

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01689

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His narrative reason for separation be changed from personality disorder to service connected injury, disability, retired medically.

APPLICANT CONTENDS THAT:

1. His retroactive benefits and medically retired classification should be mandated due to recent news reports of services using personality disorder to avoid medical retirement and his 29 years of Department of Veterans Affairs (DVA) care for service connected conditions.

2. Due to his traumatic brain injury, he did not know he could have his narrative reason for separation corrected until his DVA organization informed him. He has some cognitive problems.

In support of his request, the applicant lists his VA regional office location and claim number in item 9 of his DD Form 149, *Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552.*

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 26 August 1982 and was progressively promoted to the grade of Airman First Class (A1C), E-3, effective and with date of rank of 9 October 1982.

On 24 October 1983, the applicant's commander notified him that he was recommending him for discharge from the Air Force for a character and behavior disorder, specifically a personality disorder, under the authority of Air Force Regulation (AFR) 39-10, *Administrative Separation of Airmen*; paragraph 5-12i (1). The specific reasons for the proposed discharge were;

a. the applicant was counseled on numerous occasions by his military supervisors, first sergeant, and squadron commander regarding his negative attitude, improper treatment of co-workers, disregard for his chain of command and failure to follow directions.

b. he was administered an Article 15 for making a false official statement to his squadron commander concerning his need to draw advance leave. The imposed punishment was forfeiture of \$100.00 and a suspended reduction to the grade of Airman, E-2.

c. a mental health evaluation indicated he had a chronic personality disorder (DSM III 301-89). The evaluation revealed:

1. Distinct organic brain dysfunction secondary to head injury and concussion with prolonged coma as a result of an auto accident on 1 June 1983. The applicant was treated for manifestations of post-concussion syndrome; poor recent recall, ease of irritability, emotional instability, recurrent headache, loss of energy; and decreased concentration and attention span.

2. The applicant described a long history of problems with exaggeration of self accomplishment and worth; preceding his head injury. It appeared these traits were part of a basic personality disorder and may have been exaggerated by the injury but not a direct result of the injury. The traits were manifested by poor judgment, impulsivity, immaturity and tendencies to overreact emotionally often with hysterical episodes. The marked need for approval lead to prevarication and self-aggrandizement.

3. The applicant's behavior was inappropriate and reflective of his basic personality disorder and he should have been held fully accountable for his behavior with appropriate disciplinary action. He was able to conform to his duty and military restrictions if he was so motivated.

On 25 October 1983, the applicant acknowledged receipt of the notification of discharge and his right to consult counsel, and submit statements on his own behalf. He opted to consult counsel and waived his right to submit statements on his behalf.

On 14 November 1983, the request for discharge was approved, subsequent to medical determination that the applicant was fit for worldwide duty and the file being found legally sufficient. The discharge authority directed the applicant be discharged with an honorable characterization of service without probation and rehabilitation.

The applicant was discharged on 15 November 1983, with a narrative reason for separation of "Personality Disorder - Not Disability" and a separation code of "JFX." He was credited with 1 year, 2 months and 19 days of active duty service.

AIR FORCE EVALUATION:

AFPC/DPSOR recommends denial. DPSOR states that based on the documentation on file in the master military personnel records, the discharge, to include the narrative reason for separation and separation code, was consistent with the procedural and substantive requirements of the discharge instruction and was within the discretion of the discharge authority. They found no evidence of an error or injustice in the processing of the applicant's case.

The complete AFPC/DPSOS evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 26 July 2012 for review and comment within 30 days (Exhibit D). To date, this office has not received a response.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. After thoroughly reviewing the evidence of record and noting the applicant's contentions, we are not persuaded the Air Force used his personality disorder to avoid medically retiring him. In this respect, we note while the applicant's personality disorder significantly interfered with his ability to function in the military environment, it did not render him unfit for continued military service. The evidence of record indicates that on 2 November 1983, he was found worldwide qualified. Hence, we agree with the opinion and recommendation of the Air Force office of primary responsibility and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or an injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application BC-2012-01689 in Executive Session on 14 November 2012, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 28 March 2012.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOR, dated 2 July 2012.
- Exhibit D. Letter, SAF/MRBR, dated 26 July 2012.

Panel Chair