



Age Group	Percentage Vaccinated
18-24	95%
25-34	85%
35-44	75%
45-54	65%
55-64	55%
65-74	45%
75-84	35%
85+	15%

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.

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:

- You enlisted in the U.S. Navy and began a period of active duty service on 25 June 1982. Your pre-enlistment physical examination, 18 June 1982, and self-reported medical history both noted no psychiatric or neurologic issues or symptoms. As part of your enlistment processing, you disclosed pre-service marijuana use on your enlistment paperwork. On 10 November 1982 you reported for duty on board the [REDACTED] in [REDACTED].
- On 10 November 1983, you received non-judicial punishment (NJP) for the wrongful use of a controlled substance (marijuana). You did not appeal your NJP.

- On 12 October 1984 your command issued you a "Page 13" retention warning (Page 13) documenting your wrongful use of marijuana. The Page 13 advised you that any further deficiencies in your performance and/or conduct may result in disciplinary action and in processing for administrative discharge. You did not elect to submit a Page 11 rebuttal statement.

- On 14 January 1985, you reported for duty on board the ██████████.

- On 16 November 1985, civilian authorities arrested and charged you with DUI (BAC 0.133) and marijuana possession. Following your arrest, your command ordered you to participate in a command-directed urinalysis. The results of such urinalysis indicated you tested positive for marijuana.

- On 20 November 1985, civilian authorities convicted you of DUI and marijuana possession. The Court sentenced you to pay a fine and attend the Navy Alcohol Safety Awareness Program. Your drug dependency screening indicated that you were not dependent on drugs or alcohol.

- On 11 December 1985, your command notified you of administrative separation proceedings by reason of misconduct due to drug abuse and commission of a serious offense. On the same day, you consulted with counsel and elected your rights to submit statements and to request a hearing before an administrative separation board (Adsep Board).

- On 9 January 1986, an Adsep Board convened in your case. At the Adsep Board, you were represented by counsel. Following the presentation of evidence and any witness testimony, the Adsep Board members unanimously determined that you committed misconduct as charged, and by majority vote concluded that you should be separated with an under Other Than Honorable conditions (OTH) discharge characterization.

- In the interim, you commenced an unauthorized absence (UA) on 27 January 1986 that terminated after one (1) day. On 30 January 1986, you commenced another UA that terminated after one (1) day. Ultimately, on 5 March 1986, you were separated from the Navy for misconduct with an OTH discharge characterization and assigned an RE-4 reentry code.

In your application to this Board, you express a desire for your discharge character of service be upgraded, constructive service credit to your end of obligated service, and back pay. You contend that:

- If the ██████████ had handled your case better your whole life would likely have been quite different.

- Your JAG attorney outlined several inequities in your administrative separation processing and Adsep Board.

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 OTH discharge 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 and constructive service credit with back pay, your contentions, the totality of your service to include service highlights, the non-violent nature of your misconduct, your relative youth and immaturity at the time of your misconduct, the negative effect your discharge has had on your life, the evidence you provided in support of your application, your advanced age, 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. In addition, the Board determined that illegal drug use and/or alcohol abuse 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. Further, the Board was not persuaded by your contentions regarding your Adsep Board after reviewing the letter of deficiencies submitted by your counsel in 1986 and noting that these issues were considered by the separation authority prior to approval of your separation. 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. While the Board acknowledged the personal difficulties you have endured since your discharge, ultimately, the Board concluded an upgrade of your discharge characterization of service is not warranted in the interests of justice. Based on the same rationale, the Board also determined your date of separation remains appropriate and no basis exists to award you back pay.

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, _____
5/13/2026

[REDACTED]

Executive Director

Signed by: [REDACTED]