



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

ELP  
Docket No. 6296-01  
17 January 2002

[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 Navy Records, sitting in executive session, considered your application on 16 January 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 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 26 October 1998 for four years at age 19. The record reflects that on 8 March 1999 you were voluntarily admitted to a naval hospital for a psychiatric evaluation to rule out suicidal ideation. You reported academic difficulties, preoccupation with a romantic entanglement, and a desire for discharge from the Navy. You stated that on the day of admission you had been "chewed out" by your academic advisor. Afterwards, you began to consider a drug overdose sufficient to achieve disenrollment from school. A psychiatric admission followed after you disclosed your thoughts to a class advisor. You told the examining psychiatrist that prior to enlistment you attempted suicide by hanging in April 1998 and described a history of troubled interpersonal relationships, rage attacks and fights during which you became violent. You claimed that on one occasion, you stabbed your brother in the abdomen with a stick which broke off and required surgery. You were diagnosed with a personality disorder, not otherwise specified with borderline features. The examining psychiatrist stated that one prior potentially lethal suicide attempt made you an ongoing risk for further acts of self-harm if retained. Administrative separation was recommended.

On 15 March 1999 you were notified that administrative separation action was being initiated by reason of fraudulent entry and personality disorder. You were advised of your procedural rights, declined to consult with legal counsel or submit a statement in own behalf, and waived the right to have your case reviewed by the general court-martial convening authority. Thereafter, the discharge authority directed an uncharacterized entry level separation by reason of fraudulent entry and personality disorder. You were discharged on 16 March 1999 by reason of fraudulent entry and assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to individuals discharged by reason of fraudulent entry. Further, the Navy views with grave concern individuals who threaten suicide or entertain thoughts of such action since they pose a potential risk for harm to themselves and others if retained. Since you were treated no differently than others separated under similar circumstances, the Board could find no error or injustice in your assignment reenlistment code. The Board concluded that the reenlistment code was proper and no change is warranted.

The Board did not consider changing the reason for your discharge since you have not exhausted your administrative remedies by first petitioning the Naval Discharge Review Board. That board is authorized to change both the reason for discharge and the characterization of service. However, it cannot change a reenlistment code. Enclosed is a DD Form 293 used for applying to that board.

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