



NJP for UA, failure to obey a lawful regulation, public drunkenness, and non-performance of duty due to drunkenness. On 20 October 1987, you were formally evaluated as an alcohol abuser. On 23 October 1987, you were counseled regarding previous NJP and warned that further misconduct, could result in administrative discharge action. On 2 June 1988, you began a period of UA that lasted 67 days, ending with your apprehension by civil authorities on 9 August 1988. On 12 August 1988, you received NJP for 67 days of UA. On 15 November 1988, you were convicted by special court-martial (SPCM) of UA and wrongful use of a controlled substance. You were sentenced to a reduction in paygrade, a forfeiture of pay, and a bad conduct discharge (BCD). On 9 December 1988, you were disqualified for duty on submarines as a result of administrative disciplinary action prior to your discharge. Additionally, your Enlisted Submarine Designator (SS) was also removed. On 23 December 1988, you were convicted by SPCM of failing to go to your appointed place of duty and wrongful use of marijuana. You were sentenced to a reduction in paygrade, a forfeiture of pay and a BCD. On 1 September 1989, you were discharged with a BCD.

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 statement that you were not qualified mentally to be on a submarine, your remorse for your actions that happened 35 years ago, your post-discharge good behavior, and in consideration of your young son. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your three NJPs and two SPCM convictions for drug abuse outweighed your assertions. In making this finding, the Board considered the seriousness of your misconduct that included multiple UAs and drug offenses that, more likely than not, was detrimental to the good order and discipline of your command. Further, the Board was not persuaded by your arguments of mental unfitness due to the lack of evidence to support your assertion. 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

Signed by: █