



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

FC
Docket No: 00715-03
23 June 2003

[REDACTED]

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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 18 June 2003. 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 enlisted in the Navy on 20 December 1967 at age 20. You then served without incident until 14 April 1970, when you received nonjudicial punishment (NJP) for a brief period of unauthorized absence and were awarded restriction.

On 25 June 1970 you made a voluntary statement to an agent of the Naval Investigative Service (NIS) in which you admitted to the use of drugs, both ashore and aboard ship.

In an undated letter, you were notified of administrative separation processing and retained all of your procedural rights. On 26 August 1970, an administrative discharge board (ADB) unanimously recommended that you be separated with a general discharge. At the ADB, you again admitted to using drugs ashore and aboard ship. On 11 September 1970 the commanding officer recommended a general discharge by reason of unfitness due to

possession of marijuana. On 12 October 1970 the separation authority approved a general discharge and, on 16 October 1970, you were so discharged.

In its review of your case, the Board carefully weighed all potentially mitigating factors such as your youth and immaturity, the period of good service, and the length of time that has passed since you were discharged from the Navy. However, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given your admitted frequent possession and use of drugs to an NIS agent and at the ADB. 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