



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

Docket No. 12435-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Marine Corps/Navy, filed enclosure (1) requesting his characterization of service be changed on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 7 April 2025 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active service on 24 March 1986.

d. On 2 February 1987, Petitioner was recommended for Level II rehabilitation by the SUBRON 4 drug and alcohol program advisor (DAPA) after an alcohol-related incident. Petitioner then began Antabuse on 27 March 1987. On 8 April 1987, Petitioner was found not fit

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for deployment and recommended for fraudulent enlistment processing after a background investigation revealed "several charges of dealing and distributing marijuana." The Counseling and Assistance Center (CAAC) recommended Level III treatment and Petitioner was admitted to Alcohol Rehabilitation Service (ARS) on 22 May 1987. Petitioner was discharged on 26 May 1987 due to participation "not commensurate with the staff's expectations of one who wishes to achieve sobriety." On 27 May 1987, Petitioner commenced a period of unauthorized absence that ended in his surrender on 28 May 1987.

e. On 18 June 1987, Petitioner was notified of administrative separation processing by reason of Alcohol Abuse Rehabilitation Failure with a least favorable characterization of service of General (Under Honorable Conditions) (GEN). He waived his rights to consult with counsel or submit a statement to the separation authority. On 26 June 1987, Petitioner was discharged with a GEN characterization of service and an overall trait average (OTA) of 2.45.

f. Petitioner contends he was offered an early out to go to college, that during his substance abuse evaluation the doctor made a pass at him, and that he was supposed to receive a new discharge once his "time was completed if there was no further disruptions." Petitioner did not provide supporting documentation describing post-service accomplishments or advocacy letters.

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief. Specifically, in keeping with the letter and spirit of the Wilkie Memo, the Board determined that it would be an injustice to label one's discharge as being related to alcohol abuse or alcohol rehabilitation failure. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's discharge should not be labeled as being an alcohol rehabilitation failure and that certain remedial administrative changes are warranted to the DD Form 214.

Notwithstanding the recommended corrective action below, the Board determined Petitioner's assigned characterization of service and reentry code remains appropriate. The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in Petitioner's case in accordance with the Wilkie Memo. These included, but were not limited to, his desire for a discharge upgrade and his previously discussed contentions.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that Petitioner's Alcohol Abuse Rehabilitation Failure and OTA outweighed these mitigating factors. The Board noted that Petitioner was evaluated for alcohol dependence following an alcohol related incident and his command attempted to provide the recommended treatment; however, Petitioner was released from treatment for refusal to participate in, cooperate in, or successfully complete his alcohol treatment program. Further, the Board observed that Petitioner's OTA was below that required for an Honorable characterization of service at the time of his discharge. The Board also noted that there is no provision of federal law or Navy regulation that allows for a discharge to be

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automatically upgraded after a period of time. Finally, the Board noted Petitioner provided no evidence, other than his personal statement, to substantiate his contentions.

Therefore, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting Petitioner the relief he requested or granting the requested relief as a matter of clemency or equity. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

RECOMMENDATION

That Petitioner be issued a new DD Form 214, for the period ending 26 June 1987, indicating his separation authority as "MILPERSMAN 3630900," separation code as "JFF," and narrative reason for separation as "Secretary Plenary Authority."

That no further changes be made to Petitioner's record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4/23/2025

