



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

TJR
Docket No: 4638-01
7 January 2002



Dear [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 3 January 2002. 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.

The Board found you enlisted in the Navy on 9 November 1994 at the age of 18, and served without disciplinary incident.

Your record reflects that on 11 September 1997, upon undergoing a psychological evaluation after attempting suicide, you were diagnosed with major depression and a severe personality disorder with borderline and obsessive-compulsive traits. As a result of this diagnosis, you were recommended for an administrative separation.

On 17 September 1997 you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed personality disorder. At that time you waived your rights to consult with legal counsel or submit a statement in rebuttal to the separation. On 7 October 1997 your commanding officer recommended an honorable discharge by reason of convenience of the government due to the diagnosed personality disorder. Subsequently, the discharge authority approved the foregoing recommendation and directed an honorable discharge by reason of convenience of the government, and on 8 December 1997 you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your naval record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity and your contentions that your separation was the result of another Sailor's actions and that you are of clear and sound mind. However, the Board concluded these factors and contentions were not sufficient to warrant a change in your reenlistment code. Such a code is authorized when an individual is separated due to a diagnosed personality disorder and often assigned when there is a risk of self-harm, such as attempted suicide or a suicidal gestures. Further, the Board noted that there is no evidence in the record, and you submitted none, to support your contentions. Given all the circumstances of your case, the Board concluded your reenlistment code was proper and no change is warranted. 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