

1. Applicant's Name: [REDACTED]**a. Application Date:** 26 April 2021**b. Date Received:** 26 April 2021**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**

a. Applicant's Requests and Issues: The current characterization of service for the period under review is honorable. The applicant requests a narrative reason change.

The applicant seeks relief contending, in effect, voluntarily submitting themselves to tests and the evaluations by several doctors who determined there was no personality disorder. Chief M. M. succeeded in their goals and career and was untruthful in their accusations regarding the applicant having a personality disorder. The Army Chief of Neurology and Psychology indicated the applicant's record had several recommendations, one from a retired general. The applicant's command wanted to retaliate against the applicant. The applicant requests this injustice not be allowed to stand any longer. The Constitution of the United States forbids racial discrimination. Chief M. M. discriminated against the applicant and knowingly destroyed the applicant's career and name by submitting false statements to Sergeant L. P., stating the applicant had a personality disorder and publicizing it. Several tests proved the applicant did not have a personality disorder.

Board Type and Decision: In a records review conducted on 28 January 2025, and by a 5-0 vote, the Board denied the request upon finding the separation was both proper and equitable. However, notwithstanding the propriety of the applicant's discharge, the Board found that the applicant's DD Form 214, blocks 25, 26, and 28, contain erroneous entries. The Board directed the following administrative corrections and reissue of the applicant's DD Form 214, as approved by the separation authority:

- a. block 25, separation authority changed to AR 635-200, paragraph 5-17,
 - b. block 26, separation code changed to JFV,
 - c. block 28, narrative reason for separation changed to Condition, Not a Disability.
- Please see Section 9 of this document for more detail regarding the Board's decision.*

(Board member names available upon request)

1. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Personality Disorder / AR 635-200, Paragraph 5-13 / JFX / RE-3 / Honorable

b. Date of Discharge: 23 December 1998

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 29 April 1998

(2) Basis for Separation: The applicant was informed of the following reasons: On 11 February 1998, the applicant was evaluated by Womack Army Medical Center (WAMC) Psychiatry Service and diagnosed as having a personality disorder.

(3) Recommended Characterization: Honorable

(4) Legal Consultation Date: 28 April 1998

(5) Administrative Separation Board: On 28 April 1998, the applicant requested consideration of the case before an administrative separation board.

On 5 June 1998, the applicant was notified to appear before an administrative separation board and advised of rights.

On 25 June 1998, the applicant was renotified to appear before an administrative separation board and advised of rights.

On 1 July 1998, the administrative separation board convened and the applicant appeared with counsel. The Board determined the applicant's disorder was a deeply ingrained maladaptive pattern of behavior of a long duration that interfered with the applicant's ability to perform duty. Because of the disorder, the applicant's ability to function effectively in a military environment was significantly impaired. The Board recommended the applicant's discharge with characterization of service of honorable.

The separation authority approved the findings and recommendations of the administrative separation board.

(6) Separation Decision Date / Characterization: 30 November 1998 / Honorable

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 5 May 1997 / 2 years

b. Age at Enlistment / Education / GT Score: 32 / Some College / 117

c. Highest Grade Achieved / MOS / Total Service: E-5 / 52D20, Power-Generation Equipment Repairer / 7 years, 5 months, 26 days

d. Prior Service / Characterizations: RA, 28 June 1991 – 14 December 1994 / HD
RA, 15 December 1994 – 4 May 1997 / HD

e. Overseas Service / Combat Service: Germany, Korea / None

f. Awards and Decorations: AAM, AGCM-2, NDSM, NCOPDR, ASR, OSR-2

g. Performance Ratings: January 1997 – July 1997 / Fully Capable
August 1997 – April 1998 / Marginal
May 1998 – November 1998 / Marginal

h. Disciplinary Action(s) / Evidentiary Record: Developmental Counseling Form, 25 February 1997, for outstanding performance as an NCO between January and February 1997, and encouraged to complete an Officer's Candidate packet and attend promotion boards.

