24 August 1972, you were released from active duty with a general (under honorable conditions) character of service and transferred to the Naval Reserve (USNR).

In reviewing your separation and characterization of service, the Board considered the totality of the circumstances to determine whether relief is appropriate today in the interests of justice in accordance with guidance provided by the Under Secretary of Defense for Personnel and Readiness (*Wilkie Memo of 25 July 2018*). Accordingly, the Board carefully weighed all

potentially mitigating factors, such as your desire to upgrade your discharge character of service and post service accomplishments. The Board also considered your contentions that: 1) your behavior had everything to do with your alcoholism; 2) you were never offered any help, support, or counseling while in the Navy; 3) if you had been offered help for your alcoholism, you would have met the military average of 3.0, and received an honorable discharge. You further state that you are not requesting an upgrade of your character of service to obtain insurance, as you stated previously in your previous request. Your request is to validate you as someone who served your country with dignity and honor as did your father and grandfather before you.

Based upon this review, even considering these potentially mitigating factors in accordance with the above referenced guidance, the Board did not find that relief was in the interest of justice. The Board concluded these factors were not sufficient to warrant an upgrade of your character of service given your repeated misconduct that resulted in six NJPs and failure to attain the required average in conduct. In regard to your contention that you were not offered assistance concerning your alcoholism, there is no evidence in the record and you provided none that reflects that you sought assistance for alcoholism or you were diagnosed with alcohol dependence.

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,

10/17/2021

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Executive Director  
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