



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

ELP
Docket No. 6002-01
19 December 2001



Dear Mr. [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 Navy Records, sitting in executive session, considered your application on 18 December 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 Naval Reserve on 31 July 1991 for eight years and were ordered to active duty for a period of two years on 18 February 1992.

On 21 February 1992 you were referred to the mental health unit after you disclosed a history of recurrent depression, suicidal ideation, and maladaptive social behavior. You stated that you had suffered from episodes of depression since age 14. You claimed that you cut your wrist as a suicidal gesture in 1988, for which you attended two sessions of psychiatric counseling. You further claimed that in April 1991 you planned to shoot yourself because your father told you that you were worthless and that you had engaged in impulsive acts such as shoplifting and fire setting. You were diagnosed with early onset dysthymia, and an avoidant personality disorder with dependent and antisocial features.

On 24 February 1992 you were notified that administrative separation action was being initiated by reason of convenience of the government due to the diagnosed dysthymia and personality disorder. You were advised of your procedural rights and waived those rights. You did not object to the discharge. Thereafter, the discharge authority directed an uncharacterized entry level separation by reason of personality disorder. You were so discharged on 27 February 1992.

Regulations require that individuals separated within the first 180 days of continuous active service will receive an uncharacterized entry level separation. An honorable characterization is authorized only when there are unusual circumstances involving personal conduct and performance of duty, and such a characterization is approved by the Secretary of the Navy.

Regulations authorize the assignment of an RE-4 reenlistment code to an individual separated by reason of a diagnosed personality disorder. The Board noted your desire for employment with a law enforcement agency. However, the Board further noted that the Navy views individuals with suicidal ideation, or those who make suicidal gestures or threats, with grave concern since such individuals are a possible threat to harm themselves or others if retained. You have provided no medical evidence that the Navy's diagnosis of a personality disorder was erroneous. The fact that you desire employment with a law enforcement agency does not provide a valid basis for changing a reenlistment code or the characterization of service. The Board concluded that the discharge and reenlistment code were 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