



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

█
Docket No. 6050-24

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, XXX-XX-█

Ref: (a) 10 U.S.C. §1552
(b) 10 U.S.C. 654 (Repeal)
(c) UNSECDEF Memo of 20 Sep 11 (Correction of Military Records Following Repeal of 10 U.S.C. 654)

Encl: (1) DD Form 149 w/attachments
(2) 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 a change to her record consistent with references (b) and (c).

2. The Board, consisting of █, █ and █, reviewed Petitioner's allegations of error and injustice on 7 October 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, applicable statutes, regulations, and policies, to include references (b) and (c).

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. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider the case on its merits.

b. Petitioner enlisted in the U.S. Navy and began a period of active duty on 10 June 1986. During an investigation by the Naval Investigative Services, Petitioner admitted to being homosexual.

c. Consequently, Petitioner was notified of administrative separation processing due to homosexuality. She waived her procedural rights to consult with counsel and to have her case heard before an administrative discharge board. Ultimately, the Separation Authority directed

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her separation for homosexuality and Petitioner was discharged with an Honorable characterization of service on 19 November 1987.

d. Petitioner contends: (1) she has been unable to use her discharge for anything and has lived in constant fear of retaliation, (2) the unjust treatment she received for simply being herself has been a source of severe depression throughout her life, (3) she was sabotaged by a guard who was also her roommate and invaded her privacy while she was at sea by trespassing into her bedroom, snooping through her personal belongings, and gathering information that he later used against her, (4) her roommate's actions led to her discharge, which has deeply affected her, (5) since then, she has struggled with severe depression and PTSD, (6) a leak in the administration aboard the [REDACTED] resulted in public humiliation as word spread about her sexuality, (7) many of the men on the ship ridiculed her for being gay, which only intensified her trauma, and (8) this experience was a nightmare, and the impact of it has stayed with her, leaving scars from which she will never fully heal.

e. Reference (c) sets forth the Department of the Defense's current policies, standards, and procedures for correction of military records following the "don't ask, don't tell" (DADT) repeal of 10 U.S.C. 654. It provides service Discharge Review Boards with guidance to grant requests to change the narrative reason for discharge to "Secretarial Authority," SPD code to "JFF," and reentry code to "RE-1J," when the original discharge was based solely on DADT or a similar policy in place prior to enactment of it and there are no aggravating factors in the record, such as misconduct.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief. The Board noted that the Petitioner's record indicates she was discharged solely on the basis of homosexuality and found no aggravating factors or misconduct within her record. Therefore, the Board found that Petitioner was entitled to full relief under reference (c).

RECOMMENDATION:

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

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) reflecting that, for the period ending 19 November 1987, Petitioner's narrative reason for separation was "Secretary Plenary Authority," the SPD code assigned was "JFF," and the separation authority was "MILPERSMAN 3630900," and her reentry code was "RE-1J."

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.

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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.

10/31/2024

[REDACTED]

Executive Director

Signed by: [REDACTED]