

Subj: REVIEW OF NAVAL RECORD OF [REDACTED], USNR,
XXX-XX-[REDACTED]

d. Unfortunately, some documents pertinent to Petitioner's administrative separation proceedings are not in his official military personnel file. Notwithstanding, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. The record shows the separation authority directed Petitioner's administrative discharge from the Navy with a General (Under Honorable Conditions) (GEN) character of service by reason of convenience of the government - personality disorder and Petitioner was so discharged on 15 April 2005. Upon his discharge, he was issued a DD Form 214 that did not annotate his primary specialty in block 11.

e. Post-discharge, Petitioner applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied his request for an upgrade, on 14 September 2012, based on their determination that Petitioner's discharge was proper as issued.

f. Petitioner contends that the Navy erred in diagnosing him with a personality disorder and assigning him a General (Under Honorable Conditions) characterization of service. He argues that he should have been assigned an Honorable characterization of service and that it is unjust for his DD Form 214 to reflect an incorrect diagnosis of personality disorder.

g. For purposes of clemency and equity consideration, the Board considered the supporting documentation Petitioner provided in support of his application.

h. As part of the Board's review, a qualified mental health professional reviewed Petitioner's contentions and the available records and provided the Board with enclosure (3), an advisory opinion (AO). The AO stated in pertinent part:

Petitioner was appropriately referred for psychological evaluation during his enlistment and properly evaluated by a military psychologist. In-service, he was diagnosed with a personality disorder. Post-service, the Department of Veterans Affairs (VA) has granted service connection for PTSD. It is possible that mental health concerns identified as characterological in service may have been reconceptualized as indicative of symptoms of PTSD, with the passage of time and increased understanding regarding the Petitioner's experience.

The AO concluded, "There is post-service evidence from the VA of a diagnosis of PTSD that may be attributed to military service. There is some evidence that the circumstances of his separation from service may be attributed to his mental health concerns and post-service PTSD diagnosis."

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants relief.

The Board found no error in Petitioner's GEN discharge for separation by reason of convenience of the government due to personality disorder. However, because Petitioner based his claim for

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relief in whole or in part upon his PTSD and mental health condition (MHC), the Board reviewed his application in accordance with the guidance of references (b) through (e). Accordingly, the Board applied liberal consideration to Petitioner's claimed PTSD and MHC condition, and the effect that it may have had upon his administrative discharge. In this regard, the Board substantially concurred with the AO that there is post-service evidence from the VA of a diagnosis of PTSD that may be attributed to military service and there is some evidence that the circumstances of his separation from service may be attributed to his mental health concerns and post-service PTSD diagnosis.

In addition to applying liberal consideration to Petitioner's mental health condition and any effect that it may have had upon his in-service diagnosis in accordance with references (b) through (d), the Board also noted Petitioner's supporting documentation and considered the totality of the circumstances to determine whether relief is warranted in the interests of justice in accordance with reference (e). In this regard, the Board considered, among other factors, the mitigating effect of Petitioner's mental health condition, as discussed above. Based upon this review, the Board found that the mitigating circumstances outweighed his in-service diagnosis for which Petitioner was discharged and, therefore, the interests of justice are served by upgrading his characterization of service to Honorable.

Furthermore, in keeping with the letter and spirit of the references (b) through (e), the Board determined that it would be an injustice to label one's discharge as being for a diagnosed character and behavior and/or personality 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. The Board determined 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 Certificate of Release or Discharge from Active Duty (DD Form 214).

Finally, as noted above, Petitioner's DD Form 214 does not annotate his primary specialty and requires correction.

RECOMMENDATION

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record in the interests of justice:

That Petitioner be issued a new DD Form 214 reflecting that, for the period ending 15 April 2005, Petitioner's characterization of service was "Honorable," the narrative reason for separation was "Secretarial Authority," the SPD code assigned was "JFF," the separation authority was "MILPERSMAN 1910-164," and reenlistment code was "RE-1J." Additionally, correct block 11 of the DD Form 214 to indicate Petitioner's primary specialty code.

That Petitioner be issued an Honorable discharge certificate.

That no further correction action be taken on Petitioner's naval record.

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

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4. It is certified that 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.

5/29/2025

