



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

BJG
Docket No: 10472-10
27 July 2011

[REDACTED]

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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 26 July 2011. 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.

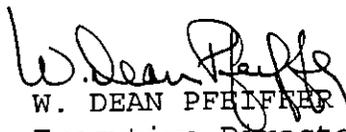
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You reenlisted in the Navy on 4 March 1966 after more than two years of honorable service. On 6 March 1967, you made a voluntary statement to the Office of Naval Intelligence, and admitted to receiving oral sex on three occasions from two civilian males and a male Sailor. You also admitted to being the active participant in an act of anal sex with a male Sailor. In light of your statement, you were administratively separated due to unsuitability. On 7 April 1967, you received an honorable discharge due to unsuitability.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, Vietnam service, and allegation that you were raped by two men. However, the Board concluded that you were correctly discharged due to unsuitability based on your voluntary statement. The Board found no evidence in your record to corroborate your allegation, and you submitted no such evidence. In view of the above, 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