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DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 1323-01
28 June 2001

MS [REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

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. You requested that the entry "cocaine abuse" be removed from your Department of Defense (DD) Form 214 ("Certificate of Release or Discharge from Active Duty"). You asserted the reference to cocaine is stigmatizing, and that you turned to drugs because you had been suffering from depression.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 June 2001. 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 including your medical record, and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 16 May 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. They noted that while block 28 ("Narrative Reason for Separation") of your DD Form 214 does refer to "drug abuse (use)," your form makes no mention of cocaine. Even if depression did cause you to turn to drugs, this would not establish that the stated reason for your discharge was erroneous or unjust. In view of the above, 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

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-832C
16 May 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS (BCNR)

Via: PERS/BCNR Coordinator (PERS-00ZCB)

Subj: EX-HM [REDACTED] US [REDACTED]

Ref: (a) NAVMILPERSCOMINST 1900.1B

Encl: (1) BCNR File 01323-01
(2) Petitioner's Microfiche Record

1. The petition and naval records of subject petitioner have been reviewed relative to her request to change the narrative reason for separation on the DD 214.

2. The review reveals that petitioner went to an administrative board that found misconduct due to drug abuse and recommended separation. The narrative reason in Block 28 of her DD 214 is correct in accordance with reference (a). There is no mention of "cocaine abuse" on the DD 214 as alleged in her petition. Therefore, favorable action on this petition is not recommended.

[REDACTED]

Technical Advisor to the
Head, Enlisted Performance
Branch (PERS-832)