



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

BC  
Docket No: 08651-13  
9 June 2014

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

Subj: REVIEW OF NAVAL RECORD OF FORMER [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 United States Navy, filed enclosure (1) with this Board requesting, in effect, that the RE-4 (non-recommendation for retention) for reentry code issued on 9 August 2013 be upgraded. By implication, he requested that his separation code of GKQ (misconduct) and narrative reason for separation (misconduct - serious offense) be changed.

2. The Board, consisting of Mr. Lippolis, Mr. Rothlein, and Ms. Montgomery, reviewed Petitioner's allegations of error and injustice on 4 June 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. Petitioner enlisted on 21 September 1994. He received three nonjudicial punishments (NJP's) between 11 April 1996 and 14 February 2012 for the following offenses: wrongfully communicating a threat to a senior petty officer, failure to obey an order/regulation on two occasions and assault. On 14 February 2012, he was reduced in pay grade from E-6 to E-5.

Therefore, he was not capable of meeting the professional growth criteria. He received an honorable characterization of service with an RE-4 reentry code, GKQ separation code due to misconduct - serious offense, on 9 August 2013.

b. Petitioner could have been assigned a separation code of JBK (completion of required active service), narrative reason for separation of completion of required active service, and a waivable RE-3R (failure to meet professional growth criteria) reentry code.

CONCLUSION:

Upon review and consideration of all the evidence of record, and resolving reasonable doubt in Petitioner's favor, the Board concludes that his separation code should be changed from GKQ to JBK, his narrative reason for separation should be changed from misconduct - serious offense to completion of required active duty service, and his RE-4 reentry code should be changed to RE-3R. Accordingly, his request warrants favorable action.

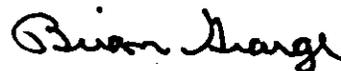
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 9 August 2013, he was issued a separation code of "JBK" vice "GKQ", that his narrative reason for separation was "completion of required active service" vice "misconduct - Serious offense), and that his reentry code was RE-3R vice RE-4.

b. That a copy of this report of proceedings be filed in his record.

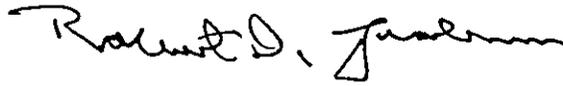
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings 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.

A handwritten signature in black ink, appearing to read "Robert D. Zsalmán". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

ROBERT D. ZSALMAN  
Acting Executive Director