

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 October 2024

DOCKET NUMBER: AR20240000956

APPLICANT REQUESTS: an upgrade of his uncharacterized discharged to honorable

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- Self-Authored Letter
- Applicant's Resume
- Bachelor's degree
- Master's Degree
- State of Ohio Social Worker License
- Certificate of Completion
- State Training Certificate
- State of Ohio Notary Public Commission
- National Guard Bureau (NGB) Form 22 (National Guard Report of Separation and Record of Service)
- Email
- NGB Form 23A (Army National Guard Current Annual Statement)
- Orders 180-967
- Army Discharge Review Board (ADRB) Letter

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.

2. The applicant states he enlisted in the Ohio Army National Guard (OHARNG) as a split option in April 2010. He was very excited as he planned on graduating college and becoming a commissioned officer. A week before he graduated from basic training in August 2010, he was informed that his mother, who was a United States Navy Veteran, was diagnosed with breast cancer. He lost his maternal grandmother to cancer just two

years prior to his mother's diagnosis. He was an only child, and his mother was a single parent. At the time she was the only family he had after his grandmother passed away. He was devastated by the diagnosis and felt so alone at Fort Benning as he was thousands of miles away from his mother.

a. The day after he graduated from basic training, he attended a doctor's appointment with his mother when they returned to Ohio, where they detailed the radiation and chemotherapy treatments. He was scheduled to return to school for his junior year of college and to continue drilling in the Recruit Sustainment Program. He came down with a severe bout of major depressive disorder when he started going to drill and returned to school. He could not stay on top of his coursework, and he struggled to cope and adjust to the military lifestyle because of his mother's cancer diagnosis. He could not get into ROTC at Bowling Green State University due to being late to a field training exercise because he overslept because of his depression and not getting adequate rest and nutrition. He did not do well in school as he dropped classes and failed courses. He let his National Guard recruiter know of his struggles with school, the Army, and his mental health because of his family crisis but he did not receive any support. He obtained a counselor through his school because he was not provided a counselor through the National Guard. He had depressed mood, insomnia, he could not concentrate on lessons during drill, he was fatigued and felt worthless and that he did not belong with his company.

b. He had recurring thoughts of death because all he could think about was his mother's passing away from breast cancer. He was the only male soldier of color in his company, and he struggled with connecting with his company and feeling psychologically safe. This horribly damaged his mental health and negatively affected his depression. In addition, he was only getting \$50 a paycheck for drill. When he noticed this, he inquired with the National Guard, and he was informed he was overpaid for basic training, but he was not provided any documentation confirming that. That added to his depression because he felt like he was giving his all to the National Guard and was only being compensated \$50. Because of his depression, he did not perform well on the Army Combat Fitness Test (ACFT). He was so excited to join the Ohio Army National Guard, but after his mom's breast cancer diagnosis and his major depressive disorder, he wanted nothing to do with the military. He completely lost interest because of his mental health and feeling like he was not supported. His mother's breast cancer diagnosis flipped his world upside down and changed his outlook on life, leading to his major depressive disorder.

c. It was extremely difficult to manage and cope with as a young man. His mental health deteriorated the longer he was in the Ohio Army National Guard. This led to his entry level separation from the Ohio Army National Guard in June 2011. Despite all that, he attended every drill, he was not insubordinate, he was a good battle buddy to his fellow soldiers, and he did not receive any written reprimand, discipline, or performance

improvement plan. He graduated basic training. He was professional, respectful to his fellow soldiers and noncommissioned officers, and had full intentions of carrying out his commitment and enlistment; his mental health and his mother's breast cancer diagnosis interfered with his ability to grow and succeed in the Army National Guard. He believes his discharge should be upgraded to honorable as he believes he would have succeeded in the Ohio Army National Guard with proper culturally sensitive support, guidance, and mentorship.

