



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

█  
Docket No: 2788-22  
Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, █

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149  
(2) Case summary

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 the removal of the word "general" his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) and (2) apply

2. The Board, consisting of █, █, █, reviewed Petitioner's allegations of error and injustice on 13 June 2022, 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, relevant portions of his naval service 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 enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active duty on 29 March 1988.

d. On 1 February 1989, Petitioner received nonjudicial punishment (NJP) for failure to obey a lawful order by drinking underage.

e. On 14 April 1989, Petitioner received a second NJP for being UA from his appointed place of duty and failure to obey a lawful order by refusing to qualify as a submariner.

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[REDACTED]

f. On 30 June 1989, Petitioner was discharged from service with a General (Under Honorable Conditions) discharge characterization of service by reason of other personality disorder.

g. Petitioner requests the removal of the word "general" from his DD Form 214 so he can be allow to open a bank account and apply for benefits. For purposes of clemency consideration, the Board noted Petitioner did not provide supporting documentation describing post-service accomplishments, or advocacy letters.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes Petitioner's request warrants partial relief. The Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior disorder. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's narrative reason for separation should not be labeled as being for a mental health-related condition and should be changed to "Secretarial Authority."

Notwithstanding, the Board concluded Petitioner's characterization of service remains appropriate in light of his history of misconduct. The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in Petitioner's case in accordance with the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo). Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined Petitioner's misconduct, as evidenced by his NJPs, outweighed these mitigating factors. When weighing Petitioner's brevity of service against his misconduct, the Board concluded significant negative aspects of his active service outweighed the positive aspects and continue to warrant a General (Under Honorable Conditions) characterization. Therefore, after applying liberal consideration, the Board did not find evidence of an error or injustice that warrants upgrading Petitioner's characterization of service or granting clemency in the form of an upgraded characterization of service.

In view of the above, the Board directs the following corrective action.

#### RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a new DD Form 214 reflecting the narrative reason for separation as "Secretarial Authority," separation code as "JFF," and separation authority as "MILPERSMAN 1910-164."

No further change is required.

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

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[REDACTED]

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.

7/4/2022

[REDACTED]