Memorandum, 29 July 1998, reflects the applicant's defense counsel appealed the administrative discharge indicating the evidence at the administrative separation board did not sufficiently establish the applicant had a personality disorder and the issue was a personality

conflict with Master Sergeant Q., the applicant's spouse cheating, and little support by the applicant's unit.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: Associates for Family Enrichment Psychological Evaluation, 22 April 1998, reflects the applicant retained the agency to complete a psychological evaluation because Womack Hospital reportedly diagnosed the applicant with personality disorder, which led to threats of a discharge from the Army. The Associates for Family Enrichment Staff Psychologist determined there was no collateral reports and no imperial evidence to support a diagnosis of a personality disorder. The applicant was diagnosed with adjustment disorder with mixed emotional features; partner relational problem; Axis I and II, deferred; under socialized fear of unemployment, disruption of family unit by estrangement; and GAF score of 63. The psychologist recommended the applicant be retained in the Army and transferred to another location.

J. S. H. III, M. D. and Associates letter, 9 September 1998, reflects the medical doctor was a medical specialist with thirty years' experience in psychiatry, including former major in the Army Medical Corps and Chief of Psychiatry, Department of Veterans Affairs Medical Center (VAMC). The doctor interviewed the applicant on 5 occasions for a total of 16 hours, and reviewed the testimony presented at the administrative separation board hearing held on 1 July 1998. The doctor indicated the applicant's diagnostic impression: adjustment disorder of adult life; marital problems, severe; no personality disorder; no significant medical history or condition; moderate, concern about current board; GAF 65, previous unspecified.

Womack Army Medical Center memorandum, 7 October 1998, reflects Major D. J., Office of the Staff Judge Advocate, requested a review of the applicant's records pertaining to an administrative separation board, with a focus upon the supporting documentation for the diagnosis of a personality disorder. The reviewer, a clinical neuropsychologist, indicated a concern with the military psychiatrist, upon other's assessments, with particular weight given to a mental health technician, in making a diagnosis of a "personality disorder." The reviewer recognized the applicant's attitudes and behaviors may have signaled the presence of an underlying personality disorder; the relative paucity of documentation suggested a decision be made in the applicant's favor. The reviewer recommended the applicant be retained on active duty, with the provision of a rehabilitative transfer to another unit.

J. F. W. and Associates, PA, letter, 25 May 1999, reflects the psychologist provided a summary of the applicant's evaluation. The psychological evaluation done by the military did not lead to the diagnosis (by the psychologist) of a personality disorder; the psychiatrist who testified at the board did not personally examine and interview the applicant; the psychiatrist mistakenly and erroneously testified the psychologist's evaluation led to the diagnosis of personality disorder. The psychologist opined the applicant was not suffering from any mental disorder, most particularly a personality disorder. While not binding in military court, North Carolina law generally prohibited the diagnosis of any persons who have not been personally examined by the health provider.

R4 Therapeutic Solutions, PLLC, Comprehensive Clinical Evaluation, 30 May 2013, reflecting the applicant was diagnosed with major depressive disorder, recurrent, severe without psychotic features; post-traumatic disorder (PTSD); joint pain, lower back pain, chronic headaches; work-related trauma, unresolved; and GAF 50. The medical examiner listed their concerns regarding

the applicant's separation proceedings and did not observe any signs of personality disorder nor reason for the applicant's discharge.

(2) AMHRR Listed: Associates for Family Enrichment Psychological Evaluation; J. S. H. III, M. D. and Associates letter; Womack Army Medical Center memorandum; and J. F. W. and Associates, PA, letter as described in previous paragraph 4j(1).

Chronological Record of Medical Care, Mental Status Evaluation, 11 February 1998, reflects the applicant was diagnosed with personality disorder, not otherwise specified (NOS) (paranoid and antisocial traits). The disorder contributed to substandard military performance as evidenced by counseling statements, arrests, etcetera. The mental health NCO and psychiatrist recommended separation from military service under AR 635-200, Chapter 5-18, as the condition was unlikely to be amenable to further efforts at rehabilitation.

