



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

█  
Docket No: 1992-22  
Ref: Signature date

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

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER █, USN,  
XXX-XX-█

Ref: (a) Title 10 U.S.C. §1552  
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Naval record (excerpts)

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 under honorable conditions character of service be upgraded to honorable on his Armed Forces of the United States Report of Transfer or Discharge (DD Form 214).

2. The Board consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 6 April 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. 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, applicable statutes, regulations, and policies, to include reference (b).

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 enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Navy and entered active duty on 14 May 1956.

d. On 4 December 1959, he was released from active duty at the expiration of his term of obligated active service and transferred to the Navy Reserve with an under honorable character of service.

e. Petitioner's Enlisted Performance Record indicates a set of typed traits marks dated 19 December 1958. These trait marks are lined out and a lower set of marks are written in with the date 16 November 1958. There is no explanation in the record why the marks were changed.

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XXX-XX [REDACTED]

Additionally, there was no misconduct found in the record which would justify the drastic reduction in marks. The hand written trait marks reduced Petitioner's overall average in military behavior to 2.97, making him ineligible for a honorable character of service. At the time of his discharge a 3.0 in military behavior was required for an honorable character 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 notes that Petitioner's record contains no documented misconduct and no explanation why his marks were changed so drastically between November and December 1958. The Board concluded that because of the unexplained discrepancy in marks that both the November and December 1958 marks should be discounted when determining Petitioner's military behavior average. Petitioner's military behavior trait was averaged without these marks and subsequently met the eligibility criteria for an honorable character of service.

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

RECOMMENDATION:

That Petitioner be issued a new DD Form 214 indicating that on 4 December 1959, he received an honorable character of service.

That no further changes be made to Petitioner's record.

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

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. 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.

4/14/2022

[REDACTED]

Executive Director

Signed by: [REDACTED] 8