



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

CRS  
Docket No: 4368-02  
21 January 2003

[REDACTED]

[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 15 January 2003. 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 3 December 1943 and immediately began a period of extended active duty. Subsequently, you were assigned to the USS BETELGEUSE (AKA 11).

From 1 to 9 April 1945 BETELGEUSE supported combat operations on the island of Okinawa. In his war diary for the month of April 1945, the commanding officer (CO) of BETELGEUSE reported, in part, as follows:

Five minor casualties were sustained aboard ship from shrapnel from other ships. On the night of 1 April, during retirement, two men were hit by shrapnel from a 5" burst. It was observed that the target in this case was another 5" burst. No enemy planes were in the immediate area. On the afternoon of 7 April, three men on the after 40mm gun deck were injured by a spent 20mm falling on deck and exploding. The target in this case was a friendly plane attempting to land on Yontan airstrip.

In his diary, the CO did not mention the names of any of the individuals who were wounded or injured during this period. However, he did state that on 7 April 1945, BETELGEUSE shot down a Japanese bomber, which crashed about 600 yards away from the ship. The diary is corroborated to some extent by the ship's log, although the log indicates that this incident took place on 6 April 1945.

You then served without incident until your honorable discharge on 19 April 1946. At that time, you signed a "Notice of Separation From Naval Service, which sets forth several awards and decorations to which you were entitled, but does not mention the Purple Heart.

In your application, you contend that you were wounded on 6 April 1945 during a kamikaze attack on BETELGEUSE. In support of that contention, you have submitted statements from three fellow Sailors who corroborate your version of events. Further, you have submitted evidence to show that you have a foreign body in your right pelvis which is consistent with a bullet.

After careful and conscientious consideration of the entire record, the Board found insufficient evidence to warrant the award of the Purple Heart. First, the CO's diary reflects that only five individuals were injured during the period 1-9 April 1945, and none of them were hurt during combat operations--a requirement for the award of the Purple Heart. Further, there is no indication that anyone aboard BETELGEUSE was wounded or injured during the incident of 6 or 7 April 1945. In this regard, the Board could not help but note that one of the supporting statements indicates that the kamikaze "went into the water beside us," but the CO clearly states in his diary that the plane crashed "about 600 yards off our starboard quarter . . ." Additionally, you knew at the time of your separation that your record did not reflect the award of the Purple Heart. Nevertheless, you made no attempt to secure this award until many years later.

Additionally, the Department of Veterans Affairs noted as follows in its decisional document of 13 August 2002:

(Your) medical records are completely negative regarding any evidence of complaints of or treatment for a gunshot or shrapnel wound. Service discharge examination makes no mention of any history of inservice gunshot or shrapnel injury and the examination conducted at that time does not show any residual of such injury.

The foregoing is very significant since it tends to show that you were not injured or wounded as you contend or, even if you were, the injury was so minor that it did not require medical treatment--a requirement for the award of the Purple Heart.

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