



Work-Product

UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-01665

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

1. His DD Form 214, *Certificate of Release or Discharge from Active Duty*, box 28, "narrative reason for separation", be changed to read "Secretarial Authority."
2. His DD Form 214, box 26 "Separation code" (SPD) be changed to read "JFF."

APPLICANT'S CONTENTIONS

He joined the military as a teenager thinking it would help him become a real man. It did not work, he did not fit in. He tried his best, but he eventually broke down. His DD Form 214 states he was discharged for having a character and behavior disorder. Quite often, potential employers/schools insist on seeing the long version on his DD Form 214, even after he presents them with the short version. When they read this derogatory description of him on it, it always raises a red flag. They always want to know the nature of his disorder. This has caused him much anguish, embarrassment, and shame these past 37 years. It is his belief this has been a barrier preventing him from having a career or accomplishing a goal which he could feel good about himself. He wishes to apply for a job at an airline, which requires security clearance, and he does not think he has a chance with this on his DD Form 214.

He was only recently made aware by a veterans self-help group it was even remotely possible to have his DD Form 214 corrected. He wishes so much to have this corrected so he could have a chance for a new start in his life. He does not have many years left to even give it a go. Therefore, he humbly asks to grant his request to have this removed from his permanent file and replaced with a new corrected version.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former Air Force staff sergeant (E-5).

On 10 Mar 87, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of Air Force Regulation (AFR) 39-10, *Administrative Separation of*

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Airmen, paragraph 5-11i for conditions that interfere with military service. The specific reasons for the action were:

- a. On 21 Oct 86, he was evaluated by M----- G---- Medical Center (MGMC) and was diagnosed as having and adjustment disorder.
- b. On 12 Feb 87, he was evaluated and diagnosed as having a personality disorder that interfered with duty performance and conduct, to such an extent his ability to function in the military environment was significantly impaired.

On an unknown date, the Staff Judge Advocate found the discharge action legally sufficient.

On an unknown date, the discharge authority accepted the unconditional waiver and directed the applicant be discharged for conditions that interfere with military service, character and behavior disorder, with an honorable service characterization. Probation and rehabilitation were considered, but not offered.

On 21 Apr 87, the DD Form 214 indicates the applicant received an honorable discharge. His narrative reason for separation is “Conditions that Interfere with Military service—Not Disability—Character and Behavior Disorder” and he was credited with 4 years, 5 months, and 28 days of total active service.

For more information, see the excerpt of the applicant’s record at Exhibit B and the advisory at Exhibit C.

APPLICABLE AUTHORITY/GUIDANCE

On 3 Sep 14, the Secretary of Defense issued a memorandum providing guidance to the Military Department Boards for Correction of Military/Naval Records as they carefully consider each petition regarding discharge upgrade requests by veterans claiming PTSD. In addition, time limits to reconsider decisions will be liberally waived for applications covered by this guidance.

On 25 Aug 17, the Under Secretary of Defense for Personnel and Readiness issued clarifying guidance to Discharge Review Boards and Boards for Correction of Military/Naval Records considering requests by veterans for modification of their discharges due in whole or in part to mental health conditions [PTSD, Traumatic Brain Injury (TBI), sexual assault, or sexual harassment]. Liberal consideration will be given to veterans petitioning for discharge relief when the application for relief is based in whole or in part on the aforementioned conditions.

Under Consideration of Mitigating Factors, it is noted that PTSD is not a likely cause of premeditated misconduct. Correction Boards will exercise caution in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct. Liberal consideration does not mandate an upgrade. Relief may be appropriate, however, for minor misconduct commonly associated with the aforementioned mental

health conditions and some significant misconduct sufficiently justified or outweighed by the facts and circumstances.

Boards are directed to consider the following main questions when assessing requests due to mental health conditions including PTSD, TBI, sexual assault, or sexual harassment:

- a. Did the veteran have a condition or experience that may excuse or mitigate the discharge?
- b. Did that condition exist/experience occur during military service?
- c. Does that condition or experience actually excuse or mitigate the discharge?
- d. Does that condition or experience outweigh the discharge?

