



Docket No. 6696-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,

Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)
(c) USECDEF Memo of 25 Aug 17 (Kurta Memo)
(d) SECDEF Memo of 13 Sep 14 (Hagel Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)
(4) Advisory Opinion of 21 Nov 25

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

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 9 March 2026, 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 references (b) through (d). Additionally, the Board considered enclosure (4), the advisory opinion (AO) furnished by qualified mental health provider, that was considered favorable to Petitioner.

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 20 August 2008.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USN,
[REDACTED]

d. Petitioner was stationed at [REDACTED] from 5 December 2008 to 29 January 2010 as a patrolman and sentry. Petitioner transferred and subsequently reported for duty at [REDACTED]

e. On 18 March 2010, Petitioner's command received notification of his positive urinalysis for Tetrahydrocannabinol (THC). On 25 March 2010, Petitioner was notified of administrative separation processing by reason of misconduct due to drug abuse. He consulted with counsel and waived his right to an administrative discharge board. Petitioner's commanding officer recommended Petitioner's discharge with a General (Under Honorable Conditions) (GEN) characterization of service. On 9 April 2010, the separation authority approved the recommendation and Petitioner was so discharged on 22 April 2010.

f. Petitioner contends that after responding to the suicide of a Sailor in Souda Bay and seeing the deceased Sailor hanging, he suffered from post-traumatic stress disorder (PTSD), and this directly contributed to his misconduct. Petitioner submitted documentation from the Department of Veterans Affairs (VA) granting 100% service-connection for PTSD, including his Disability Benefits Questionnaire (DBQ). Additionally, Petitioner submitted two witness statements that corroborate Petitioner's contentions.

g. As part of the Board's review, the Board considered enclosure (4). The AO states in pertinent part:

Petitioner contends he incurred Post Traumatic Stress Disorder (PTSD) during military service, which may have contributed to the circumstances of his separation from service.

Petitioner submitted the following records for review:

- August 2024 VA disability benefits questionnaire diagnosis of PTSD attributed to a traumatic incident in which the Petitioner "had an interaction with an individual as part of...duties as a security sentry who later committed suicide" for which he felt responsible.
- Buddy statements in support of witnessing the suicide
- Evidence of service connection for PTSD, effective May 2018
- Personal statement regarding the experience

There is no evidence that he was diagnosed with a mental health condition in military service. There is post-service evidence from the VA of a diagnosis of PTSD attributed to military service. It is possible that marijuana use could be considered behavioral evidence of avoidance of PTSD symptoms following witnessing a suicide.

The AO concluded, "Based on a review of all available evidence, it is my considered clinical opinion that there is post-service evidence from the VA of a diagnosis of PTSD that may be

Subj: REVIEW OF NAVAL RECORD OF [REDACTED] USN,
[REDACTED]

attributed to military service. There is post-service evidence from the Petitioner that his misconduct may be attributed to PTSD.”

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner’s request warrants relief.

The Board noted Petitioner’s misconduct and does not condone his actions. However, in light of the guidance provided in references (b) through (d), the Board determined relief is warranted as a matter of injustice. The Board concurred with the AO that Petitioner’s mental health condition existed at the time of his misconduct and contributed to his misconduct. After carefully considering all the evidence, the Board felt that Petitioner’s mental health condition should mitigate the misconduct he committed while on active duty since this condition outweighed the severity of the misconduct. The Board thus concluded, purely as a matter of clemency and equity, that Petitioner’s discharge characterization of service should be upgraded to Honorable and his reason for separation changed to reflect a Secretarial Authority discharge.

In view of the above, the Board directs the following corrective action.

RECOMMENDATION

That Petitioner be issued an Honorable Discharge Certificate and a new DD Form 214, for the period ending 22 April 2010, indicating he was discharged with an “Honorable” characterization of service, separation authority of “MILPERSMAN 1910-164,” separation code of “JFF,” narrative reason for separation of “Secretarial Authority,” and reentry code of “RE-1J.”

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.

3/24/2026

