



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

██████████  
Docket No. 2786-25  
Ref: Signature Date

████████████████████  
████████████████  
████████████████

Dear Petitioner:

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

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 29 August 2025. 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).

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the U.S. Navy and began a period of active duty service on 17 June 1985. Your pre-enlistment physical examination, on 9 May 1985, and self-reported medical history both noted no psychiatric or neurologic issues or symptoms. On your enlistment application, you disclosed pre-service marijuana use. On 22 October 1985, you reported for duty on board ██████████  
██████████ at ██████████.

On 25 November 1987, you received non-judicial punishment (NJP) for the larceny of food from a civilian restaurant in ██████████. You did not appeal your NJP.

On 26 September 1988, you received NJP for the wrongful use of cocaine. You did not appeal your NJP.

On 6 October 1988, your command notified you of administrative separation proceedings by reason of misconduct due to the commission of a serious offense and drug abuse. You consulted with counsel, elected your right to submit statements and to request an administrative separation board (Adsep Board).

On 9 November 1988, an Adsep Board convened in your case. At the Adsep Board, you were represented by counsel and provided sworn testimony on your own behalf. Following the presentation of evidence and any witness testimony, the Adsep Board members unanimously recommended that you committed the misconduct as charged and that you should be separated with an Other Than Honorable (OTH) discharge characterization.

On 11 January 1989, you declined inpatient drug rehabilitation treatment. On the same day, you were separated from the Navy for misconduct with an OTH discharge characterization and assigned an RE-4 reentry code.

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 a discharge upgrade and contentions that: (a) up until your positive urinalysis test, you had a good service record with no blemishes, (b) since 1989, you have regretted your actions and your failure to stay and fight for a second chance, and (c) as time went on you came to realize what an awesome job you had in the Navy and not a day goes by you wish you had the chance to retire from the Navy. For purposes of clemency and equity consideration, the Board considered the totality of the evidence you provided in support of your application, which consisted solely of your personal statement and the information you included on your DD Form 149 without any additional documentation.

After thorough review, the Board concluded these potentially mitigating factors and contentions were insufficient to warrant relief. The Board did not believe that your record was otherwise so meritorious as to deserve a discharge upgrade. The Board concluded that significant negative aspects of your conduct and/or performance greatly outweighed any positive aspects of your military record. The Board determined that illegal drug use is contrary to military core values and policy, renders such service members unfit for duty, and poses an unnecessary risk to the safety of their fellow Sailors. The Board determined that characterization under OTH conditions is generally warranted for misconduct and is appropriate when the basis for separation is the commission of an act or acts constituting a significant departure from the conduct expected of a Sailor. The Board determined that the record clearly reflected your misconduct was intentional and willful and indicated you were unfit for further service. Moreover, the Board noted that the evidence of record did not demonstrate that you were not mentally responsible for your conduct or that you should not otherwise be held accountable for your actions. The Board concluded that your cumulative misconduct was not minor in nature and demonstrated a failure to conform to basic military standards of good order and discipline, all of which further justified your OTH characterization.

