



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

TJR
Docket No: 4760-10
3 March 2011

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

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

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

Encl: (1) DD Form 149 with 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 that the characterization of his general discharge be changed.

2. The Board, consisting of Mr. Pfeiffer, Mr. Tew, and Ms. Wilcher, reviewed Petitioner's allegations of error and injustice on 2 March 2011 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. Although it appears that enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Navy on 24 August 1978 at age 18 and served without disciplinary incident.

d. On 14 January 1982 Petitioner was diagnosed with a severe chronic borderline personality disorder and recommended for an administrative separation. In this regard, he was processed for separation due to unsuitability. His commanding officer recommended the characterization of his service be based on his performance. As such, he was recommended for an honorable discharge by reason of unsuitability due to the diagnosed personality disorder.

e. On 16 February 1982 the discharge authority directed the commanding officer to issue a general discharge by reason of unsuitability, and on 19 February 1982, he was so discharged.

f. Character of service is based on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. At the time of Petitioner's discharge his conduct average was 3.4, which exceeded the requirement to warrant a fully honorable characterization of service.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

The Board's decision is based on Petitioner's overall satisfactory service as shown by him serving without disciplinary incident, and his high conduct mark average, which the Board notes exceeded the requirement to warrant a fully honorable characterization of service. Based on the foregoing, the Board concludes that no useful purpose is served by continuing to characterize his service as having been less than fully honorable, and as such recharacterization is appropriate.

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

RECOMMENDATION:

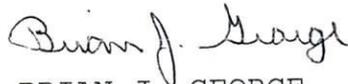
a. That Petitioner's naval record be corrected to show that he was issued an honorable discharge on 19 February 1982 vice the general discharge actually issued on that day.

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

c. That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 29 April 2010.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c), 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


BRIAN J. GEORGE
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 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.


W. DEAN PFEIFFER
Executive Director