Summary of Proceedings, 1 July 1998, reflects the Major R. P., WAMC Inpatient Psychiatry, was called as a witness in the administrative separation board and confirmed the applicant's diagnosis of personality disorder. The doctor explained WAMC used more extensive testing than the applicant's civilian doctor and most likely was the reason the civilian doctor indicated the applicant did not have a personality disorder. Stark Court Reporting Services provided a verbatim testimony of Major R. P.'s testimony from the proceedings.

The ARBA's medical advisor reviewed DoD and VA medical records and not solely those documents listed in 4j(1) and (2) above.

5. APPLICANT-PROVIDED EVIDENCE: Application for Correction of Military Record; Certificate of Release or Discharge from Active Duty; Application for the Review of Discharge; self-authored statement; excerpt of summary administrative separation board; R4 Therapeutic Solutions, PLLC, Comprehensive Clinical Evaluation; other medical documents; congressional documents; J. F. W. and Associates, PA letter; and newspaper article.

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the application.

7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

b. Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing

the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; 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 matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(2) Paragraph 3-7a states an Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

(3) Chapter 5 provides for the basic separation of enlisted personnel for the convenience of the government.

(4) Paragraph 5-13, in effect at the time, provided that a Soldier may be separated for a personality disorder, not amounting to disability, when the condition interfered with assignment to or performance of duty.

(5) Paragraph 15-13a requires that the condition is a deeply ingrained maladaptive pattern of behavior of long duration that interferes with the Soldier's ability to perform military duties. The diagnosis of personality disorder must have been established by a physician trained in psychiatry and psychiatric diagnosis, or a licensed clinical psychologist.

(6) Paragraph 5-13b, directs that commanders will not take action prescribed in this Chapter in lieu of disciplinary action and requires that the disorder is so severe that the Soldier's ability to function in the military environment is significantly impaired. Army policy requires the award of a fully honorable discharge in such case.

(7) Paragraph 5-13h, stipulates a characterization of a Soldier separated per this paragraph will be characterized as honorable unless an entry-level separation is required under chapter 3, section II. Characterization of service under honorable conditions may be awarded to a Soldier who has been convicted of an offense by general court-martial or who has been convicted by more than one special court-martial in the current enlistment, period of obligated service, or any extension thereof.

e. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), in effect at the time, provided the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identified the SPD code of "JFX" as the appropriate code to assign enlisted Soldiers who were discharged under the provisions of Army Regulation 635-200, Chapter 5-13, personality disorder.

f. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program), governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes. RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

8. SUMMARY OF FACT(S): The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

The applicant requests a narrative reason change. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

Evidence in the applicant's Army Military Human Resource Record (AMHRR) confirms the applicant was diagnosed by a competent medical authority with a personality disorder: personality disorder, NOS (paranoid and antisocial traits).

The applicant contends conflict with supervisors and marital issues led to the discharge and not a personality disorder. The applicant provided several mental evaluations reflecting the applicant was diagnosed with adjustment disorder with mixed emotional features; partner relational problem; under-socialized fear of employment; disruption of family unit by

estrangement; major depressive disorder, recurrent, severe without psychotic features; PTSD; chronic headaches; work-related trauma, unresolved; and GAF 50. A psychologist provided a diagnostic impression of adjustment disorder of adult life; marital problems, severe; no personality disorder; no significant medical history or condition; moderate concern regarding the current board. The applicant provided several documents refuting the personality diagnosis. The applicant's AMHRR reflects the applicant underwent a mental status evaluation (MSE) on 11 February 1998, which indicates the applicant was diagnosed with personality disorder, NOS (paranoid and antisocial traits). The AMHRR contains various documents which were submitted by the applicant, including documents indicating the applicant's record did not show evidence of a personality disorder. The documents in the applicant's AMHRR were considered by the separation authority.

The applicant contends the narrative reason for separation needs changed. The applicant was separated under the provisions of Chapter 5, paragraph 5-13, AR 635-200 with an honorable discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "Personality Disorder," and the separation code is "JFX." Army Regulation 635-8 (Separation Processing and Documents), governs preparation of the DD Form 214, and dictates the entry of the narrative reason for separation, entered in block 28 and separation code, entered in block 26 of the form, will be as listed in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation stipulates no deviation is authorized. There is no provision for any other reason to be entered under this regulation.

