



separation processing by reason of best interest of the service due to your inability and/or refusal to comply with Navy's Equal Opportunity (EO) Policy. You waived all your rights and did not object to the separation. On 18 August 1986, your commanding officer recommended an immediate discharge from the Navy and further stated that your total disregard for authority and intolerable lack of respect for minority members of the service had persisted and detracted from the morale, discipline, and overall mission effectiveness of the command and a history of counseling and reprimands had failed to remedy the problem. On 29 August 1986, the Chief of Naval Personnel forwarded your case to the Assistant Secretary of the Navy (ASN) Manpower and Reserve Affairs recommending that you receive a general discharge by reason of best interest of the service. On 12 September 1986, the ASN directed your discharge by reason of best interest of the service with a general characterization of service. On 8 October 1986, you were discharged with a general characterization of service, secretarial plenary authority narrative reason for separation, and a RE-4 reenlistment code.

In connection with your assertion that you suffered from post-traumatic stress disorder (PTSD) and other mental health conditions, the Board requested, and reviewed, the AO provided by a qualified mental health provider. The AO concluded that there is post-service evidence that you may have incurred PTSD during military service and that some of your misconduct could be attributed to PTSD, but there is insufficient evidence that you incurred any other mental health conditions during military 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 desire for an honorable discharge, RE-1 reenlistment code, and contentions that you suffered from an undiagnosed and untreated mental health conditions, to include PTSD and bipolar disorder, that resulted in your discharge. In reviewing your contentions the Board applied liberal consideration to evidence which might support the existence of those conditions occurring in-service and also considered the AO in making its determination. In its deliberations, the Board concurred with the AO's assessment that your records contained evidence that some of your misconduct could be attributed to PTSD. Based on the mitigation of the PTSD, the Board felt that the general characterization of service you received was appropriate given your NJP and refusal to comply with the Navy's EO Policy even after repeated counseling by your chain of command. Additionally by refusing to comply with the EO Policy, your retention in service was not warranted, resulting in the applicable reenlistment code. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

2/16/2022

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Executive Director

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