



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

[REDACTED]
Docket No. 8116-24

Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 July 2018 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary

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 that his naval record be corrected to upgrade his characterization of service and to make other conforming changes to his DD Form 214.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 13 December 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 interests of justice to review the application on its merits.

c. The Petitioner enlisted in the U.S. Navy and began a period of active duty service on 21 April 1994. Petitioner's pre-enlistment physical examination, on 11 March 1994, and self-reported medical history both noted no psychiatric or neurologic conditions, symptoms, history, or issues. On 11 August 1994, Petitioner reported for duty on board the [REDACTED] in [REDACTED], [REDACTED].

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[REDACTED], USN, XXX-XX-[REDACTED]

d. On 2 September 1994, Petitioner underwent a mental health evaluation following a referral from the Chaplain because of his marital problems. Petitioner disclosed that his wife said she would leave him if he continued in the Navy. Petitioner stated that he had become sad and depressed and wanted to save his marriage. Petitioner further stated that he would find a way to kill himself if his wife left him. The Medical Officer (MO) diagnosed Petitioner with an adjustment disorder with depressed mood and recommended his entry level separation due to his failure to adapt to the naval environment.

e. On 9 September 1994, Petitioner's command initiated and notified him of administrative separation proceedings by reason of entry level and performance and conduct. Petitioner was processed using "notification procedures," which meant that he was not entitled to request an administrative separation board, but the least favorable discharge characterization he could receive was General (Under Honorable Conditions). Petitioner did not object to his separation, and he waived his rights to consult with counsel and to submit written rebuttal statements.

f. Petitioner's separation physical examination, on 15 September 1994, noted he was diagnosed with a personality disorder. Ultimately, on 7 October 1994, Petitioner was discharged from the Navy with an "Honorable" characterization of service and assigned an RE-4 reentry code.

g. Petitioner's DD Form 214 currently reflects a narrative reason for separation of "Entry Level Separation," an erroneous separation authority of "MILPERSMAN 3620200," which corresponded with "Personality Disorder," and an erroneous separation code of "JDA," which corresponded with "Fraudulent Entry."

h. Petitioner contended, in part, that he wanted his separation changed to an Honorable discharge. However, the Board noted Petitioner received an Honorable characterization of service. For purposes of clemency and equity consideration, the Board considered the totality of the evidence Petitioner provided in support of his application.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's requests warrant partial relief. As discussed previously, Petitioner received an Honorable characterization of service upon his discharge. Therefore, the Board determined no further action was required on this aspect of Petitioner's record.

However, in light of the Wilkie Memo, the Board concluded that certain changes to Petitioner's DD Form 214 were warranted; specifically, changes to the erroneous narrative reason for separation (Block 28), the erroneous separation authority (Block 25), and the erroneous corresponding separation code (Block 26). The Board determined it was in the interests of justice to change these entries to reflect a "Secretarial Authority" discharge.

Notwithstanding the recommended corrective action below, the Board did not find a material error or injustice with the Petitioner's original "RE-4" reentry code. The Board concluded the

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Petitioner was assigned the correct reentry/reenlistment code based on the totality of his circumstances, and that such notation was proper and in compliance with all Department of the Navy directives and policy at the time of his discharge. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

RECOMMENDATION:

In view of the foregoing, the Board finds the existence of material errors warranting the following corrective action.

That Petitioner be issued a new DD Form 214, for the period ending 7 October 1994, reflecting his narrative reason for separation as "Secretarial Authority," separation authority as "MILPERSMAN 1910-164," and separation code as "JFF."

Following the corrections to the DD Form 214 for the period ending 7 October 1994, that all other information currently listed on such DD Form 214 remain the same.

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

1/7/2025