The applicant contends good service. The Board considered the applicant's service accomplishments and the quality of service according to the DODI 1332.28.

The applicant contends harassment and racial discrimination by members of the unit. The AMHRR does not include any indication or evidence of arbitrary or capricious actions by the command.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **N/A.** The applicant was not discharged for misconduct, rather, the discharge was based on applicant's diagnosis of chronic adjustment disorder. Therefore, there was no mitigation based on applicant's medical conditions.

(2) Did the condition exist or experience occur during military service? **N/A.**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A.**

(4) Does the condition or experience outweigh the discharge? **N/A.**

b. Response to Contention(s):

(1) The applicant contends conflict with supervisors and marital issues led to the discharge and not a personality disorder. The Board considered this contention and determined there is insufficient evidence to support the applicant's discharge is a result of conflict with applicant's supervisors and marital issues. Ultimately, The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the

applicant's contention(s) that the discharge was improper or inequitable. In light of the current evidence of record, the Board determined the applicant's discharge was appropriate.

(2) The applicant contends the narrative reason for separation needs changed. The Board considered this contention and determined the applicant's narrative reason needs to be changed as the Army regulation has changed, thus the narrative reason for separation will change to "Condition, Not a Disability".

(3) The applicant contends good service. The Board recognizes and appreciates the applicant's willingness to serve and considered this contention during board proceedings along with the totality of the applicant's service record.

(4) The applicant contends harassment and racial discrimination by members of the unit. The Board considered this contention and determined there is insufficient evidence to support the applicant experienced harassment and racial discrimination by members of the unit. Ultimately, The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable. In light of the current evidence of record, the Board determined the applicant's discharge was appropriate.

c. The Board determined The Board determined that the discharge is, at this time, proper and equitable, in light of the current evidence of record. The applicant has exhausted their appeal options available with ADRB. However, the applicant may still apply to the Army Board for Correction of Military Records. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

d. Rationale for Decision:

(1) The Board determined the discharge is proper and equitable as the applicant has a Characterization of Honorable; therefore, no further relief is available.

(2) The Board voted to change the applicant's reason for discharge because, although the Board found the discharge proper and equitable and there were no BH diagnoses which mitigated the misconduct to warrant relief, it was found that there was a change to regulation, thus making the current reason for discharge improper. The corrected reason for discharge will be Condition, Not a Disability. The SPD code associated with the new reason for discharge is JFV.

(3) The RE code will not change due to applicant's BH diagnosis warranting consideration prior to reentry of military service.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214:** Yes
- b. **Change Characterization to:** No Change
- c. **Change Reason / SPD Code to:** Condition, Not a Disability
- d. **Change RE Code to:** No Change
- e. **Change Authority to:** AR 635-200, paragraph 5-17

Authenticating Official:

2/5/2025



AWOL – Absent Without Leave
 AMHRR – Army Military Human
 Resource Record
 BCD – Bad Conduct Discharge
 BH – Behavioral Health
 CG – Company Grade Article 15
 CID – Criminal Investigation
 Division
 ELS – Entry Level Status
 FG – Field Grade Article 15

GD – General Discharge
 HS – High School
 HD – Honorable Discharge
 IADT – Initial Active Duty Training
 MP – Military Police
 MST – Military Sexual Trauma
 N/A – Not applicable
 NCO – Noncommissioned Officer
 NIF – Not in File
 NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
 OBH (I) – Other Behavioral
 Health (Issues)
 OMPF – Official Military
 Personnel File
 PTSD – Post-Traumatic Stress
 Disorder
 RE – Re-entry
 SCM – Summary Court Martial
 SPCM – Special Court Martial

SPD – Separation Program
 Designator
 TBI – Traumatic Brain Injury
 UNC – Uncharacterized
 Discharge
 UOTHHC – Under Other Than
 Honorable Conditions
 VA – Department of Veterans
 Affairs