



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

Docket No. 0694-25
Ref: Signature Date

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

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

Ref: (a) 10 U.S.C. 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149
(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 an upgrade to his characterization of service and a correction to his social security number on his Armed Forces of the United States Report of Transfer or Discharge (DD Form 214). Enclosures (1) and (2) applies.
2. The Board, consisting of [REDACTED], reviewed Petitioner's allegations of error and injustice on 17 March 2025 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 his 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 duty on 25 October 1960. Prior to his commencement on active duty, Petitioner signed an enlistment contract with his social security number reflecting as [REDACTED]. Between 7 November 1961 to 18 September 1964, Petitioner received nonjudicial punishment (NJP) on three occasions for violation of a lawful order, sleeping on watch, and dereliction of duty. On 6 September 1962,

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Petitioner was convicted by summary court martial (SCM) for destruction of U.S. Government Property. On 12 October 1964, Petitioner was not recommended for reenlistment due to low average of evaluation marks in professional performance. On 15 October 1964, Petitioner was discharged with a General (Under Honorable Conditions) (GEN) discharge characterization by reason of expiration of enlistment. Upon his discharge from active duty, Petitioner was issued a DD Form 214 with his social security reflecting as [REDACTED]

d. Petitioner contends he was discharged two weeks early and received a GEN discharge. In support of his application, Petitioner provided a copy of his social security card. For the purpose of clemency and equity consideration, Petitioner provided no documentation describing post-service accomplishments or advocacy letters.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial relief. Specifically, as discussed previously, Petitioner's DD Form 214 contains an erroneous social security number and requires correction.

Notwithstanding the recommended corrective action below, the Board determined Petitioner's assigned characterization of service remains appropriate. 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, his desire for a discharge upgrade and aforementioned contention.

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 and SCM, 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. The Board observed that Petitioner was given multiple opportunities to correct his conduct deficiencies but chose to continue to commit misconduct; which led to his GEN discharge. Petitioner's conduct not only showed a pattern of misconduct but was sufficiently pervasive and serious to negatively affect the good order and discipline of his command. Based on his extensive record of misconduct, the Board determined Petitioner was fortunate to be allowed to finish his enlistment and receive a GEN discharge.

Therefore, 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 the upgrade relief he requested or granting the upgrade relief as a matter of clemency or equity.

RECOMMENDATION:

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

That Petitioner be issued a new DD form 214, for the period ending 15 October 1964, reflecting his social security number reflecting as [REDACTED] vice [REDACTED]

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[REDACTED]

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record, along with the previously issued DD Form 214 and the corrected DD Form 214, which reflects Petitioner's correct social security number.

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.

4/8/2025

