



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

SJN  
Docket No: 02657-13  
2 April 2014



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 1 April 2014. 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 5 November 1990. The Board found that on 7 November 1990 and 14 January 1991, you were briefed on the Navy's policy regarding drug and alcohol abuse. On 7 June 1991, you were enrolled in a Level II alcohol rehabilitation program. However, on 19 June 1991, you were dropped from the program due to your failure to obey the program rules by consuming alcohol and missing a scheduled meeting. On 21 August 1991, you received nonjudicial punishment (NJP) for underage drinking, disobedience, and two periods of unauthorized absence. Subsequently, administrative discharge action was initiated by reason of misconduct due to commission of a serious offense. You waived your rights to consult counsel, submit a statement or have your case heard by an administrative discharge board (ADB). Your case was forwarded and on 15 November 1991, it was directed that you be separated with a general discharge by reason of misconduct. You were so discharged on 21 November 1991.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your record of service and desire to upgrade your discharge. Nevertheless, the Board found that these factors were not sufficient to warrant changing your characterization of service given your failure to adhere to your command's alcohol rehabilitation treatment program and NJP for serious offenses. The Board noted that although you waived the right to an ADB, your best chance for retention, you were fortunate to receive a general discharge since a discharge under other than honorable conditions is often directed when an individual is discharged for misconduct. 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,



ROBERT D. ZSALMAN  
Acting Executive Director