



Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],  
USN, XXX-XX-[REDACTED]

c. Petitioner enlisted in the Navy and began a period of active service, on 1 March 1972, after receiving a military doctor's evaluation regarding pre-service psychiatric treatment.

d. Petitioner was awarded the Combat Action Ribbon for encountering enemy hostile fire from 8 January 1973 to 28 January 1973.

e. On 23 February 1973, Petitioner received non-judicial punishment (NJP) for failure to obey a lawful order. On 20 January 1974, Petitioner received NJP for wrongful possession of a narcotic. On 29 January 1974, Petitioner received NJP for absence from place of appointed duty. On 7 February 1974, Petitioner received NJP for absence from place of appointed duty. On 1 March 1974, Petitioner received NJP for disrespect to a superior petty officer.

f. On 8 May 1974, Petitioner was referred for a neuropsychological evaluation and diagnosed with an Immature Personality. Petitioner was referred for another psychological evaluation on 18 January 1975. Subsequently, he commenced a six-day-period of unauthorized absence (UA), on 27 January 1975, that ended in his surrender on 2 February 1975. He was seen by a military psychiatrist, on 3 February 1975, and again diagnosed with Immature Personality and recommended for administrative separation. On 26 February 1975, Petitioner received NJP for UA and missing ship's movement.

g. The documents pertinent to Petitioner's administrative separation are not in his official military personnel file (OMPF). Notwithstanding, the Board relied on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, presumed that they properly discharged their official duties. Based on the information contained on Petitioner's DD Form 214, he was separated on 1 March 1975 with an "General (Under Honorable Conditions)" (GEN) characterization of service, the narrative reason for his separation is "Unsuitability – character and behavior disorders," the reentry code is "RE-4," and the separation code is "GMB," which corresponds to unsuitability – character and behavior disorders.

h. Petitioner contends that he developed PTSD based on his young age and combat service, that his PTSD caused difficulty in adapting to peacetime and mitigates his misconduct, and that his post-service conduct has been exemplary. Petitioner submitted two advocacy letters from former shipmates and documentation of Department of Veterans Administration (VA) disability rating.

i. As part of the Board's review, the Board considered enclosure (4). The AO states in pertinent part:

Petitioner contends he incurred Post Traumatic Stress Disorder (PTSD) during military service, which may have mitigated the circumstances of his separation.

A preservice period of treatment in a psychiatric facility was considered during his enlistment physical, including a letter from his psychiatrist that he "made a total and uneventful recovery from what apparently was a 'nervous breakdown.'" It was determined that "his term 'nervous breakdown' is due to a diagnosis of adolescent

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situational reaction...this is a completely benign diagnosis and should in no way interfere with his performance in the armed forces.”

Petitioner contended he incurred PTSD from [REDACTED] service. He submitted evidence of service connection for PTSD, effective July 2019.

Petitioner was appropriately referred for psychological evaluation during his enlistment and properly evaluated on two occasions. His personality disorder diagnosis was based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluations performed. Post-service, the VA has granted service connection for PTSD.

While it is possible that his in-service symptoms contributing to a diagnosis of personality disorder may have been reconceptualized as symptoms of PTSD, there is insufficient evidence to attribute all of his misconduct to undiagnosed PTSD, given pre-service mental health concerns that continued in service.

The AO concluded, “it is my clinical opinion there is post-service evidence from the VA of a diagnosis of PTSD that may be attributed to military service. There is insufficient evidence to attribute all of his misconduct to PTSD.”

## CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner’s request warrants relief. The Board reviewed his application under the guidance provided in references (b) through (d).

The Board noted Petitioner’s misconduct and does not condone his actions. However, the Board's decision is based on the liberal consideration guidance contained in references (b) through (d) and the conclusion reached in the AO. The Board was able to reasonably conclude that a mental health condition existed at the time of his misconduct, and subsequently resulted in his GEN character of service. After carefully considering all the evidence, the Board felt that Petitioner’s mental health condition should mitigate the misconduct he committed while on active duty since this condition outweighed the severity of the misconduct. The Board concludes that no useful purpose is served by continuing to characterize the Petitioner’s service as having been under honorable conditions, and re-characterization to Honorable is now more appropriate. Based on the same rationale, the Board also concluded that Petitioner’s basis for separation should be changed to reflect a Secretarial Authority discharge.

In view of the above, the Board directs the following corrective action.

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## RECOMMENDATION

That Petitioner be issued an Honorable Discharge Certificate and new DD Form 214, for the period ending 1 March 1975, indicating his character of service as "Honorable," separation authority as "BUPERSMAN 3850220," separation code as "JFF," narrative reason for separation as "Separation for other good and sufficient reasons when determined by the Secretary of the Navy," and reenlistment code as "RE-1J."

That no further changes be made to Petitioner's record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5/31/2024

