

**DEPARTMENT OF HOMELAND SECURITY  
BOARD FOR CORRECTION OF MILITARY RECORDS**

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Application for the Correction of  
the Coast Guard Record of:

**FINAL DECISION  
BCMR Docket No. 2015-140**

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**SUMMARY OF THE RECORD**

The applicant asked the Board to correct his record by changing his DD 214 to show that he was discharged under honorable conditions. He stated that while on active duty in 1963 he was arrested for cross dressing and was quickly discharged from the Coast Guard under other than honorable conditions. The applicant alleged that he did nothing to disgrace his country and that he should have received a general or honorable discharge. His record shows that he was referred to a U.S. Public Health Service Hospital on April 2, 1963, for a psychiatric evaluation after being charged with suspected homosexuality and wearing women's clothing while on leave from active duty in ██████████. A medical board subsequently found him "not fit for duty" and recommended that he receive an administrative discharge based on his "immature personality and sexually deviant features." The Commandant disapproved the medical board's findings and directed that the applicant receive an undesirable discharge. On June 20, 1963, the applicant responded to the proposed discharge, waived his right to a hearing, and requested that he receive an honorable discharge so he could live "without lots of prejudice in civilian life." His DD 214 shows that he was discharged under "other than honorable conditions" on July 19, 1963, for unfitness pursuant to Article 12-B-12 of the Personnel Manual and received a DD-258-CG certificate.

The Judge Advocate General of the Coast Guard adopted the findings and analysis in a memorandum prepared by the Personnel Service Center (PSC) and recommended that the Board grant relief. PSC noted that per DoD Memorandum dated September 20, 2011, the Board should correct discharges that were the result of Don't Ask/Don't Tell (DADT) and similar policies regarding homosexual conduct if the original discharge was solely based on DADT and there are no aggravating factors in the record. PSC stated that the applicant was discharged as a class II homosexual under Article 12-B-12 based on his cross-dressing. PSC stated that his discharge was therefore based on violation of a policy similar to DADT in effect at the time of the applicant's service and warrants correction. PSC noted that there are no aggravating factors in the applicant's record. Accordingly, PSC recommended that the applicant be issued a new DD 214 with the following corrections, as recommended in the DoD Memorandum dated September 20, 2011: the narrative reason for separation should be "Secretarial Authority"; the separation code should be "JFF"; the reentry code should be RE-1 (eligible); the character of discharge should be "Honorable"; Block 18, Remarks, should state "Action taken pursuant to order of BCMR"; any reference to a DD-258-CG discharge certificate should be removed; and he should be issued an honorable discharge certificate (DD-256-CG).

On November 24, 2015, the Chair sent the applicant a copy of the Coast Guard's advisory opinion and invited him to respond. No response was received.

**FINDINGS AND CONCLUSIONS**

The applicant was discharged from the Coast Guard in 1963 pursuant to then-extant policy for homosexuals after being arrested for cross dressing and diagnosed with an "immature personality and sexually deviant features." There are no aggravating factors apparent in his military records. Although the applicant did not apply to the Board within three years of the repeal of DADT, the Board finds that it is in the interest of justice to excuse the untimeliness because of the strong merits of his request. The Board agrees with the Coast Guard that the applicant's other than honorable discharge constitutes an injustice, and the applicant should be issued a new DD 214 in accordance with the DoD Memorandum.

**(ORDER AND SIGNATURES ON NEXT PAGE)**

**ORDER**

The application of former [REDACTED] USCG, for correction of his military record is granted. The Coast Guard shall issue him a new DD 214 with the following corrections:

- The Separation Authority in block 25 shall be PERSMAN Article 12-B-12.
- The Separation Code in block 26 shall be JFF.
- The Reentry Code in block 27 shall be RE-1.
- The Narrative Reason for Separation in block 28 shall be Secretarial Authority.
- Block 18, Remarks, should state “Action taken pursuant to order of BCMR.”
- Remove any reference to a DD-258-CG discharge certificate and issue him an honorable discharge certificate (DD-256-CG).

April 29, 2016

