



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

TJR
Docket No: 3523-08
19 February 2009



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 Naval Records, sitting in executive session, considered your application on 18 February 2009. The names and votes of the members of the panel will be furnished upon request. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 19 September 2001 at age 18 and served without disciplinary incident.

On 5 February 2003 you were referred for a psychiatric evaluation because of overwhelming relationship problems caused by reports of an unfaithful spouse. As a result, you were referred for mental health treatment. On 10 February 2003 you disclosed a history of suicide attempts, current suicidal ideation without plans or intent for self-harm, depressed moods, poor retention motivation, and continued frustration and distress. The psychiatric report stated, in part, that although you contracted for safety, you stated that if you could not get out of the Navy, you could not guarantee your safety. Subsequently, you were diagnosed with a personality disorder and recommended for an administrative separation.

On 13 February 2003 you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed personality disorder. At that time you did not object to the discharge. Subsequently, your commanding officer recommended discharge by reason of convenience of the government due to the diagnosed personality disorder. On 19 February 2003 the discharge authority approved this recommendation and directed an honorable discharge. On 27 February 2003 you were so discharged and assigned an RE-3G reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your reenlist code. It also considered the documentation from a licensed psychologist and the character reference questionnaire provided in support of your case. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to your reenlistment code because of your diagnosed personality disorder. Finally, Sailors discharged by reason of a personality disorder would normally be assigned an RE-4 reenlistment code. In this regard, you were assigned the most favorable reenlistment code for your situation. Accordingly, your application has been denied.

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