



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

SJN  
Docket No: 11116-10  
21 July 2011

[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 19 July 2011. 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 and began a period of active duty on 18 August 1987. The Board found that on 21 August 1987, you were briefed on the Navy's drug and alcohol abuse policy. On 23 May and 24 June 1988, you received nonjudicial punishment (NJP) for absence from your appointed place of duty and wrongful use of marijuana. As a result of your drug use, you received a forfeiture of pay, restriction, extra duty, and a reduction in paygrade. On 24 June 1988, a drug dependency evaluation found you were not dependent on marijuana. Subsequently, administrative discharge action was initiated by reason of misconduct due to drug use. You elected to consult counsel and have your case heard before an administrative discharge board (ADB). On 3 August 1988, the ADB recommended separation with an other than honorable discharge by reason of misconduct due to drug abuse. On 25 August 1988, your commanding officer concurred with the ADB's findings and forwarded your case recommending that you be discharged under honorable conditions. However, on 18 September 1988, the discharge authority directed an other than honorable discharge by reason of misconduct due to drug abuse. On 26 September 1988 you were so discharged.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your record of service and desire to serve again in the Navy. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your two NJP's, one of which was for drug use, and the fact that you were briefed on the Navy policy regarding drug and alcohol abuse. 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