



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

█
Docket No: 2981-22
Ref: Signature Date

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

Subj: REVIEW NAVAL RECORD OF █, USN,
█

Ref: (a) 10 U.S.C. 1552
USECDEF 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 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 a change to his naval record, specifically, to change his "Other Than Honorable (OTH)" Characterization of Service on his Certificate of Release or Discharge from Active Duty (DD Form 214). It is implied that he is requesting associated changes to his narrative reason for separation, separation authority, SPD code, and reentry code. Enclosures (1) through (3) apply.

2. The Board consisting of █ reviewed Petitioner's allegations of error and injustice on 11 May 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 began a period of active duty on 22 April 1947.

Subj: REVIEW NAVAL RECORD OF [REDACTED], USN,
[REDACTED]

d. During the period from 22 October 1947 and 6 February 1948, Petitioner was treated for Gonococcus Infection of the urethra on two separate occasions. On 24 April 1948, Petitioner received non-judicial punishment (NJP) for improperly standing watch. On 6 August 1948, Petitioner was treated for his third case of Gonococcus Infection of the urethra. Subsequently, he was notified of pending administrative separation action by reason of unfitness due to unclean habits. After waiving his rights, his commanding officer (CO) recommended an other than honorable (OTH) discharge due to unclean habits. On 2 September 1948, an Undesirable Discharge Board (UDB) found that Petitioner committed misconduct due to unclean habits and recommended he receive an OTH characterization of service. The SA approved the UDB's recommendation and, on 22 September 1948, he was so discharged.

e. Petitioner contends he was discharged due to medical reasons and never provided any counseling prior to discharge.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request merits relief. The Board notes Petitioner's disciplinary infraction and does not condone his misconduct. However, the Board concluded that Petitioner's misconduct was minor in nature. As a result, the Board concluded, purely as a matter of clemency, it was appropriate to upgrade Petitioner's characterization of service to General (Under Honorable Conditions) and change his Narrative Reason for Separation to Secretarial Authority with associated changes to his SPD code and Separation Authority. Despite this determination, the Board concluded Petitioner's reentry code remains appropriate since his misconduct is inconsistent with further military service.

In view of the foregoing, the Board finds in favor of clemency warranting the following corrective action:

RECOMMENDATION:

That Petitioner's naval record is corrected to show that he was issued a "General (Under Honorable Conditions)" characterization of service, a Narrative Reason for Separation as "Secretarial Authority", SPD code as "JFF," and his separation authority was "MILPERSMAN 1910-164" on 22 September 1948.

That Petitioner is issued a new Certificate of Release or Discharge from Active Duty (DD Form 214).

That no further changes be made to the 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.

Subj: REVIEW NAVAL RECORD OF FORMER [REDACTED], USN,
[REDACTED]

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.

[REDACTED]

Executive Director

[REDACTED]