

UPGRADE OF DISCHARGE

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UPGRADING DISCHARGES AND CORRECTING MILITARY RECORDS

CHAPTER 10

- BOARDS TO CORRECT MILITARY RECORDS
 - DCR=DISCHARGE REVIEW BOARDS
 - BCMR=BOARD OF CORRECTION OF MILITARY RECORDS
 - BCN=BOARD OF CORRECTION NAVAL RECORDS
 - Navy and Marine Records
 - HAVE THE POWER TO CORRECT A MILITARY RECORD. WHEN NECESSARY TO REMOVE AN ERROR OR REMEDY AN INJUSTICE
 - HAVE THREE YEARS FROM TIME IT IS DISCOVERED
 - DOES NOT BEGIN UNTIL THE INDIVIDUAL LEAVES ACTIVE DUTY
 - OR WHEN THE ERROR OR INJUSTICE IS DISCOVERED
-

UPGRADING A MILITARY DISCHARGE

- HOW TO APPLY
 - LOOKING FOR EVIDENCE THAT THE DISCHARGE WAS UNFAIR
 - WOULD NOT HAPPEN TODAY
 - OR WAS IN VIOLATION OF MILITARY REGULATIONS
-

UPGRADING A MILITARY DISCHARGE

- BASIS OF DISCHARGE MAY OFFER REASONABLE
 - HOPE OF AN UPGRADE
 - ALCOHOLISM
 - ALCOHOL-RELATED MISCONDUCT
 - HOMOSEXUAL TENDENCIES
 - NON-AGGRAVATED HOMOSEXUAL ACTS
 - VENEREAL DISEASE
 - FRAUDULENT ENLISTMENT WITHOUT INTENT TO DEFRAUD
 - PERSONALITY OR CHARACTER DISORDERS UNSUPPORTED BY PSYCHIATRIC DIAGNOSIS
 - DRUG POSSESSION PRIOR TO 1971
 - ETC

UPGRADING A MILITARY DISCHARGE

- COUNSEL SHOULD HELP THE VETERAN DECIDE WHETHER OR NOT TO APPLY
 - A VETERAN WITH A BAD CONDUCT DISCHARGE OR A DISHONORABLE DISCHARGE FROM A GENERAL COURT MARTIAL MUST APPLY TO THE BCMR AS THE DRB CANNOT UPGRADE THEM.
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