



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

TRG
Docket No: 1982-01
4 October 2001

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 October 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 and applicable statutes, regulations and policies.

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.

You enlisted in the Navy on 30 August 2000 at age 18. Subsequently, you were referred to the recruit mental health department and, on 5 September 2000, you were diagnosed with post traumatic stress disorder. You stated that you had been abused by your father and that the recruit division commander had a strong resemblance to him. The psychologist noted that you cried every day and had frequent intrusive memories. He also noted a history of many fights as well as punching walls, or objects, to release anger. You were recommended for an administrative separation due to the disqualifying psychiatric condition which affected your potential to function in the military environment.

On 6 September 2000 you made a statement, in part, as follows:

... On 5Sep00 my RDC PO1 grabbed my arm.
To prove that I had more than one appointment I pulled
out my copy of my appointment times and dates. (He)

then proceeded to grab my arm and then grab the paper. This may have been an accident, as he wasn't paying total attention to what he was doing.

Based on the PTSD diagnosis, you were processed for an administrative separation. In connection with this processing, you elected to waive your procedural rights. On 12 September 2000 the separation authority directed an entry level separation by reason of erroneous enlistment and you were so separated on 15 September 2000. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

You state in your application that you do not deserve the RE-4 reenlistment code because you were only in boot camp for 17 days and the decision to separate you was only made after a harassment grievance was filed against one of your recruit division commanders.

Concerning this matter, the Commanding Officer, Recruit Training Command stated, in part, as follows in a letter to the Board:

... (She) did not file a harassment complaint. While standing in the office of her Recruit Division Commander (RDC), (she) pulled an appointment slip out of her pocket to give to her RDC. As the RDC reached for the slip, he touched (her) arm. Upon receiving (her) written statement, it was believed that no further action was warranted.

The Board noted that there was no evidence in the record, and you have submitted none, to refute the findings and diagnosis made by the Recruit Mental Health Department. The Board concluded that the diagnosis was sufficient to warrant separation and the assignment of the RE-4 reenlistment code. 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,

W. DEAN PFEIFFER
Executive Director