

Press Release

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Newly Disclosed Records Reveal Hundreds More Illegal Personality Disorder Discharges; VVA Finds Navy and Air Force Worst Offenders

(Washington, D.C.)— Since 2008, the Department of Defense (DoD) has illegally discharged hundreds of veterans on the alleged basis of personality disorder (PD), denying them veterans' benefits, according to a Vietnam Veterans of America (VVA) analysis of newly disclosed records released today. The analysis further concludes that since Fiscal Year (FY) 2002, the Navy has discharged the most service members on this basis in absolute terms (7735), and in FY 2006 the Air Force set a military record for the Afghanistan and Iraq era when PD discharges accounted for 3.7 percent of all airmen being discharged (1114 of 29,498 service members).

The VVA report, *Casting Troops Aside: The United States Military's Illegal Personality Disorder Discharge Problem*, is based on records obtained by VVA in federal Freedom of Information Act litigation. The report found that, since 2008, internal DoD reviews discovered hundreds of illegal PD discharges, and since FY 2001, the military has discharged over 31,000 service members on the alleged basis of PD.

PD can be used as the illegal basis for incorrectly discharging veterans suffering from Post-traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI). The DoD considers PD a preexisting condition, and a PD diagnosis renders veterans ineligible for several benefits.

"On a veteran's discharge paperwork it states clearly, 'discharged for personality disorder,' and not only does it keep veterans from benefits they may have earned, but it is one of the first things that prospective employers see. Anyone who sees the veteran's DD-214 can determine the reason for discharge." said Paul Barry, President of VVA Chapter 120, Hartford, Connecticut.

"Shame on the Department of Defense," said Dr. Thomas J. Berger, VVA Executive Director for the Veterans Health Council. "It acknowledged the widespread illegality of these discharges and changed its rules going forward but has left 31,000 wounded warriors alone to fend for themselves, denied even basic medical care for their injuries."

In 2008, Congress directed the Government Accountability Office (GAO) to investigate illegal personality discharges. The Congressional pressure prompted new DoD

regulations, but VVA has found that illegal personality disorders continued through FY 2010, and that since 2007, the total number of PD discharges has increased at least 20 percent, according to documents released under one of two pending VVA Freedom of Information Act (FOIA) lawsuits.

In a document obtained by the FOIA lawsuit, a Navy report on 2008-2009 PD discharges noted that only "8.9 percent [of PD discharges] were processed properly. ... This does not paint a pretty picture."

Additionally, VVA analysis of DoD documents uncovered a two-fold rise in Adjustment Disorder (AD) discharges in the United States Air Force from FY 2008 to FY 2010 that may signal that AD discharges have now become a surrogate for PD discharges.

"Everyone agrees that illegal personality disorder discharges occurred," said Robert Cuthbert, Jr., a student intern with the Veterans Legal Services Clinic at Yale Law School representing VVA in the FOIA litigation. "Some of these veterans may suffer from undiagnosed PTSD or TBI. The Department of Defense must act justly, responsibly, and promptly to help them heal."

The report is available online at: <http://www.vva.org/ppd-whitepaper.html>

Vietnam Veterans of America (VVA) is the nation's only congressionally chartered veterans service organization dedicated to the needs of Vietnam-era veterans and their families. VVA's founding principle is "Never again will one generation of veterans abandon another." The report was prepared for VVA by Melissa Ader, Robert Cuthbert Jr., Kendall Hoechst, Eliza H. Simon, Zachary Strassburger, and Prof. Michael Wishnie of the Veterans Legal Services Clinic at Yale Law School.