



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 7743-98

31 March 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 March 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy for four years on 15 December 1987. At that time you had completed over four years of active service on a prior enlistment.

The record shows that you reported to your first duty station in this enlistment on 24 May 1988. In the performance evaluation for the period 25 May 1988 to 31 March 1989 you were assigned an overall mark of 3.6, but not recommended for advancement or retention in the Navy.. The evaluation comments state, in part, as follows:

... potential for a position of leadership is rated as fair to poor. His lack of interest towards the ship's qualification program reflects upon his ability to competently supervise junior personnel with their qualifications. ...

On 24 April 1989 you were transferred. The record shows that on 1 May 1989, a recommendation that you be discharged due to a diagnosed personality disorder was denied because you had not been found to be a danger to yourself or others, and you had not been counseled and given an opportunity to overcome your

deficiencies. On 13 July 1989 you reported to the USS PETREL (ASR 14). Fifteen days later you were counseled concerning your lack of initiative, reliability and leadership. On 13 September 1989 you were diagnosed with a mixed personality disorder. The evaluation states that if sufficiently stressed, you were likely to become ineffective, possibility causing harm to yourself or others.

Apparently based on the new psychiatric evaluation you were again processed for discharge. Although the documentation to support discharge processing is not in the record, it appears that you did not object to separation. In the performance evaluation for the period 1 July to 25 October 1989 you were assigned marginal marks of 3.0 or 3.2 in every evaluation category. You were honorably discharged on 25 October 1989 based on the diagnosed personality disorder. At that time you acknowledged that you were not recommended for reenlistment.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is discharged due to a diagnosed personality disorder. The Board concluded that your poor performance evaluations and the psychologist's opinion that you could be at risk to harm yourself or others were sufficient to support the decision not to recommend you for reenlistment and to assign you an RE-4 reenlistment code.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director