



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

CRS  
Docket No: 1880-01  
7 November 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application reconsideration 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, reconsidered your application on 3 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. In addition, the Board considered the advisory opinion furnished by the Specialty Advisory to the Surgeon General for Psychiatry, a copy of which is attached.

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 on 10 November 1994 you enlisted in the Navy at age 18. The record reflects that on 27 February 1995, while under instruction at Nuclear Power School, you were diagnosed with an adjustment disorder and a personality disorder. However, you were returned to duty.

On 12 April 1995 you were disenrolled from the Nuclear Power School for lack of effort. A second psychiatric evaluation, conducted on 10 May 1995, again diagnosed personality and adjustment disorders. Further, the evaluation found that because of your history of maladaptive behavior, you posed "a continuing risk to harm yourself or others, or embarrass the Navy." On 9 June 1995 you received an honorable discharge by reason of a diagnosed personality disorder. At that time you were assigned a reenlistment code of RE-4.

With your application, you presented a psychological report,

dated 21 August 1999, which states that no mental disorders are currently present. The advisory opinion from the Specialty Advisor states that although you had difficulty adjusting to Nuclear Power School and the Navy, there was no conclusive evidence that you suffered from a personality disorder.

The Board noted that an RE-4 reenlistment code is authorized by regulatory guidance and often assigned to individuals with diagnosed personality disorders, especially those with records of poor performance or those who are deemed to constitute a threat themselves or others. While the Board noted your new evidence and the advisory opinion, it still concluded that if a servicemember such as yourself performs poorly and is deemed to be a risk to harm himself or others, there is no error or injustice in the reenlistment code. Further, the Board noted that the psychiatrist who diagnosed you with a personality disorder on two occasions in 1995 had the advantage of examining you personally at the time of your poor performance. Your psychologist examined you four years later, and the author of the advisory opinion never examined you at all. The Board therefore concluded that the earlier diagnoses may be correct. 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

Enclosure

02 August 2001

Naval Medical Center San Diego  
Department of Psychiatry

From: [REDACTED] M.D.

To: Chairman, Board for Correction of Naval Records

Subj: [REDACTED]

I have reviewed [REDACTED]'s file. He did have difficulty adjusting to Nuclear Power School and the Navy. I can see no conclusive evidence that he suffers from a personality disorder. He has not demonstrated a longstanding maladaptive pattern of functioning that is indicative of a personality disorder.

[REDACTED]  
[REDACTED] M.D., LCDR MC USNR