



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

BAN  
Docket No. NR08357-13  
22 September 2014

[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 28 August 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 reenlisted in the Navy on 26 February 1965 after more than four years of prior honorable service. You received the following disciplinary actions: on 29 June 1965, you received nonjudicial punishment (NJP) for unauthorized absence (UA) and willful disobedience; on 10 March 1966, you received NJP for UA; on 25 November 1966, you were found guilty in civil court of driving under the influence of alcohol and driving with a revoked license; and on 28 February 1967, you were convicted at a special court-martial of six specifications of UA and breaking restriction. Your sentence included a bad conduct discharge (BCD). Therefore, on 14 July 1967, after appellate review, you received a BCD and an RE-4 (not recommended for retention) reenlistment code.

However, on 12 March 1975, the Naval Discharge Review Board (NDRB) upgraded your BCD to a general discharge for the convenience of the government. The NDRB reasoned that had you

been separated in 1975, you would have been a prime candidate for the Navy's alcohol rehabilitation program.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service, the NDRB's upgrade in your characterization of service, and your claim of being an alcoholic. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your misconduct. The Board believed you were fortunate to have received a characterization upgrade from the NDRB. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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 J. O'NEILL  
Executive Director