



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

TJR  
Docket No: 1644-14  
26 February 2015

[REDACTED]

[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 24 February 2015. 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, began a period of active duty on 5 August 1981, and served for about six months without disciplinary incident. However, during the period from 24 February to 1 April 1982, you received nonjudicial punishment (NJP) on three occasions for being drunk on duty, failure to go to your appointed place of duty, breaking restriction, using provoking speech, disorderly conduct, two specifications of disobedience, and two periods of unauthorized absence (UA) totalling 66 days.

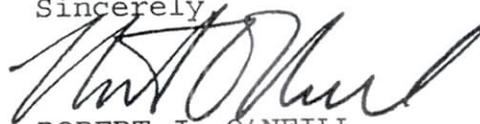
During the period from 2 August to 12 October 1982, you were referred for a medical evaluation due to your aggressive and agitated behavior and history of alcohol abuse. The medical report notes that you threaten to kill someone if you did not get out of the Navy. You were diagnosed with a character disorder with mixed and explosive antisocial features and recommended for an administrative separation. You were also found to be psychologically dependent on alcohol and were enrolled in a rehabilitation program for a four week period. However, because of your departure, on two occasions, from treatment to consume

alcoholic beverages, you were subsequently dis-enrolled from the program. Subsequently, after waiving your procedural rights to consult with legal counsel and to present your case to an administrative discharge board, you were administratively processed for separation by reason of misconduct due to frequent involvement of a discreditable nature with military authorities. In this regard, on 24 November 1982, you were issued an other than honorable discharge by reason of misconduct.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge, post service conduct, and assertions that you were asked to leave the rehabilitation program and as such not allowed to complete your treatment for alcoholism; and not provided legal representation during your separation processing. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of the seriousness of your misconduct which resulted in three NJPs and your failure to successfully complete alcohol rehabilitation. Finally, the Board noted that there is evidence in the record that is contrary to your assertions. Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. 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