



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

TJR

Docket No: 7925-01
20 March 2002

[REDACTED]

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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 12 March 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.

Your record contains a medical report which notes that on 12 August 1981, after being hospitalized for 42 days, you were diagnosed with alcohol dependence and recommended for continuing participation in a rehabilitation program.

The Board found you reenlisted in the Navy on 29 October 1982 after seven years of prior honorable service and served without disciplinary infractions.

Your record reflects that on 11 November 1986, after undergoing a medical examination, you were diagnosed with acute alcohol intoxication, continuous alcohol dependence, and a passive aggressive personality disorder. At that time you were advised that you would be recommended for an administrative separation if you continued to be a burden to the command.

Your record contains an incident/complaint report dated 1 January 1987, which notes that you had been assaulted, but were not questioned regarding this assault because of your intoxicated condition. On 5 March 1987 you were notified of pending

administrative separation action by reason of alcohol abuse rehabilitation failure. At that same time you waived your rights to consult with legal counsel and to present your case to an administrative discharge board. On 6 April 1987 your commanding officer recommended you be administratively separated by reason of alcohol abuse rehabilitation failure. On 27 April 1987 the discharge authority approved the foregoing recommendation and directed an honorable discharge by reason of alcohol abuse rehabilitation failure. On 1 May 1987 you were counselled regarding alcohol abuse rehabilitation and offered the opportunity to receive 30 day in-patient treatment for your alcohol dependency. However, you refused to participate in this program. Subsequently, on 10 June 1987, you were honorably discharged and 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 prior honorable service and good post service conduct. However, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code given your discharge by reason of alcohol rehabilitation failure and your refusal to further participate in an alcohol rehabilitation treatment program. Assignment of an RE-4 reenlistment code is required when an individual is separated by reason of alcohol rehabilitation failure. 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.

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