



¹ The Board noted you checked the “PTSD” and “Other Mental Health” boxes on your application but did not respond to the Board’s request to provide evidence in support of your claims. In addition, your application did not discuss include any evidence. Therefore, the Board did not consider your application under the guidance provided in the Kurta and Hagel memos.

performance and/or conduct. You were advised that any further deficiencies in your performance and/or conduct may result in disciplinary action and in processing for administrative discharge.

3. On 3 May 1988, you received NJP for violating a Navy regulation by wrongfully consuming alcohol aboard a naval vessel.

4. On 29 September 1988, you received NJP for drunk on duty, assault, and drunk and disorderly conduct onboard a naval vessel.

5. The same day, you were notified of pending administrative separation processing with an Under Other Than Honorable conditions (OTH) discharge by reason of misconduct due to pattern of misconduct and commission of a serious offense. You waived your rights to consult counsel, submit a statement, or have your case heard by an administrative discharge board.

6. On 19 October 1988, you received a substance abuse evaluation. The medical officer determined you were psychologically dependent on alcohol, recommended post-discharge rehabilitation through the Department of Veterans Affairs (VA) or a civilian facility, and noted that you had completed alcohol abuse treatment in August 1988. The treatment followed your third alcohol-related incident, on 10 June 1988, that resulted in a hand laceration.

7. Ultimately, the separation authority subsequently directed your discharge for commission of a serious offense with an OTH characterization of service. You were so discharged on 11 November 1988.

8. Post-discharge, you applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied your request for an upgrade, on 9 May 1990, based on their determination that your discharge was proper as issued.

In your application to this Board, you express a desire for your discharge character of service be upgraded and contend that:

1. Your behavioral issues stem from an abusive childhood.
2. You have made great strides in your wellbeing, post-discharge, through therapy and medication.

After careful review, the Board reached the following conclusions and denied your application for relief.

The Board initially concluded you were appropriately processed for administrative separation based on your record of misconduct. The Board noted you did not deny committing the misconduct that formed the basis of your administrative separation and OTH discharge. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your record.

The Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, your desire for an upgrade to your characterization of service, your contentions, the totality of your service, your relative youth and immaturity at the time of your misconduct, your rehabilitation efforts, your claimed mental health issues, and the passage of time since your discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board found that the severity of your misconduct far outweighed all of the mitigating factors combined. In particular, the Board found that your conduct showed a complete disregard for military authority and regulations. The Board observed you were given multiple opportunities to correct your conduct deficiencies but chose to continue to commit misconduct, which led to your OTH discharge. Your conduct not only showed a pattern of misconduct but was sufficiently pervasive and serious to negatively affect the good order and discipline of your command. Further, the Board noted you provided no evidence, other than your personal statement, to substantiate your contentions. Therefore, even taking into consideration all the mitigation factors in your case, the Board found that your misconduct while on active duty outweighed the mitigation evidence offered.

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,

3/31/2026