d. Since leaving the Ohio Army National Guard, he earned a bachelor's degree in criminal justice from Tiffin University, and a master's degree in social work from The Ohio State University. He has worked in Corrections, Child Welfare, Private Practice as a Psychotherapist, and he currently work in pediatric healthcare for Children's Hospital as a Staff Support Clinician Practitioner he has joined a Military/Veterans employee resource group where he helps other veterans process through trauma, stress, and other workplace issues. He is a Licensed Social Worker, a Notary, and a certified Adoption Assessor. He passed the Society for Human Resource Management - Certified Professional exam on 5 May 2023 and he is now a certified human resource professional. He plans to take the Clinical social work license exam. As a licensed social worker and certified human resources professional, he advocates for military veterans and have provided therapeutic services to veterans as they cope with trauma, moral injury, and adjustment to civilian life. He spoke to the Ohio Army National Guard Personnel Office on or about 30 November 2023, and they advised him on the phone and in writing that they do not review discharges and that he needs to submit his appeal to the Army Board for Correction of Military Records. In addition, his updated mailing address.

3. The applicant provides:

- a. A copy of his resume the shows his job history from 2010 to 2023.
- b. Copies of the following notable educational accomplishments and completion.
  - degree of Bachelor of Criminal Justice, completed 5 May 2012
  - the state of Ohio Tier 2 Training completed on 12 April 2019
  - degree of Master of Social Work, completed on 3 May 2020
  - state of Ohio licensed Social Worker certificate completed on 7 July 2020
  - the Society for Human Resource Management (SHRM) completed on 5 May 2023
  - Diversity, Equity, and Inclusion certificate program completed on 25 August 2023
  - State of Ohio Notary Public Commission completed on 28 May 2024

c. A copy of an email between the applicant to the OHARNG directing the applicant to the ABCMR.

d. The below listed documents to be referenced in the service record:

- NGB Form 22
- NGB Form 23A
- Orders 180-967
- ADRB Letter

4. A review of the applicant's service record shows:

a. He enlisted in the Ohio Army National Guard on 2 April 2010 and entered Active Duty on 26 May 2010.

b. DD Form 220 (Active Duty Report) shows the applicant completed basic combat training (BCT) on 5 August 2010.

c. NGB Form 23A shows a summary of the applicant's points earned towards retirement prepared on 1 July 2011.

d. The available service record is void of the details and circumstance surrounding the applicant's discharge, nor does it show that the applicant completed Advanced Individual Training.

e. On 27 June 2011, NGB Form 22 shows he was discharged from the OHARNG with uncharacterized service. It shows he completed 1 year, 2 months, and 26 days of net service with no lost time. The narrative reason for separation is listed as "Entry level performance" with reentry code 3.

5. On 22 September 2023, the Army Discharge Review Board (ADRB) rendered a decision in Docket Number AR20230010204. The board found no evidence that the applicant first appealed his uncharacterized discharge to his state Adjutant General before he applied to the ADRB in accordance with National Guard Regulation 600-200. ADRB could not process his application until he exhausted all his administrative avenues.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted.

2. The Board carefully considered the applicant's contentions, the evidence in the military record, and applicable regulatory guidance. The Board considered the applicant's completion of basic training, but found no evidence that he completed training and was awarded an MOS. The Board considered the evidence he provided of post-service achievements. The Board considered his statements regarding his personal circumstances but absent a separation packet, the Board found insufficient evidence of a mitigating condition support a change to his character of service. The Board did not find evidence that he requested and was denied change by the state Adjutant General. Based on a preponderance of evidence, the Board determined that the characterization of service he received was not in error or unjust.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
█	█	█	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

█

█ █

---

█

█

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

3. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), in effect at the time, sets forth the basic authority for the separation of enlisted personnel.

a. Paragraph 3-7a (Honorable Discharge) states an honorable discharge is a separation with honor. The honorable characterization is appropriate when the quality of the member's service generally has met, the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

b. Paragraph 3-9 (Uncharacterized Discharge) states a separation will be described as entry-level with service uncharacterized if processing is initiated while a Soldier is in entry-level status.

4. Army Regulation 635-5 (Separation Documents), in effect at the time, states the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation.

//NOTHING FOLLOWS//