



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

██████████  
Docket No. 6647-24  
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) USECDEF Memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

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 Navy, filed enclosure (1) with this Board requesting a change to his naval record, specifically, to change his General (Under Honorable Conditions) (GEN) characterization of service to Honorable. He also implied and requested that his Narrative Reason for Separation "Personality Disorder" be changed. Enclosures (1) through (3) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 13 November 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 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 waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Navy and entered active duty on 12 January 1983. On 8 September 1983, he was diagnosed with an Adjustment Disorder and a Personality Disorder that existed prior to enlistment (EPTE). On 9 September 1983, he received a psychological evaluation that noted he denied suicidal thoughts and found him fit for duty. On 2 August 1984, he received non-judicial punishment (NJP) for disrespect toward a petty officer and assault on a petty officer.

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On 18 September 1984, he was diagnosed with situational adjustment disorder. On 21 September 1984, he was again diagnosed with a Personality Disorder (EPTE) and recommended separation from the Navy. On 25 September 1984, he received NJP for assault on a superior petty officer. Subsequently, he was admitted to the emergency room, diagnosed with immature judgement, and again recommended for separation.

d. Consequently, he was notified of pending administrative separation action by reason of a personality disorder. After Petitioner waived his rights, his commanding officer (CO) forwarded the separation package to the separation authority (SA) recommending a GEN characterization of service due to a personality disorder. The SA approved the recommendation, and on 12 October 1984, he was so discharged.

e. Petitioner contends he was young, ignorant, and foolish at the time. He also argues he received no counseling for his mistakes and was threatened by a non-commissioned officer. Further, he contends that he was informed his discharge would automatically upgrade after 180 days provided, he stayed out of trouble. Finally, Petitioner checked the "Other Mental Health" box on his application but chose not to respond to the Board's request for supporting evidence of his claim. For purposes of clemency and equity consideration, Petitioner did not provide documentation describing post-service accomplishments or advocacy letters.

#### 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 partial relief. 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 corrective action recommended below, the Board determined Petitioner's characterization of service remains appropriate based on his record. 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. These included, but were not limited to, Petitioner's desire for a discharge upgrade and the contentions discussed above.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that Petitioner's misconduct, as evidenced by his NJPs, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of Petitioner's misconduct and found that his conduct showed a complete disregard for military authority and regulations. Further, the Board noted that Petitioner provided no evidence, other than his statement, to substantiate his contentions that he was mistreated. The Board observed that Petitioner was seen by multiple mental health providers and medical personnel. Despite his extensive treatment record, the Board found no evidence that he raised any complaints regarding threats from senior leadership personnel. Therefore, the Board was not persuaded by his contentions and determined his administrative separation was

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supported by the medical evidence. Finally, the Board considered the likely negative impact Petitioner's conduct had on the good order and discipline of his command.

As a result, the Board concluded that significant negative aspects of the Petitioner's service outweighed the positive aspects and continues to warrant a GEN characterization. Even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting Petitioner a discharge upgrade or granting additional relief as a matter of clemency or equity.

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

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

RECOMMENDATION:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending 12 October 1984, indicating that he was discharged for the narrative reason for separation of "Secretarial Authority," with a SPD code of "JFF," and a separation authority of "MILPERSMAN 1910-164."

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

12/12/2024

[REDACTED]

Executive Director

Signed by: [REDACTED]