



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

TRG
Docket No: 7490-01
14 August 2002

[REDACTED]

[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 6 August 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Naval Reserve on 22 July 1993 at age 17 and reported for two years of active duty on 16 September 1993. On 5 April 1994 you were diagnosed with a severe adjustment disorder with depressed mood, and a severe antisocial personality disorder with borderline and passive aggressive features. The psychologist found that you would be a threat to yourself or others if you were retained on active duty, stating that your history was abundant with episodes of violence to others and taking a gun to your head when you wanted to die. The psychologist further stated that you were impulsive, reckless and unpredictable; and opined that if you were retained in the Navy your depression would escalate and your mental condition would continue to deteriorate as the potential for violence increased.

Based on the diagnosed personality disorder, you were processed for an administrative discharge. In connection with this processing, you elected to waive your procedural rights. On 5 May 1994 the discharge authority directed a general discharge. However, before the discharge could be issued, you began a period of unauthorized absence, on 19 May 1994, that lasted until you surrendered on 5 June 1994. Subsequently, the commanding officer

determined that the absence should not be excused. You were issued a general discharge on 15 June 1994. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, desire to again serve in the military, and your contentions that you had personal and marital problems that led to your discharge from the Navy and have been a good citizen since discharge. However, the Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given the 17 day period of unauthorized absence.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is discharged due to a diagnosed personality disorder, and such a code is normally assigned when there is a finding that an individual is at risk to harm himself or others. Further, the 17 day period of unauthorized absence is misconduct that would support the assignment of an 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