



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

TJR
Docket No: 6589-13
31 July 2014

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

Subj: REVIEW NAVAL RECORD OF [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 her general discharge issued on 18 August 1994 be changed.
2. The Board, consisting of Messrs. Bey, Boyd, and Zsalman, reviewed Petitioner's allegations of error and injustice on 29 July 2014 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 and began a period of active duty on 22 September 1992.
 - d. Petitioner received nonjudicial punishment (NJP) on 28 April 1994 for failure to go to her appointed place of duty. She was subsequently warned that any further misconduct could result in an administrative separation under other than honorable conditions.

e. On 3 August 1994, Petitioner underwent a psychiatric evaluation due to depression, sleep difficulty, and transient thoughts of suicide. She was diagnosed with a personality disorder and recommended for an administrative separation.

f. Petitioner was processed for separation by reason of convenience of the government due to a personality disorder. The discharge authority directed the commanding officer to issue a discharge with a characterization of service warranted by her service record. On 22 August 1994 Petitioner received a general discharge by reason of convenience of the government due to a personality disorder.

g. 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 her conduct average was 3.13, 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 initially notes Petitioner's minor misconduct which resulted in an NJP. However, the Board's decision is based on Petitioner's overall satisfactory service and her high conduct mark average, which it notes exceeded the requirement to warrant a fully honorable characterization of service. Based on the foregoing, the Board concludes that an error occurred in characterizing her 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 warranting the following corrective action.

RECOMMENDATION:

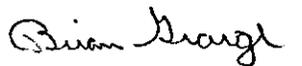
a. That Petitioner's naval record be corrected to show that she was issued an honorable discharge on 22 August 1994 vice the general discharge actually issued on that day.

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

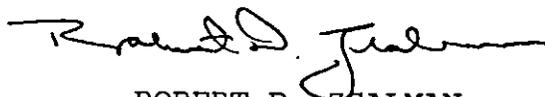
c. That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 6 June 2013.

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 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.


ROBERT D. ZSALMAN
Acting Executive Director