



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

BJG
Docket No: 4700-13
9 April 2014

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 20 Feb 13
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, who is hereinafter referred to as Petitioner, filed written application, enclosure (1), with this Board requesting, in effect, that his naval record be corrected by upgrading the characterization of his other than honorable (OTH) conditions discharge issued on 27 May 1986. He further asked that the date of his discharge, pay grade of E-1, and narrative reason for separation (Other Physical/Mental Condition) be changed.

2. The Board, consisting of Ms. Aldrich and Messrs. Exnicios and Grover, reviewed allegations of error and injustice on 8 April 2014, and pursuant to its regulations, determined that partial relief should be granted. 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 which were available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Navy and entered active duty on 26 June 1984. On 22 November 1985, he received nonjudicial punishment for a 24 day period of unauthorized absence and missing the movement of his ship. His punishment included reduction to pay grade E-1. On 13 May 1986, he was diagnosed

with a borderline personality disorder which interfered with the performance of his duties. He was recommended for administrative separation with a type warranted by service record characterization of service due to his diagnosed personality disorder. On 27 May 1986, he received the OTH characterization of service due to other physical/mental condition.

c. Characterization of service is based, in part, on trait marks assigned on a periodic basis. His overall trait mark average was 2.78. An overall trait mark average of 3.0 was required for a fully honorable characterization of service.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting upgrading Petitioner's OTH discharge to a general characterization of service. The Board does not condone his misconduct, but notes that his offenses were minor in nature. However, due to his misconduct and insufficiently overall trait mark average, the Board believes that he does not deserve a fully honorable characterization of service. The Board concludes that an error was made in issuing him an OTH characterization of service, and that his discharge should be upgraded to general under honorable conditions. The Board finds no error or injustice in his date of discharge, pay grade, or narrative reason for separation. In view of the above, the Board directs the following limited corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 27 May 1986, he was issued a general under honorable conditions discharge, vice the OTH characterization of service of the same date.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

d. That no further relief be granted.

e. That the Department of Veterans Affairs be informed that he applied to this Board on 20 February 2013.

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 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.



ROBERT D. ZSALMAN
Acting Executive Director