



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

TJR
Docket No: 5022-01
14 November 2001



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 7 November 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 12 January 1999 at the age of 18. Your record reflects that on 19 January 1999, after undergoing a mental health evaluation while in recruit training, you were diagnosed with an antisocial personality disorder and recommended for an expeditious administrative separation. The evaluation report noted, in part, as follows:

(Member's) history demonstrated conduct disorder in childhood and adolescence. She reports numerous arrests since 8th grade to include: 2 assault and 3 disorderly conduct. Her most recent incident of fighting and subsequent arrest occurred in February 1998 in which she "broke a girl's jaw." (Member) endorses a chronic pattern of impulsivity, irritability and aggressiveness, consistent irresponsibility, and lack of remorse and indifference to having hurt others. She reports frequent episodes of anger dyscontrol as evidenced by frequent fighting and disregard for others.

Subsequently, you were processed for an administrative separation by reason of erroneous enlistment due to the diagnosed personality disorder. On 28 January 1999 you were separated from the Navy with an uncharacterized entry level separation by reason of erroneous enlistment, and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity. However, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. The Board concluded that the diagnosed antisocial personality disorder was sufficient to support the assignment of an RE-4 reenlistment code. Further, such a code is normally assigned when individuals are separated prior to completion of recruit training by reason of erroneous enlistment due a diagnosed personality disorder. Given all the circumstances of your case, the Board concluded the assigned 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