



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

TJR  
Docket No: 3949-02  
11 December 2002

[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 10 December 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.

You enlisted in the Navy on 26 October 1964 at the age of 17. At the time of enlistment you had completed 10 years of formal education and had a general classification test (GCT) score of 37, which placed you in Mental Group IV.

On 17 March 1965 you received nonjudicial punishment (NJP) for assault, breach of peace, and damage to government property. The punishment imposed was extra duty and restriction for 30 days and a \$42.90 forfeiture of pay.

During the period from 15 March to 12 July 1966 you received NJP on three more occasions for failure to go to your appointed place of duty, absence from your appointed place of duty, two specifications of failure to obey a lawful order, and a one day period of unauthorized absence (UA). On 24 October 1966 you were convicted by special court-martial (SPCM) of two periods of UA totalling 32 days and missing the movement of your ship. You were sentenced to reduction to paygrade E-1, confinement at hard labor for three months, and a \$225 forfeiture of pay.

On 26 July and again on 18 September 1967 you received NJP for disobedience, disrespect, and two periods of absence from your appointed place of duty.

Subsequently, you were processed for an administrative separation by reason of convenience of the government, and on 12 April 1968 you were issued a general discharge.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.3. An average of 3.0 in conduct was required at the time of your discharge for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, limited education, and low test scores. It also considered your contention that you do not believe that you did anything to warrant a general discharge, and that only a few months remained in your enlistment before you would have been separated with a fully honorable characterization of service. The Board further considered your request for restoration to paygrade E-3. Nevertheless, the Board concluded these factors and contentions were not sufficient to warrant recharacterization of your discharge because of your repetitive misconduct and since your conduct average was insufficiently high to warrant an honorable discharge. The Board further concluded that your request for restoration to paygrade E-3 was not warranted since sufficient evidence existed to support the reductions in paygrade. 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