



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

TRG  
Docket No: 2160-08  
14 November 2008

[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 4 November 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 enlisted in the Navy on 14 June 1988. You then served in an excellent manner for almost five years. On 12 March 1993 you reenlisted for four years. Although the separation processing documentation is not filed in your record, it appears that sometime in 1994 you decided that you were a conscientious objector and wanted to be discharged. Your performance evaluation for the period ending 21 September 1994 contains adverse comments concerning your conduct and performance of duty and you were not recommended for promotion or retention in the Navy. You were honorably discharged on 21 November 1994 with a narrative reason for separation of conscientious objector. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Although the separation processing documentation is unavailable, the Board believed that you would not have been discharged because you were a conscientious objector unless you had convinced the command that your beliefs were valid and had otherwise participated in the process. Therefore, the Board concluded that you were properly discharged from the Navy and a change in the reason for your discharge was not warranted.

Concerning your request for a change in the reenlistment code,

the Board was aware that an RE-4 reenlisted code is the only authorized code when an individual is discharged because they are a conscientious objector. Further, your final performance evaluation is adverse and you were not recommended for retention which also requires the assignment of an RE-4 reenlistment code. Therefore, the Board concluded that a change in the reenlistment code is not 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