



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

SMS
Docket No: 3808-08
16 January 2009

[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 14 January 2009. 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.

On 26 September 1988, you enlisted in the Navy at age 18. On 3 January 1989, a substance abuse evaluation diagnosed you as being alcohol dependent and recommended treatment, which you declined, and because of this you were considered an alcohol rehabilitation failure. On 23 February 1989, you had nonjudicial punishment (NJP) for failure to obey a lawful order by consuming alcohol in the barracks and were counseled regarding this offense. On 12 December 1989, a medical evaluation stated that you had an alcohol-related incident during July 1989, and diagnosed you as being alcohol dependent.

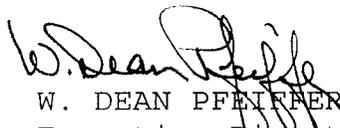
On 30 January 1990, your commanding officer initiated administrative separation by reason of convenience of the government due to alcohol rehabilitation failure. In connection with this processing, you acknowledged the separation action and that your characterization of service would be determined as warranted by your service record.

On 9 February 1990, the separation authority approved the discharge recommendation and directed discharge by reason of convenience of the government due to alcohol rehabilitation failure. On 16 February 1990, you declined treatment at a Veterans Affairs hospital. On 16 February 1990, you were separated with a general discharge by reason of convenience of the government due to alcohol rehabilitation failure.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth and desire for an honorable discharge. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your service due to your overall service record. In this regard, characterization of service for members who are discharged by reason of convenience of the government is determined by their conduct, actions, and overall trait and behavior marks assigned on a periodic basis. Minimum acceptable average overall trait and behavior marks of 2.8 and 3.0, respectively, were required to form the basis for a fully honorable characterization of service. Your average overall trait and behavior marks were 2.86 and 2.8, respectively. Given your NJP and failure to attain the behavior mark average required for a fully honorable characterization of service, the Board found that your service warranted a general characterization of service. Therefore, the Board concluded that the discharge was proper as issued 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