



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 7315-01
15 March 2002

[REDACTED]

[REDACTED]

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

A three-member panel of the Board for Correction of Navy Records, sitting in executive session, considered your application on 13 March 2002. 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.

You enlisted in the Navy on 8 August 1994 for four years at age 18. At that time, you extended your enlistment for an additional period of 12 months in exchange for HN "A" School. You reported to the medical treatment facility on board USNS MERCY for duty in December 1996 and performed your duties in a satisfactory manner.

On 4 August 1997, you were authorized to assume the title and wear the uniform of an HM3 (E-4) until your advancement became effective. On 6 August 1997 you and your twin sister sought psychiatric counseling due to "not being able to cope with Navy life", specifically, for lack of respect for individuals and an expressed desire to be discharged. You reported to the examining psychologist that you had an abused childhood and learned to be violent. You claimed you had an increasingly difficult time maintaining control with increased stress and were learning to act out violently, either to yourself or others. You reported

suicidal ideation and violent feelings and becoming increasingly dysfunctional and unhappy.

The examining psychologist noted that an additional factor for consideration was that you and your sister survived together through an abusive and dysfunctional childhood, and became unusually close and strongly bonded together for survival. Psychological testing showed a valid, clinically elevated profile suggestive of a serious disorder, persecutory ideation with social alienation, schizoid characteristics, depression, and deviant thought content. The conditions were considered deep seated and chronic and you were diagnosed with a bipolar disorder and a schizotypal personality disorder. You were considered a potential threat to harm yourself or others if stressors overloaded your thus-far successful, but limited defenses. Administrative separation was recommended.

On 11 August 1997 you were notified that separation action was being initiated by reason of convenience of the government as evidenced by the diagnosed personality disorder. You were advised of your procedural rights, declined to consult with legal counsel or submit a statement in your own behalf, and waived the right to have your case reviewed by the general court-martial convening authority. On 15 August 1997, the officer-in-charge recommended separation under honorable conditions and noted that previous performance and medical evaluations showed no indication of any psychological episodes and you appeared to be in good health. However, after a homeport change, you sought psychiatric counseling. Thereafter, the discharge authority directed an honorable discharge by reason of personality disorder. You were so discharged on 12 September 1997.

Regulations authorize the assignment of an RE-4 reenlistment code to individuals separated by reason of a diagnosed personality disorder. You have provided no medical evidence refuting the Navy's diagnosis of a personality disorder. Absent such evidence, the Board concluded that the reason for discharge and separation code were appropriate. The Board noted that the Navy views individuals who may be suicidal or have a tendency toward violence with serious concern, and assignment of an RE-4 reenlistment code is justified since such individuals pose a potential risk to harm themselves or others if retained. The Board thus concluded that the reenlistment code was proper and no change is warranted. 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