On 21 Nov 24, the Board staff provided the applicant a copy of the liberal consideration guidance (Exhibit D).

AIR FORCE EVALUATION

The AFRBA Psychological Advisor finds insufficient evidence to support the applicant's request for the desired changes to his records from a mental health perspective. The Psychological Advisor does recommend changing his narrative reason for separation simply to "Condition Not a Disability" for privacy reasons, as his current and last DD Form 214 lists "Character and Behavior Disorder" in the narrative reason.

A review of the available records finds the applicant had been evaluated by numerous and duly qualified mental health providers during both enlisted terms of his service with the Air Force. Both of his terms of service appeared to be stressful to him, but more so during the second term. He did receive somewhat brief mental health treatment during his first term of service while stationed at Scott AFB, and he was described to be shy, sexually naïve, and inexperienced. He also had stressors being in the Air Force but was determined to finish out his service obligation. He was not given any mental disorder diagnosis including a character and behavior disorder during this first iteration of service. He was able to satisfactorily complete his term of service and was discharged on 6 Jun 83. The applicant re-enlisted into the Air Force after a hiatus from service, almost two years later, beginning on 22 Mar 85. During this second term of service, his pre-existing problems of sexual naivete and stressors of being in the Air Force experienced during his first term of service continued and exacerbated further. These pre-existing problems and stressors in addition to new stressors would cause impairments to his ability to function appropriately in a military environment. He had received regular outpatient individual psychotherapy counseling services with a clinical social worker, psychological testing from a clinical psychologist, and a command directed evaluation (CDE)/psychiatric evaluation from a psychiatrist/chief of mental health clinic (MHC) all at Dover AFB. He also received inpatient psychiatric hospital treatment and evaluation at MGMC with a psychiatrist. All these providers had assessed and determined he either displayed personality traits or was diagnosed with a personality disorder. He was initially detected to have personality disorder traits from psychological testing performed by a clinical psychologist on 8 Aug 86. He was given a provisional diagnosis of dependent personality disorder from this provider, and a provisional diagnosis indicates there were traits or symptoms of this disorder present but additional information was needed to make a final diagnosis. He was given

