



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

Docket No. 11527-24

Ref:	Signature	Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF

USN,

Ref: (a) 10 U.S.C. § 1552

(b) SECDEF Memo of 13 Sep 14 (Hagel Memo)

(c) USD Memo of 25 August 2017 (Kurta Memo)

(d) USECDEF Memo of 25 July 2018 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments

(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to upgrade his characterization of service and to make other conforming changes to his DD Form 214.

2. The Board, consisting of [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 16 May 2025 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include references (b) through (d). Additionally, the Board also considered an advisory opinion (AO) furnished by qualified mental health provider. Although Petitioner was provided an opportunity to respond to the AO, he chose not to do so.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, the statute of limitation was waived in accordance with the Kurta Memo.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

[REDACTED], USN [REDACTED]

c. Petitioner enlisted in the U.S. Navy and began a period of active service on 17 July 1989. Petitioner's pre-enlistment physical examination, on 8 November 1988, and self-reported medical history both noted no psychiatric or neurologic conditions, history, or symptoms.

d. On 30 October 1989, Petitioner underwent a psychiatric evaluation. The Navy Medical Officer (MO) diagnosed Petitioner with an "avoidant personality disorder, severe with dependent features, existed prior to entry." The MO determined Petitioner was not suffering from any psychosis but determined Petitioner's personality disorder rendered him unsuitable for continued military service.

e. Following Petitioner's personality disorder diagnosis, Petitioner's command initiated administrative separation proceedings by reason of convenience of the government due to his diagnosed personality disorder. On 5 December 1989, Petitioner's command documented in a "Page 13" entry that he was not eligible for reenlistment due to his personality disorder.

f. Ultimately, on the same day, Petitioner was discharged from the Navy with an uncharacterized entry level separation (ELS) and was assigned an RE-4 reentry code. Petitioner's DD Form 214, blocks 25, 26, and 28 (separation authority, separation code, and narrative reason for separation, respectively), corresponded with an ELS discharge for a personality disorder.

g. Petitioner contended that he joined the Navy to serve his country, suffered from depression following the death of his brother, and PTSD from childhood trauma. The petitioner contended that he felt he was just tossed to the curb because his rate was full and he was not needed. Petitioner was requesting the discharge upgrade, in part, to make it easier for getting employment and to lighten the embarrassment and to make it so he was not ashamed when needing to show his DD 214.

h. A licensed clinical psychologist (Ph.D.) reviewed Petitioner's contentions and the available records and issued an AO dated 27 March 2025. As part of the Board's review, the Board considered the AO. The AO stated in pertinent part:

Petitioner was appropriately referred for psychological evaluation during his enlistment and properly evaluated. His diagnosed mental health concerns were based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluation performed by the mental health clinician. They were deemed to be preexisting to military service and of sufficient severity as to preclude suitability for service. There is no evidence of error in the in-service diagnosis and the Petitioner has provided no medical evidence to support his claims.

The Ph.D. concluded, "There is insufficient evidence of a diagnosis of PTSD or another mental health condition that may be attributed to military service. There is insufficient evidence of error in his in-service diagnosis."

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[REDACTED] USN, [REDACTED]

CONCLUSION:

Upon review and liberal consideration of all the evidence of record, the Board concluded that Petitioner's request warrants partial relief. Specifically, in keeping with the letter and spirit of the Wilkie Memo, the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior disorder. Describing Petitioner's service in this manner attaches a considerable negative and unnecessary stigma, and fundamental fairness and medical privacy concerns dictate a change. Accordingly, the Board concluded that Petitioner's discharge should not be labeled as being for a mental health-related condition and that certain remedial administrative changes are warranted to the DD Form 214.

Notwithstanding the recommended corrective action below, the Board determined Petitioner's uncharacterized ELS discharge remains appropriate. In accordance with the Hagel, Kurta, and Wilkie Memos, the Board gave liberal and special consideration to Petitioner's record of service and his contentions about any traumatic or stressful events he experienced and their possible adverse impact on his service. However, the Board concluded that there was no convincing evidence of any nexus between any mental health conditions and/or related symptoms and Petitioner's discharge for a personality disorder. As a result, the Board concluded that Petitioner's separation was not due to mental health-related conditions or symptoms. The Board also determined that the evidence of record did not demonstrate that Petitioner was not mentally responsible for his conduct or that he should not be held accountable for his behavior on active duty.

The Board initially determined that Petitioner's administrative separation for a personality disorder was legally and factually sufficient, and in accordance with all Department of the Navy directives and policy at the time of his discharge. The Board noted that personality disorders are characterized by a longstanding pattern of unhealthy behaviors, dysfunctional relationships, and maladaptive thinking patterns. They are not conditions considered unfitting, disabling, or impair one's ability to be accountable for their actions or behaviors, but do render service members unsuitable for military service and consideration for administrative separation. The Board did not believe that Petitioner's record was otherwise so meritorious as to deserve a discharge upgrade. The Board also noted that separations initiated within the first 180 days of continuous active duty will be described as ELS except in those limited Navy cases: (a) when an Honorable discharge is approved by the Secretary of the Navy in cases involving unusual circumstances not applicable in Petitioner's case, or (b) where processing under a more serious basis is appropriate and where characterization of service under Other Than Honorable conditions (OTH) upon discharge is warranted. Moreover, absent a material error or injustice, the Board declined to summarily upgrade a discharge solely for the purpose of facilitating VA or veterans' benefits, or enhancing educational or employment opportunities.

As a result, the Board determined that there was no impropriety or inequity in Petitioner's ELS discharge/characterization and concluded that Petitioner's conduct and behavior clearly merited his discharge. While the Board carefully considered the evidence Petitioner submitted in mitigation, even in light of the Kurta, Hagel, and Wilkie Memos and reviewing the record

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

[REDACTED], USN, [REDACTED]

liberally and holistically, the Board did not find evidence of an error or injustice that warrants granting Petitioner a discharge upgrade or granting an upgrade as a matter of clemency or equity.

Lastly, the Board did not find a material error or injustice with the Petitioner's original "RE-4" reentry code. The Board concluded the Petitioner was assigned the correct reentry/reenlistment code based on the totality of his circumstances, and that such notation was proper and in compliance with all Department of the Navy directives and policy at the time of his discharge.

RECOMMENDATION:

In view of the foregoing, the Board finds the existence of material errors warranting the following corrective action.

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214), for the period ending 5 December 1989, indicating he was discharged for the narrative reason for separation of "Secretarial Authority," separation authority of "MILPERSMAN 3630900," and separation code be changed of "JFF."

No other change to Petitioner's record is merited.

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 Regulations, 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.

5/23/2025

