



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 5133-02
6 September 2002

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[REDACTED] NOW [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, filed enclosure (1) with this Board requesting in effect, that the DD Form 214 and associated service record pages be corrected to show her current name and sex.

2. The Board, consisting of Mr. Pfeiffer, Ms. Nofziger, and Mr. Chapman, reviewed Petitioner's allegations of error and injustice on 24 July 2002 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

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. Enclosure (1) was filed in a timely manner.

c. Petitioner, who was then a male, enlisted in the Navy on 23 January 1969 at age 19. He had no disciplinary actions during his period of service.

d. On 19 February 1970 he received a general discharge by reason of unfitness, based on a psychiatric evaluation that noted he had been a cross-dresser for five years. His final averages were 3.40 in conduct, and 3.33 in overall traits.

e. In support of the application, Petitioner submitted copies

of a court order and driver's license which reflects that she has changed her name from Conrad S. Schweinfurth to Conni Honey Schweinfurth.

f. In some situations, a former servicemember will be provided with a "Statement of Service." This document sets forth the individual's name, other identifying data, and the period of time the individual served on active duty and in the Navy. Such a statement could be issued to Petitioner in her current name, and this statement of service would be added to the record.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial relief. Based on Petitioner's lack of disciplinary action and honorable marks in conduct and overall traits, the Board believes that relief in the form of recharacterization to an honorable discharge is appropriate. The Board further believes that it would be appropriate to create a document that will show Petitioner's period of service with her present name and gender. The Statement of Service for Petitioner should set forth her current name and the dates she served in the Navy. However, the Board also believes that a correction to Petitioner's DD Form 214, or any other parts of the service record, would be inappropriate since those records correctly show a man named Conrad S. Schweinfurth served in the Navy from 23 January 1969 to 19 February 1970.

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

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was issued an honorable discharge by reason of unfitness on 19 February 1970, vice the general discharge actually issued on that date.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

c. That, upon request, the Veterans Administration be informed that Petitioner's application was received by the Board on 5 June 2002.

d. That a Statement of Service be prepared for Petitioner showing the time served in the Navy and her present name and gender.

e. That a copy of the foregoing Statement of Service be placed in Petitioner's naval record.

f. That no further relief be granted.

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.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

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 Regulations, 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.



For W. DEAN PFEIFFER
Executive Director