



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

TJR
Docket No: 1647-14/
983-06
18 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 16 September 2014. 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 were commissioned in the Navy as an ensign on 21 December 1979. You served without disciplinary infraction until June 1983, when you were the suspected of the wrongful use of illegal drugs. Nonetheless, on 14 June 1983, you were recommended for retention instead of being administratively processed for separation due to drug abuse.

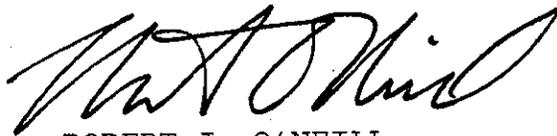
In accordance with a pre-trial Admiral's Mast agreement for wrongfully possessing classified material in your residence, privately owned vehicle, brief case, and the bachelor officers' quarters, on 26 October 1989, you submitted a letter of resignation in which you requested discharge under honorable conditions. On 6 December 1989 you received nonjudicial punishment (NJP) for three specifications of improper control, authorization, and safeguarding (e.g., possession and handling) of classified material during the period from 1985 to 1989.

On 13 March 1990 the Assistant Secretary of the Navy (Manpower and Reserve Affairs) approved your request for resignation and directed separation under honorable conditions by reason of misconduct due to commission of a serious offense, and on 3 April 1990, you received a general discharge.

The Board, in its review of your record and application with its supporting documentation, carefully weighed all potentially mitigating factors, such as your post service conduct, character reference letters, and desire to recharacterize your general discharge and change your narrative reason for separation. It also considered the Congressional and Senatorial interest in your case. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge or a change of your narrative reason for separation because of the seriousness of your misconduct as a commissioned officer. 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. 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