



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

TAL  
Docket No: 7374-12  
10 May 2013

[REDACTED]

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 8 May 2013. 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 and began a period of active on 14 March 1988 at age 18. On 28 February 1989, you were the subject of a psychiatric evaluation due to your history of physically abusing your spouse. You stated in part that you started to abuse your wife one week after the wedding. The abuse continued becoming more violent, from striking your wife on the arm had progressed to choking her. On 27 August 1989, you were arrested by San Diego, California, police for violating a temporary restraining order and battery without injury. On 30 August 1989, you were referred by Family Advocacy for another psychiatric evaluation due to continued spousal physical abuse. You were determined to be a treatment failure, disenrolled from

the Family Advocacy Program and diagnosed with an antisocial personality disorder. You were judged to be a continuing risk to yourself or others if retained in the Naval service. You were notified of pending administrative discharge processing with a general discharge. On 18 December 1989, you received the general discharge by reason of your diagnosed personality disorder.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the characterization of service or narrative reason for separation given your diagnosed personality disorder and failure to comply with the treatment offered by the Family Advocacy Program. 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