



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

■  
Docket No. 4371-23

Ref: Signature date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ■■■■■■■■■■, USN,  
■■■■■■■■■■

Ref: (a) Title 10 U.S.C. §1552

(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/attachments

(2) Case Summary

(3) Subject's naval record

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 upgrade of her characterization of service on her Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (2) through (3) apply.

2. The Board, consisting of ■■■■■■■■■■, ■■■■■■■■■■, and ■■■■■■■■■■, reviewed Petitioner's allegations of error and injustice on 24 June 2024 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, and 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 review the application on its merits.

c. Petitioner enlisted in the Navy and began a period of active service on 13 November 2007.

d. On 14 April 2008, Petitioner received a psychiatric evaluation after impulsively ingesting five grams of Motrin, where she "endorsed a pervasive pattern of severe mood swings on an hourly to daily basis culminating in emotional outburst with self-injurious behaviors and destruction to property." She was diagnosed with Adjustment Disorder with Mixed Anxiety and Depressed Mood with a deferred diagnosis of Borderline and Antisocial traits.

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[REDACTED]

e. On 18 April 2008, Petitioner was formally notified of pending administrative separation processing by reason of convenience of the government due to personality disorder. Petitioner waived her right to consult with legal counsel and her right to submit a statement to the separation authority. The separation authority approved her separation and Petitioner was so discharged on 30 April 2008 with an uncharacterized entry level separation.

f. Petitioner did not make any contentions other than requesting an upgrade of her characterization of service to Honorable. Petitioner also checked the "Other Mental Health" block in her application but failed to respond to the 13 May 2024 letter from the Board requesting evidence in support of her claim. For purposes of clemency and equity consideration, Petitioner did not submit advocacy letters or documentation of post-service accomplishment.

## CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief in the interests of justice. Specifically, in keeping with the letter and spirit of the Wilkie Memo, the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or adjustment disorder. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

Notwithstanding the recommended corrective action below, the Board found no error in Petitioner's uncharacterized entry level separation. The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in Petitioner's case in accordance with the Wilkie Memo, including, but not limited to, her desire for a discharge upgrade.

After thorough review, the Board concluded Petitioner's potentially mitigating factors were insufficient to warrant granting the relief requested. In making this finding, the Board determined there is insufficient evidence to attribute the circumstances surrounding her separation to a mental health condition other than personality disorder as indicated by her in-service records. The Board further noted that Petitioner was notified of her separation process within 180 days of the beginning of her period of active service. Applicable regulations authorize an uncharacterized entry level separation if the processing of an individual's separation begins within 180 days of the individual's entry on active service. While there are exceptions to policy in cases involving misconduct or extraordinary performance, the Board determined neither applied in Petitioner's case. In view of the forgoing, the Board discerned no impropriety or inequity in the discharge action that would warrant a change in her characterization of service.

Finally, the Board determined Petitioner's assigned reentry code remains appropriate in light of her unsuitability for further military service. Ultimately, the Board concluded that any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

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[REDACTED]

RECOMMENDATION:

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record:

Petitioner shall be issued a new DD Form 214, for the period ending 30 April 2008, indicating the separation authority as "MILPERSMAN 1910-164," separation code as "JFF," and the narrative reason for separation as "Secretarial Authority."

That no further changes be made to Petitioner's record.

That a copy of this record of proceedings be filed in Petitioner's naval record.

4. It is certified that 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 Regulations, 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.

7/10/2024

