



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

TRG
Docket No: 6765-07
26 August 2008

[REDACTED]

[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 19 August 2008. 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 initially enlisted in the Navy on 9 August 1971 and served continuously after that date until your discharge. On 16 June 1983 you reenlisted for six years. Two years later, you were advanced to petty officer first class. During the period from 1 December 1985 to 5 November 1986, you received two consecutive adverse performance evaluations. On 20 November 1986 you received nonjudicial punishment (NJP) for a failure to go to your appointed place of duty and were reduced to petty officer second class.

On 5 December 1986 you received a letter of substandard service which placed you on notice that your performance and conduct needed to improve. The next month, on 15 January 1987, you received another NJP for being absent from your appointed place of duty. The punishment was a reduction in rate to petty officer third class which was suspended. The evaluation for the period ending 31 March 1987 is adverse. It states in the evaluation that you were pending assignment to the alcohol rehabilitation course and that successful completion and sustained improved performance could result in retention in the Navy.

It appears that you reported to the alcohol rehabilitation course on 1 April 1987. You completed the treatment and reported to

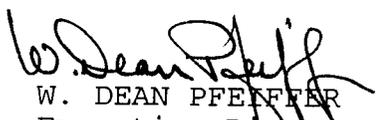
your new unit on 15 May 1987. The performance evaluation for the period ending 31 March 1988 notes that you had an alcohol related incident which had resulted in an extension of your aftercare but was otherwise satisfactory. In the next evaluation for the period ending 28 October 1988 you were highly recommended for retention. You reported to a new command on 11 November 1988. Fourteen days later, you received NJP for an unauthorized absence of about 23 hours. A subsequent drug and alcohol abuse report noted that you were alcohol dependent and were not amenable for treatment. Subsequently, you were granted a one month extension for transition purposes. On 18 July 1989, you were honorably discharged. At that time, you had completed 17 years, 11 months and 10 days of active service.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as the length of your service and contention that you should have been retained to qualify for retirement. The Board found that these factors and contention were not sufficient to warrant corrective action given your history of alcohol abuse, alcohol rehabilitation failure, repeated adverse performance evaluations and disciplinary record. It was clear to the Board that you were given every opportunity for retention in the Navy but continued to abuse alcohol and commit disciplinary infractions. It is clear that the decision to deny you further service was only made after you were given every opportunity to improve your behavior. The Board concluded that the action to deny you further service was supported by the record and there was no abuse of discretion in this matter.

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