



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

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Docket No. 0374-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ■■■■■■■■■■,
USN, XXX-XX-■■■■■

Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)
(c) USECDEF Memo of 25 Aug 17 (Kurta Memo)
(d) SECDEF Memo of 13 Sep 14 (Hagel Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)
(4) Advisory Opinion of 21 Mar 25

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Navy, filed enclosure (1) requesting her narrative reason for separation and reentry code be changed on her Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of ■■■■■■■■■■, ■■■■■■■■■■, and ■■■■■■■■■■, reviewed Petitioner's allegations of error and injustice on 17 March 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 considered enclosure (4), the advisory opinion (AO) furnished by qualified mental health provider, which was previously provided to Petitioner. Although Petitioner was afforded an opportunity to submit a rebuttal, she 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.

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c. Petitioner enlisted in the Navy and began a period of active service on 23 September 1985. As part of her enlistment processing, Petitioner disclosed pre-service psychiatric hospitalizations for Major Depressive Disorder (MDD) and presented a medical provider note indicating her MDD was in remission.

d. As more fully explained in enclosure (4), Petitioner was evaluated by a military mental health professional for suicidal ideation and depression in May 1986. She was diagnosed with Borderline Personal Disorder and recommended for administrative separation.

e. Consequently, Petitioner was notified of pending administrative separation processing by reason of Convenience of the Government due to Personality Disorder. Petitioner consulted with counsel, requested copies of documents supporting the basis for separation, and declined to make a statement. The separation authority subsequently approved Petitioner's discharge and she was discharged with an Honorable characterization of service on 16 May 1986.

f. Petitioner contends her discharge was not processed in accordance with the requirements of governing policies at the time and that it was unjust due to a material difference between current policy and the policy under which she was discharged. She further contends that her Personality Disorder diagnosis was erroneous, and she was misdiagnosed while suffering from depression, due to family stress and harassment regarding her sexual orientation, and traumatic brain injury (TBI) from a motor vehicle accident and subsequent suicide attempt. Petitioner also contends her discharge was inequitable, asserting that her diagnosis of Personality Disorder was a pretext for separating her due to her sexual orientation. Petitioner provided a legal brief with exhibits, including Department of Veterans Affairs (VA) documentation, medical diagnosis information, her personal statement, and three advocacy letters.

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

Petitioner contends she incurred Traumatic Brain Injury (TBI) and other mental health concerns during military service, which may have contributed to the circumstances of her separation.

In May 1986, she was evaluated by a military psychiatrist for suicidal ideation and depression. She was diagnosed with Borderline Personality Disorder and recommended for administrative separation... The provider noted she had a "hx [history of] chronic suicidal ideation by jumping in front of buses, taking pills, cutting wrists. Also reports recent suicidal ideation during 'A' school and after reporting aboard ship. She was UA [unauthorized absence] for one day yesterday. She dropped out of high school in the 10th grade after above ψ [psychiatric] hosp[italization]. Reports...prob[lem]s c [with] close interpersonal relationships...Borderline personality disorder, severe, manifested by identity disturbance (self-image, gender, long-term goals), marked shifts of mood, chronic feelings of emptiness and depression, chronic and recurrent thoughts of self-harming acts."

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Petitioner contended she incurred TBI from a January 1986 car accident. She claimed that her TBI resulted in cognitive impairment that contributed to UA and financial mismanagement. She stated that harassment regarding her sexual orientation also contributed to mental health concerns and an erroneous diagnosis of personality disorder. She provided a statement in support of her experience and evidence of character and post-service accomplishment. Petitioner provided March 2020 Department of Veterans Affairs (VA) Disability Benefits Questionnaire. "She reports having an assessment for TBI through Social Security around the age of 35 years...However, no evidence...documented neurological testing results supporting TBI residuals or Somatic Symptom Disorder. Underlying history of depressive diagnosis difficult to differentiate from somatic complaints and financial stressors...Veteran self-reports TBI and supportive letters list cognitive deficit conditions...Therefore, occasional mild and moderately impaired TBI residuals affect her emotional state, contributing/overlapping her underlying pre-existing MDD...She has a pre-existing diagnosis of Major Depressive Disorder resulting in two hospitalizations prior to her enlistment. Thus, based on records available for review her currently diagnosed condition is not as least as likely (less than 50%) incurred in or caused by the hostile military climate during service."

Petitioner was evaluated during military service and diagnosed with personality disorder. There is insufficient evidence of error in this diagnosis, which was based on observed behaviors and performance during her period of service, the information she chose to disclose, and the psychological evaluation performed by the mental health clinician. Temporally remote to her military service, VA clinicians have considered that her depression symptoms are not attributed to military service. However, VA clinicians have acknowledged that TBI symptoms may have contributed to somatic complaints and financial mismanagement in service. It is possible that undiagnosed residual symptoms of TBI may have contributed to her poor military performance. However, it is difficult to attribute the circumstances of her separation to TBI, given her Inservice diagnosis of personality disorder and separation due to personality disorder.

The AO concluded, "There is post-service evidence from VA clinicians of TBI that that may be attributed to military service. There is insufficient evidence that the circumstances of her separation from service may be attributed to TBI."

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants relief. Specifically, in keeping with the letter and spirit of the references (b) through (d), the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or adjustment 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,

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the Board concluded that Petitioner's discharge should not be labeled as being for a Personality Disorder and that certain remedial administrative changes are warranted to the DD Form 214.

Based on the Board's decision to grant relief based on the above rationale, the Board made no findings on Petitioner's contentions that she was misdiagnosed, erroneously/unjustly processed for administrative separation, or discharged based on her sexual orientation. However, the Board concurred with the findings of the AO. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

RECOMMENDATION

That Petitioner be issued a new DD Form 214, for the period ending 16 May 1986, indicating that she was discharged under the separation authority of "MILPERSMAN 3630900," with a separation code of "JFF," narrative reason for separation of "Secretary Plenary Authority," and reenlistment code of "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.

6/2/2025

