



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

TAL
Docket No: 351-12
27 September 2012



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 26 September 2012. 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 8 March 1983 at age 19. You were the subject of multiple psychological evaluations after missing your ship's movement and refusing to return to your command. You stated in part, that you hated submarine duty, did not respect the people in your command, did not like the people you worked with and were sick of being a submariner. You were diagnosed as alcohol dependent with a binge drinking pattern and a borderline character disorder. On 15 February 1987, you received nonjudicial punishment (NJP) for missing ship's movement and failure to obey a lawful order. On 26 March 1987, you were the subject of a medical examination prior to admission to Level III Alcohol Rehabilitation Treatment. You stated in part, that you refused to take Antabuse, which was part of the alcohol rehabilitation treatment. Based on the information currently contained in your

record it appears that you were subsequently involuntarily processed for an administrative separation due to misconduct. In connection with this processing, you would have acknowledged the separation action and the separation authority would have approved a recommendation for separation. The record clearly shows that on 29 June 1987, you were discharged with a general characterization of service by reason of misconduct (commission of a serious offense).

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant changing your characterization of service due to your record of misconduct and refusal to participate in the alcohol rehabilitation program. The Board believed that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when a Sailor is separated for misconduct. Finally, there is no provision of law or in Navy regulations that allows for recharacterization of service due solely to the passage of time. 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