



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



Docket No: 1482-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED]  
USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552  
(b) USD Memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

Encl: (1) DD Form 149 w/enclosures

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by upgrading his discharge to a honorable characterization of service.

2. A three-member panel of the Board, sitting in executive session, considered Petitioner's application on 7 April 2021. The names and votes of the panel members will be furnished upon request. Petitioner allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b), guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Petitioner enlisted in the Navy and began a period of active duty on 30 October 1972.

c. On 30 May 1973 Petitioner was evaluated and diagnosed with inadequate personality, and subsequently recommended for administrative separation.

d. On 7 June 1973 Petitioner was notified that he was being recommended for administrative separation from the naval service. Petitioner was advised of, and waived his procedural right to consult with military counsel. Petitioner's commanding officer forwarded his administrative separation package to the separation authority (SA) recommending a administrative discharge. The SA directed an administrative separation from the naval service by reason of unsuitability with a characterization of service warranted by his service record. On 24 July 1973, Petitioner was administratively separated from the naval service with a general (under honorable conditions) characterization of service.

## CONCLUSION

The Board, in its review of Petitioner's entire record and application, carefully weighed all potentially mitigating factors and determined that Petitioner's request did not warrant relief.

The Board carefully considered all factors to determine whether the interests of justice warrant relief in Petitioner's case in accordance with reference (b). These included, but were not limited to, Petitioner desire to upgrade his discharge and contention that his mother mentally, emotionally, and physically abused him, and the abuse was the reason he joined the Navy. Petitioner also asserted that he now realizes that he was too affected by the abuse to transition to military life and he regrets the circumstances that led to his release and now recognizes that it was the result of an undiagnosed anxiety disorder. The Board noted that a character of service is often based, in part, on conduct and overall trait averages (OTA) which are computed from marks assigned during periodic evaluations. Petitioner's OTA was 2.0, which was below the OTA of 2.7 required at the time of his separation for a fully honorable characterization of service. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that his diagnosed medical condition and failure to attain the required OTA, outweighed these mitigating factors.

## RECOMMENDATION

In view of the above, the Board recommends no relief.

## EXECUTIVE DIRECTORS CONCLUSION

Notwithstanding the Board's conclusion, I believe to the contrary, Petitioner had no misconduct during his short time in the Navy and his mental health condition clearly affected his ability to conform to military life, which would have impacted his trait average. In my review and based on the overall circumstances to determine whether clemency is warranted in the interests of justice in accordance with reference (b), I considered Petitioner's personal statement which demonstrated remorse and that he could not process military life quick enough to be a successful sailor given his mental health condition. Additionally, I considered the two character letters written by Petitioner's two children, which credited their father for their success in life and their current careers as a psychologist and attorney.

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Based upon this review, I concluded that no useful purpose is served by continuing to characterize Petitioner's service as anything but honorable. Accordingly, I recommend that Petitioner's characterization of service should be upgraded to honorable.

**EXECUTIVE DIRECTORS RECOMMENDATION**

Petitioner be issued a new DD Form 214, Certificate of Release or Discharge from Active Duty to show he was discharged with a honorable characterization of service.

That a copy of this report of proceedings be filed in Petitioner's naval record.

No further action be taken.

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.

5. The foregoing action of the Board is submitted for your review and action.

4/22/2021

[REDACTED]

Executive Director

Assistant General Counsel (Manpower and Reserve Affairs)

Reviewed and Approved Executive Directors Recommendation (Grant Relief)

[REDACTED]

[REDACTED]

Assistant General Counsel (M&RA)