



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

██████████
Docket No. 7946-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████,
USN, XXX-XX-██████████

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

Encl: (1) DD Form 149 w/ enclosures

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting that his discharge be upgraded to honorable, that his reentry code be changed to RE-1 or RE-2, that his narrative reason for separation be changed to reflect equitable language, and that his separation code match the corrected narrative reason for separation. Enclosures (1) and (2) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 24 April 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, 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 Petitioner's 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 the case on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 24 February 1997.

d. On 21 December 1999, Petitioner was convicted by civilian authorities for running a red light.

e. On 22 January 2000, Petitioner was subject to nonjudicial punishment (NJP) for violating Article 112a, Uniform Code of Military Justice (UCMJ), due to wrongful use of the controlled substance, cocaine.

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USN, XXX-XX-[REDACTED]

f. Although records pertaining to Petitioner's notification of administrative separation processing and his statement of awareness were not retained in his official military personnel file (OMPF), his separation code indicates that he elected to voluntarily waive his right to a hearing before an administrative separation board. Ultimately, Commander, [REDACTED], approved Petitioner's separation under Other Than Honorable conditions for the reason of misconduct due to drug abuse, and he was so discharged on 4 February 2000.

g. Petitioner contends that he consistently demonstrated a pattern of honorable and dedicated service during his enlistment, to include being selected as Bluejacket of the Month, and that his single, isolated instance of drug use occurred during highly emotional circumstances when his father's health had rapidly declined. He has since dedicated himself to leadership, education, and public service and has not committed any further misconduct. He believes the following clemency factors are applicable, consistent with reference (b), to merit relief in his case: his overall military service record; his post-service education achievements, career as an educator, and civic accomplishments in public office; his reputation within the community and continued good character; and, the passage of over 25 years since his discharge. In support of his application, in addition to his legal counsel's brief, he submitted a personal statement, his service records, documents substantiating his academic recognitions, an educator certificate, his resumé, policy memos, and numerous character letters.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants partial relief.

The Board initially concluded Petitioner was appropriately processed for administrative separation based on his record of misconduct. The Board noted Petitioner admitted to committing the misconduct that formed the basis of his administrative separation. Therefore, the Board determined the presumption of regularity applies to Petitioner's administrative separation and no error exists with his record.

However, the Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with reference (b). In this regard, the Board considered, amongst other factors, the mitigation factors raised by Petitioner. The Board found that the mitigating factors were sufficient to justify some equitable relief. Specifically, the Board observed that Petitioner has committed his life toward serving his community by pursuing higher education and a career in a public service and education, with extensive support attesting to his good character and esteem within his community. The Board found that the favorable factors Petitioner submitted for consideration of clemency based on his post-service character outweighed the misconduct evidenced by his single NJP for a drug abuse offense. Accordingly, the Board determined that it is in the interest of justice to grant the requested relief with the exception of Petitioner's reentry code, which the Board found continues

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to be appropriate based on Petitioner's unsuitability for further military service.¹ Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) indicating that, for the period ending on 14 February 2000, he was discharged with an "Honorable" characterization of service, narrative reason for separation of "Secretarial Authority," separation authority of "MILPERSMAN 1910-164," and separation code of "JFF." That all other information currently listed on Petitioner's DD Form 214 remains the same.

That Petitioner be issued an Honorable Discharge certificate.

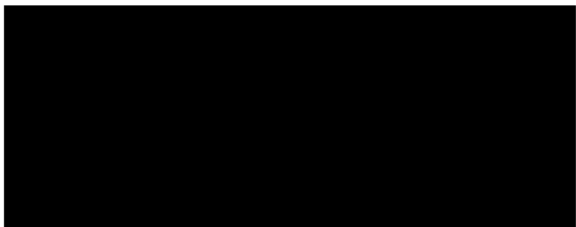
That no further changes be made to Petitioner's record.

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.

5/22/2026



¹ The Board recommended upgrading the Petitioner's discharge from Other Than Honorable to Honorable. While such a grant is atypical for cases involving drug abuse, the Board concluded that the Petitioner's extraordinary clemency evidence warranted this significant relief.