confirmed diagnoses of psychosexual disorder, not otherwise specified (NOS) and major depression, recurrent, which was secondary to psychosexual disorder also from psychological testing. This provider noted he had complaints of forgetfulness, feelings of depression, loneliness, emptiness, and continuing suicidal ideation, and his behaviors were dysphoric, lethargic, soft-spoken, and timid. Some of these symptoms could be dependent personality traits or from his other confirmed diagnoses, but additional information was needed to make a definitive personality disorder diagnosis and/or to diverge from these other diagnoses. His inpatient psychiatric hospital provider, a psychiatrist at MGMC, also reported he had dependent personality traits per the medical statement report dated 21 Oct 86. This provider discussed his childhood experiences of being raised by his mother and this experience may be the origin of his dependent personality traits. He was finally given a formal/confirmed diagnosis of mixed personality disorder with passive-dependent and avoidant features from his CDE performed by the chief of MHC, also a psychiatrist, per the evaluation report dated 12 Feb 87. This provider cited a psychiatric evaluation and a review of his psychological testing results, his inpatient hospitalization evaluation from MGMC, and a summary by a psychologist were used to derive this diagnosis. This provider identified his personality traits in more detail in the report, the above diagnosis constitutes a personality disorder (character and behavior disorder) as outlined in AFR 39-10, chapter 5. Both this individual history and this evaluation indicate deeply ingrained, inflexible, and maladaptive patterns of perceiving, relating to, and thinking about the environment and self which cause significant impairment in social and occupational functioning. He shows strong hypersensitivity to rejection and demands unconditional acceptance as a prerequisite to relationships. In addition, there is a pattern of social withdrawal and low self-esteem with constant self-deprecation. These personality features are characteristic of individuals classified as avoidant personality disorder (sic) a very evident passivity and helplessness indicates passive-dependent features.” His primary mental health provider, a clinical social worker, whom he had met with over 20 sessions/encounters spanning over a year, concurred with this diagnosis and gave him a diagnosis of mixed personality disorder starting on 19 Feb 87. He was previously diagnosed with dysthymic disorder by this provider. From these assessments and records from numerous mental health providers, his personality traits and disorders appeared to be valid and appropriate based on his clinical presentation at the time of his service. The traits he was reported to have and displayed were consistent with the diagnostic criteria of mixed personality disorder with passive-dependent and avoidant features per Diagnostic and Statistical Manual (DSM)-III. Thus, there is no error or injustice with his personality disorder diagnosis and no evidence he was misdiagnosed with a personality disorder. The applicant did not submit any records which would convincingly dispute his personality disorder diagnosis. It is acknowledged the applicant was reported to not have a character or behavior disorder from his previous mental health provider from Scott AFB from his first term of service. While he did not have a confirmed diagnosis at the time, he may have had traits of personality disorder, and this was not discussed nor ruled out by his previous mental health provider. He had similar problems and behavioral traits during his first and second enlistment periods and it may be more time was needed for his traits to be developed and appear over time. He was briefly seen by his previous mental health provider so this could be a factor for the assessment/opinion. The applicant was reported to be in increased distress during his second term of service which necessitated continuous outpatient mental health individual counseling, psychological testing, a CDE, and a higher level of care through inpatient psychiatric hospitalization. In significant times of stress, existing mental health conditions may exacerbate or

trigger new conditions to develop. His increased stressors during his second term of enlistment may have elicited or exacerbated the underlying or mild personality traits which may have caused him to eventually meet the diagnostic criteria for a personality disorder. Personality traits in turn may also significantly influence how an individual responds to and cope with stress, most likely in a maladaptive way, and this caused impairment to his ability to function in the military and perform his military duties. His personality traits and disorder were determined to be the primary condition influencing his behaviors, making him incompatible and unsuitable for continued military service. He was recommended and administratively discharged for this reason. His personality disorder was the cause of his discharge. The Psychological Advisor finds no error or injustice with his discharge from service from a mental health perspective. The applicant is requesting to change his narrative reason to "Secretarial Authority" and the corresponding separation code. This requested narrative reason is not supported because there is no error or injustice identified with his discharge. It is also noted he had suicidal ideation during service. There is no evidence his mental health condition had stabilized, or he no longer had safety concerns or elevated safety risk. His suicidal ideation could also be a part of his personality traits. These are also reasons not to support his request for "Secretarial Authority." However, since his current DD Form 214 includes the description of "Character and Behavior Disorder," the Psychological Advisor recommends changing his narrative reason for separation to "Condition Not a Disability" for privacy reasons. This narrative reason is the appropriate and correct reason for his separation from service and is an acceptable narrative reason per liberal consideration guidance, Kurta Memorandum number 17. This narrative reason would also be consistent with discharges involving an unsuiting mental health condition including personality disorder. The applicant marked "DADT" (Don't Ask Don't Tell) on his application to the AFBCMR. The applicant was not discharged from service due to the DADT policy or for his sexual identity or sexual orientation. He struggled with his sexual identity and sexual orientation since he was a child and there is no evidence his military service and duties aggravated his pre-existing stressors or condition.

LIBERAL CONSIDERATION: Liberal consideration is applied to the applicant's request due to the contention of a mental health condition. It is reminded that liberal consideration does not mandate an upgrade or change to the record per policy guidance. The following are responses to the four questions in the Kurta Memorandum from the available and submitted records for review:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?
The applicant marked "other mental health" and "DADT" on his application to the AFBCMR and contended he joined the military as a teenager thinking it would help him become a real man. It did not work, and he did not fit in. He tried his best but eventually broke down. His DD Form 214 stated he was discharged for having a character and behavior disorder, causing employment issues and opportunities. This situation would cause him much anguish, embarrassment, and shame in the past 37 years. It is his belief it has been a barrier preventing him from having a career or accomplishing a goal so he could feel good about himself. He wished to apply for a job with an airline which requires a security clearance and does not think he has any chance with the narrative reason on his DD Form 214. He did not discuss how his mental health condition may excuse or mitigate his discharge.

