



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

[REDACTED]
Docket No: 785-17

JUL 25 2017

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

Subj: REVIEW NAVAL RECORD OF FORMER [REDACTED] USMC,
XXX-XX [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record
(4) [REDACTED] ltr dtd 6 Jul 16
(5) [REDACTED] ltr dtd 27 May 16
(6) [REDACTED] ltr dtd 8 May 16
(7) [REDACTED] ltr dtd 23 May 16
(8) [REDACTED] ltr dtd 18 May 16

1. Pursuant to the provisions of reference (a), Petitioner, a former Marine, filed enclosure (1) with this Board requesting that his Certificate of Release or Discharge from Active Duty (DD Form 214) be corrected to reflect he received an honorable characterization of service vice a general (under honorable conditions) discharge and was assigned a RE-1, or equivalent, reentry code vice the current RE-4 (not recommended for reenlistment) reentry code. Enclosures (1) through (8) apply. He also impliedly requested that the separation authority "MARCORSEPMAN par. 6203.3" and separation code "HFX1" be changed.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 6 April 2017 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, naval 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 waive the statute of limitations and review the application on its merits.

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c. Petitioner enlisted in the Marine Corps and began a period of active duty on 21 September 1998. On 5 August 1999, he was admitted to an emergency room due to suicidal ideations; the Mental Health department diagnosed Petitioner with a personality disorder and recommended that he be discharged. Subsequently, administrative discharge action was initiated due to him being diagnosed with a personality disorder. After he waived his procedural rights, his commanding officer recommended he receive a general (under honorable conditions) discharge. The separation authority approved the recommendation and directed he receive a general (under honorable conditions) discharge. The Petitioner was discharged on 25 October 1999. At that time, he was assigned an RE-4 reentry code.

d. Per enclosures (4) through (8), Petitioner is an exemplary correctional officer, member of the Special Operations Response Team and the Transportation Team at [REDACTED] Detention Facility.

e. Petitioner's record does not contain any evidence of significant negative aspects of conduct or performance and his average marks in service were 4.4 (pro)/4.2 (con) . However, on 25 October 1999, Petitioner was issued a DD Form 214 with the characterization of service as "general." At the time of his service, an average of 4.0 was required for a fully honorable characterization of service. In this regard, his record does not reflect any documentation to support the general characterization of service.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action in the form of full relief.

The Board concludes Petitioner's record does not support a general characterization of service, and an honorable discharge more accurately reflects his characterization of service. Additionally, the separation authority should be changed to read "MARCORSEPMAN par. 6203.2," separation code should read "GFT1," reentry code should be changed to "RE-1A," and narrative reason for separation should be "physical standards."

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

RECOMMENDATION:

Petitioner's naval record be corrected to show that he was honorably discharged and that he was assigned an RE-1A reentry code on 25 October 1999.

Petitioner's naval record be further corrected by changing the separation authority to "MARCORSEPMAN par. 6203.2."

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Petitioner's naval record be further corrected by changing his separation code to "GFT1."

Petitioner's naval record be further corrected by changing his narrative reason for separation to "physical standards."

It is also directed that he be issued a new DD Form 214 which reflects the foregoing character of service, separation authority, separation code, reenry code, and narrative reason for separation.

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

Upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 26 January 2017.

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.

[REDACTED]

Recorder

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