



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

█
Docket No. 848-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █
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Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149
(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 an administrative correction on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of █ reviewed Petitioner's allegations of error and injustice on 12 February 2024, 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 to include the 25 July 2018 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 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 6 May 1977. Between 23 August 1977 to 4 November 1977, Petitioner began three periods of unauthorized absence (UA) totaling 65 days. On 12 December 1977, Petitioner was convicted by summary

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court martial for three instances of UA. Between 17 January 1978 to 22 February 1978, Petitioner began three periods of UA totaling 12 days. On 3 March 1978, Petitioner received nonjudicial punishment (NJP) for two instances of wrongful possession of a controlled substance and three instances of UA. On the same date, Petitioner was counseled concerning his deficiencies in military behavior. Petitioner was advised that failure to take corrective action could result in administrative separation. On 8 March 1978, Petitioner was assigned a mark of 1.0 in military behavior and adaptability based on his conduct issues. On 17 September 1979, Petitioner received a second NJP for wrongful possession of a controlled substance. Between 8 June 1980 to 11 June 1980, petitioner began three periods of UA totaling one-day, and 19 hours. On 24 June 1980, Petitioner received a third NJP for three instances of UA. On 24 January 1981, Petitioner received a fourth NJP for assault. On 21 July 1981, Petitioner was not recommended for reenlistment due to frequent involvement and his inability to meet the criteria for professional growth. On the same date, Petitioner was discharged with a General (Under Honorable Conditions) (GEN) discharge characterization by reason of release from active duty and transferred to the Naval Reserves. He was assigned a 2.8 final trait average for military behavior that qualified him for a GEN.

d. Petitioner contends his DD Form 214 is missing his characterization of service on Block 24. Petitioner claims this error is holding him back from receiving veteran services.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board determined that the Petitioner's record warrants relief. The Board noted Block 24 of the Petitioner's DD Form 214 contains an administrative error as it is missing the proper characterization of service. In this regard, the Board recommends that Petitioner is issue a new DD Form 214 indicating the correct characterization of service of GEN.

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

RECOMMENDATION:

That Petitioner be issued a new DD Form 214 for the period ending 21 July 1981 reflecting his characterization of service as "General (Under Honorable Conditions)."

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

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[REDACTED]

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.

3/1/2024

