



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

██████████
Docket No. 7386-25
Ref: Signature Date

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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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 2 March 2026. 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 this 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 August 2017 guidance from the Office of the Under Secretary of Defense for Personnel and Readiness (Kurta Memo), the 3 September 2014 guidance from the Secretary of Defense regarding discharge upgrade requests by Veterans claiming post-traumatic stress disorder (PTSD) (Hagel Memo), and the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo). Additionally, the Board also considered an advisory opinion (AO) furnished by qualified mental health provider. Although you were provided with an opportunity to respond to the AO, you chose not to do so.

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.

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

1. You affiliated with the Navy Reserve on 31 January 2005.
2. On 24 January 2008, Commanding Officer (CO), Naval Operations Support Center (NOSC) ██████████ initiated administrative separation procedures by notice against you on the basis of Unsatisfactory Participation. Notification of the administrative separation processing was sent by Certified Mail to your known home address.
3. On 18 April 2008, your CO recommended to Commander, Navy Personnel Command (CNPC) that you be administratively separated due to Unsatisfactory Drill Participation. The CO noted that you had been a drilling reservist for over two years and one month with ██████████ and were not considered a new affiliate.
4. On 22 May 2008, you were discharged with a General (Under Honorable Conditions) (GEN) characterization of service and were not recommended for reenlistment.

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

1. You were being hazed by fellow Sailors and superiors at the time of your discharge. This caused undue mental and emotional trauma.
2. You are currently rated by the Department of Veterans Affairs for post-traumatic stress disorder (PTSD) with schizoaffective disorder, bipolar type, and alcohol use disorder, severe, in remission.
3. Your mental health conditions due to the trauma you experience was the reason behind your administrative separation and you feel this is unfair.

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 unsatisfactory participation in the Navy Reserve. While the Board carefully considered your contention for mitigation, the Board noted you admitted to committing the misconduct. Therefore, the Board determined the presumption of regularity applies to the finding that you committed the misconduct that formed the basis of your administrative separation and no error exists with your GEN characterization of service.

However, because you raised the issue of mental health, the Board also requested an AO. As part of the Board's review, a licensed clinical psychologist reviewed your contentions and the available records and issued an AO on 21 December 2025. The AO stated in pertinent part:

There is no evidence that the Petitioner was diagnosed with a mental health condition while in service. He submitted VA compensation and pension rating noting post-service diagnosis of PTSD (with other mental health conditions), however the document submitted does not contain any further information as to the

rational for/etiology of the given diagnoses. His personal statement is not sufficiently detailed to provide a nexus between a mental health condition and his in-service misconduct. Additional records (e.g., active-duty medical records, post-service mental health records describing the Petitioner's diagnosis, symptoms, and their specific link to his separation) may aid in rendering an alternate opinion.

The AO concluded that "Based on the available evidence, it is my clinical opinion that there is sufficient evidence of post-service diagnoses of PTSD with other mental health conditions. There is insufficient evidence to attribute his misconduct to PTSD or any other mental health condition."

The Board applied liberal consideration to your claim to have developed PTSD or other mental health condition due in part to being hazed by fellow Sailors and supervisors, and to the effect that these conditions/experiences may have had upon the conduct for which you were discharged in accordance with the Hagel and Kurta Memos. Applying such liberal consideration, the Board found sufficient evidence to conclude there is evidence of post-service diagnosis of PTSD (with other mental health conditions). This conclusion is supported by the AO and your post-service evidence to include your Veterans Affairs evaluation of 100% disability effective 17 April 2024. However, even applying liberal consideration, the Board found insufficient evidence to conclude that your unsatisfactory participation in the Navy Reserve was excused or mitigated by mental health conditions. In this regard, the Board simply had insufficient information available upon which to make such a conclusion and recognized the same concerns raised in the AO. Specifically, the Board considered that the VA information you submitted does not articulate the origin of the mental health conditions nor does the information detail in-service experience(s) that may have contributed to them. Moreover, even if the Board assumed that your failure to participate satisfactorily was somehow attributable to any mental health conditions, the Board unequivocally concluded that your apparent failure to communicate with your chain of command or NOSC ██████████ about medical conditions or experiences that impacted your readiness and your participation in mandatory Reserve requirements more than outweighed the potential mitigation offered by any mental health conditions.

In addition to applying liberal consideration to your claimed mental health condition and its potential effect upon your conduct in accordance with the Hagel and Kurta Memos, the Board also considered the totality of the circumstances to determine whether equitable relief is warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, your contentions, the totality of your service, the nonviolent nature of your misconduct, the negative effect your discharge has had on your life, your conditions as articulated in the Veterans Affairs determination, 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 nature of your unsatisfactory participation in the Navy Reserve was not overcome by the mitigating factors combined such that an upgrade to an Honorable characterization of service is warranted. In particular, the Board found that Reserve readiness and timely disclosure of matters that may impact that readiness are central to the role and mission of Navy Reserve Sailors. The Board found that your lack of participation without

authorized excusal, even when considered in light of the mitigating factors discussed, support maintaining your GEN characterization of service. Finally, the Board believed that it would be unjust to characterize your less than fully honorable service in the same manner as the service of the thousands of service members who, unlike you, honorably completed their Reserve enlistments without engaging unsatisfactory participation warranting the early curtailment of their service. Therefore, the Board did not find an upgrade of your discharge to Honorable to be warranted in the interests of justice.

Accordingly, given the totality of the circumstances, the Board determined 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,

3/23/2026

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Executive Director

Signed by: █