



vehicle, wrongful use of cocaine, and assault upon a military police officer. On 1 July 1987, you were notified that you were being recommended for administrative discharge from the Navy by reason of misconduct due to drug abuse. You were advised of, and waived your procedural rights to consult with military counsel and to present your case to an administrative discharge board (ADB). Your commanding officer (CO) then forwarded your administrative separation package to the separation authority (SA) recommending your administrative discharge from the Navy with an other than honorable (OTH) characterization of service. The SA approved the CO's recommendation and directed your OTH discharge from the Navy by reason of misconduct due to drug abuse. On 3 August 1987, you were so discharged.

As part of the Board's review, a qualified mental health professional reviewed your request and provided the Board with an AO on 31 January 2022. The AO noted that there is no evidence that you were diagnosed with a mental health condition in service, although, you did demonstrate behavior consistent with a possible substance use disorder. Unfortunately, you have not provided any post-service medical evidence in support of your claims of mental health issues. Additionally, your statement does not provide sufficient detail to determine a nexus between a mental health conduct and your misconduct. The AO concluded that additional information is required to render an alternate opinion and stated that there is insufficient evidence that you may have incurred PTSD or another unfitting mental health condition during military service or that your misconduct could be attributed to PTSD or another unfitting mental health condition.

The Board carefully reviewed your application, weighed all potentially mitigating factors, and considered your contention that you acquired PTSD while in service, along with mental health issues, which were not detected while you were serving. You further state that your mother had passed away while you were serving and you saw dead bodies while you were in Beirut and Lebanon. Unfortunately, the Board, applying liberal consideration, relying on the AO, and noting you did not submit any documentation regarding your PTSD or other mental health condition, did not find evidence of an error or injustice that warrants upgrading your characterization of service or granting clemency in the form of an upgraded characterization of service.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to your contention as previously discussed and your desire to upgrade your discharge character of service. For purposes of clemency consideration, the Board noted you did not provide supporting documentation describing post-service accomplishments, or advocacy letters. Based upon this review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your misconduct, as evidenced by your SCM, outweighed any mitigating factors. In making this finding, the Board noted you had a long history of drug abuse which showed a complete disregard for military authority and regulations. As a result, the Board determined your conduct was a significant departure from that expected of a Sailor and warrants an OTH characterization of service. Accordingly, given the totality of the circumstances, the Board determined your request does not merit relief.

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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,

4/1/2022

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Executive Director

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