



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

CRS
Docket No: 1873-01
15 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, 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 11 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 30 September 1968 after seven years of prior active service in the Air Force. The record reflects that you received three nonjudicial punishments. The offenses included unauthorized absences totalling 56 days, breaking restriction, and absence from your appointed place of duty.

On 30 September 1969 the commanding officer recommended that you be separated with an undesirable discharge by reason of unfitness. When informed of the recommendation, you elected to waive the right to present the case to an administrative discharge board. After review, the discharge authority, directed a general discharge, and further stated that execution of the discharge would be suspended until 15 December 1970. However, on 23 March 1970 you became an unauthorized absentee until 20 April 1970. Subsequently, you received a general discharge on 23 June 1970.

In its review of your application the Board carefully weighed all

potentially mitigating factors, such as the contention that you were an alcoholic but now you are a minister. However, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge, given your record of frequent involvement with military authorities. In this regard, the Board noted that you were the subject of three disciplinary actions within a period of less than two years and an unauthorized absence of 27 days while in a probationary period. Further, you were given an opportunity to complete your enlistment when the discharge authority suspended the discharge and placed you on probation. However, you failed to take advantage of this opportunity. Based on the foregoing, the Board concluded that no change to the discharge 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