



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 4515-02
19 December 2002

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

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that her naval record be corrected to show that she does not suffer from a personality disorder.
2. The Board, consisting of Ms. Nofziger and Messrs. Chapman and Grover, reviewed Petitioner's allegations of error and injustice on 15 November 2002 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
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 Board concluded that it would be in the interest of justice to waive the statute of limitations, and consider the application on the merits..
 - c. Petitioner enlisted in the Navy on 25 March 1996. She was evaluated by a clinical psychologist on 22 July 1996, and later underwent psychological testing. In a letter dated 1 August 1996, the psychologist indicated that her diagnosis appeared to be a mood disorder with psychotic features. He recommended that she be administratively separated as soon as possible, noting that she was psychologically decompensating, and that she had refused to take medication. On 19 August 1996, the separation authority directed her discharge for the convenience of the government due to the mood disorder, with a entry level separation. She

was discharged on 3 September 1996. Her DD Form 214 indicates she was discharged by reason of a personality disorder.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting corrective action. In this regard, it notes that a mood disorder with psychotic features is an Axis I mental disorder, and not a personality disorder; therefore, there was no basis for separating her by reason of a personality disorder. As it is clear that her separation from the service was warranted, and as there is no indication in the available records that she unfit for duty because of a condition incurred in or aggravated by her brief period service, it would be in the interest of justice to correct her record to show that she was discharged for the best interest of the service.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that she was discharged from the Navy on 3 September 1996 for the best interest of the service, vice by reason of a personality disorder, and was assigned a reenlistment code of RE-4.


b. That any and all references to a personality disorder be deleted from her record.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

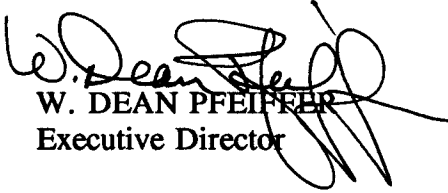
d. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) 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.

ROBERT D. ZSALMAN
Recorder


JAMES R. EXNICIOS
Acting Recorder

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.


W. DEAN PFEIFFER
Executive Director