2. Did the condition exist or experience occur during military service?

There is evidence the applicant had and was diagnosed with a personality disorder during his second term of service. The applicant had received regular outpatient individual psychotherapy counseling services with a clinical social worker, psychological testing from a clinical psychologist, a CDE/psychiatric evaluation from a psychiatrist/chief of MHC at Dover AFB, and inpatient psychiatric hospital treatment and evaluation at MGMC with a psychiatrist, all occurring from the period of 30 Jan 86 to 14 Apr 87. These providers had assessed and determined he either displayed personality traits or was diagnosed with a personality disorder. He was assessed to have dependent personality traits by a clinical/psychologist and by a psychiatrist during his inpatient psychiatric hospitalization, was diagnosed with mixed personality disorder with passive-dependent and avoidant features by a psychiatrist and was diagnosed with mixed personality disorder by his primary mental health care provider, a clinical social worker. He was diagnosed with other mental disorders such as psychosexual disorder NOS and major depression, recurrent secondary to psychosexual disorder, and dysthymic disorder during service, but his personality disorder was determined to be his primary mental health condition.

3. Does the condition or experience actually excuse or mitigate the discharge?

There is no evidence the applicant was misdiagnosed with a personality disorder and his personality disorder diagnosis is assessed to be valid and consistent with his clinical presentation at the time of his service. He was recommended and discharged for having an unsuiting personality disorder which had impacted his ability to function appropriately in a military setting. His personality disorder was incompatible and unsuiting for continued military service. His personality disorder had caused his discharge but does not excuse or mitigate his discharge.

4. Does the condition or experience outweigh the discharge?

There is no error or injustice identified with the applicant's administrative discharge for having an unsuiting mental health condition of a personality disorder. His personality disorder/mental health condition does not outweigh his original discharge. However, since "Character and Behavior Disorder" is listed as part of his narrative reason for separation on his most current and last DD Form 214, his narrative reason should be changed to "Condition Not a Disability" for privacy reasons.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 21 Nov 24 for comment (Exhibit E) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed but the untimeliness is waived because it is in the interest of justice to do so. Therefore, the Board declines to assert the three-year limitation period established by 10 U.S.C. Section 1552(b).
2. The applicant exhausted all available non-judicial relief before applying to the Board.

3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. The Board concurs with the rationale and recommendation of the AFRBA Psychological Advisor and finds a preponderance of the evidence substantiates the applicant's contentions in part. Specifically, due to possible adverse negative consequences of the applicant's narrative reason for separation, the Board recognizes the potential stigma of "Character and Behavior Disorder" listed on his DD Form 214 which is sufficient to warrant a change to his records. Therefore, the Board recommends correcting the applicant's narrative reason for separation to "Condition, Not a Disability" since he did have an unsuiting mental health condition which led to his discharge.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 21 Apr 87, he was discharged with a separation code and corresponding narrative reason for separation of JFV (Condition, Not A Disability).

CERTIFICATION

The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-01665 in Executive Session on 5 Mar 24:

Work-Product Panel Chair

Work-Product Panel Member

Work-Product Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 6 May 24.

Exhibit B: Documentary Evidence, including relevant excerpts from official records.

Exhibit C: Advisory Opinion, AFRBA Psychological Advisor, dated 19 Nov 24.

Exhibit D: Letter, SAF MRBC (Liberal Consideration), 21 Nov 24

Exhibit E: Notification of Advisory, SAF/MRBC to Applicant, dated 21 Nov 24.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

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