



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

TRG
Docket No: 3279-01
23 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 16 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.

The Board found that you enlisted in the Navy on 15 May 2000 at age 22. On 14 August 2000 you presented yourself to the mental health clinic complaining of suicidal ideation and were subsequently referred for a psychiatric evaluation. The evaluation report noted that you hated the Navy and wanted to get out. It was also noted that you had previously been diagnosed with an adjustment disorder with depressed mood and alcohol dependence. Concerning your abuse of alcohol you stated that while in college you were drinking about 12 beers a night, with more on weekends, and you became violent while drinking. When alcohol was unavailable, you smoked heroin so you could sleep. You were diagnosed with an adjustment disorder with depressed mood and alcohol dependence. The psychiatrist recommended your separation because of your poor coping skills, shallow motivation, tendency to decompensate, extensive alcohol and drug abuse, and history of suicidal ideation. He believed that if allowed to remain in the military you would pose a great risk to harm yourself or others.

On 18 August 2000 you received nonjudicial punishment for an

unauthorized absence of about two days in July 2000.
Subsequently, you declined treatment for your alcohol dependence.

Based on the foregoing record, you were processed for an administrative separation by reason of fraudulent enlistment, a designated mental condition, and alcohol abuse rehabilitation failure. Subsequently, the separation authority directed an entry level separation by reason of fraudulent enlistment and you were so separated on 28 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 became depressed after you discovered that you would have to deploy for long periods. In order to gain separation from the Navy, you claimed to be suicidal.

The Board noted that you fraudulently enlisted because you did not mention your preservice drug abuse on your preenlistment documents. Accordingly, the Board concluded that you were properly separated by reason of fraudulent enlistment. Regulations require the assignment of an RE-4 reenlistment code when an individual is separated because of a fraudulent enlistment. Since you have been treated no differently than others separated for that reason, the Board could not find an error or injustice in 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