



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

██████████  
Docket No. 2429-24  
Ref: Signature Date

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

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER ██████████  
XXX XX ██████ / ██████ USMC

Ref: (a) 10 U.S.C. 1552  
(b) Under Secretary of Defense for Personnel and Readiness memorandum regarding equity, injustice, or clemency determinations dated 25 July 2018 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting an upgrade to his characterization of service. Enclosures (1) through (3) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 27 March 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, 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 limitation and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and entered active duty on 25 July 1975. On 13 September 1976, he received non-judicial punishment (NJP) for drunk on duty. On 27 January 1977, he received NJP for two specifications violating a lawful written order and wrongful appropriation of a military van. On 22 December 1977, he received NJP for unauthorized Absence (UA) totaling 39 days. On 5 January 1978, he was formerly counseled on his poor performance and frequent involvement with military authorities. On 11 January 1978, he received a

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psychological evaluation, which diagnosed him with an inadequate Personality Disorder that existed prior to enlistment (EPTE). On 26 March 1999, he was formerly counseled on being diagnosed with a Personality Disorder.

d. As a result of his diagnosis, he was notified of pending administrative separation action by reason of a personality disorder. After he waived his rights, his commanding officer (CO) forwarded the separation package to the separation authority (SA) recommending a General (Under Honorable Conditions) characterization of service due to a personality disorder. The SA approved the recommendation and, on 21 April 1978, he was so discharged.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, especially in light of reference (b), the Board concludes that Petitioner's request warrants favorable action.

The Board notes Petitioner's disciplinary infraction and does not condone his misconduct. However, the Board concluded that Petitioner's record of service supports the recommended relief in his case. Specifically, the Board noted that Petitioner's military behavior trait was above averaged and he met the eligibility criteria for an Honorable character of service. Further, in keeping with the letter and spirit of the Wilkie Memo, the Board also determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and or adjustment disorder. As a result, the Board concluded, purely as a matter of clemency, it was appropriate to change Petitioner's characterization of service to "Honorable", 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 based on his unsuitability for further military service.

#### RECOMMENDATION:

That Petitioner shall be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending 21 April 1978, indicating his characterization of service as "Honorable," narrative reason for separation as "Secretarial Authority," SPD code as "JFF2," and separation authority as "MARCORSEPMAN 6012.1g."

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.

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

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4/16/2024

