



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

SJN
Docket No: 09878-08
26 November 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 25 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 14 January 1987 at age 18. On 4 June 1987, you were diagnosed with alcohol dependency. Consequently, you were sent to a Counseling and Assistance Center (CAAC) for evaluation. On 1 July 1987, you received nonjudicial punishment (NJP) for absence from your appointed place of duty.

On 27 July 1987, administrative discharge action was initiated to separate you by reason of alcohol abuse rehabilitation failure due to your refusal to accept treatment. You elected not to consult counsel, have your case heard before an administrative discharge board, and did not object to the administrative discharge action. On 10 August 1987, you received a general discharge due to alcohol rehabilitation failure. At that time, you were not recommended for retention and assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, overall record of service, and the character letter accompanying your application. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code because of the NJP and your failure to adhere to your command's rehabilitation program. In this regard, an RE-4 reenlistment code is required when an individual is discharged for alcohol abuse rehabilitation failure. 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 PFETFFER
Executive Director