

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
USN, XXX-[REDACTED]

he accepted an undesirable discharge for the good of the service and to escape trial by court-martial. Petitioner was so discharged on 3 March 1944.

d. On 14 February 1948, the Board of Review Discharges and Dismissals reviewed Petitioner's case and approved the proceedings. No change, correction, or modification to the discharge was made.

e. Petitioner has no history of misconduct in his official naval record.

f. Petitioner contends he was discharged from the Navy solely due to homosexuality. For purposes of equity and clemency, he provided his review of discharge documents, his summary of service, and documents necessary for family members to apply to the Board on his behalf.

g. Reference (c) sets forth the Department of the Navy'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 the guidance to normally grant requests to change the characterization of service to "Honorable," narrative reason for discharge to "Secretarial Authority," separation 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 Petitioner's request warrants partial relief. The Board reviewed the application under the guidance provided in references (b) and (c).

The Board noted Petitioner was discharged based solely due to a homosexual admission and found no evidence of aggravating factors in his record. Therefore, the Board found that Petitioner merits full relief under reference (c).

Regarding the Petitioner's request for issuance of the Navy Good Conduct Medal and World War II Victory Medal, the Board concluded that by serving for any length of time in the United States Armed Forces between December 7, 1941, and December 31, 1946, Petitioner met the requirements for issuance of the World War II Victory Medal. Unfortunately, through no apparent fault of his own, Petitioner did not serve long enough to meet the three year minimum requirement for issuance of the Navy Good Conduct Medal.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending 3 March 1944, indicating a characterization of service of "Honorable," a narrative reason for discharge of "Secretarial Authority," authority of "MILPERSMAN 1910-

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164," separation code "JFF," a reentry code of "RE-1J," and a remark that he earned the World War II Victory Medal.

That Petitioner be issued an Honorable Discharge Certificate.

That Petitioner be issued the World War II Victory Medal.

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

4. It is certified a quorum was present at the Board's review and deliberations, and 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.

11/7/2024

