

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 26 April 2021
- b. **Date Received:** 26 April 2021
- c. **Counsel:** None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

a. **Applicant's Requests and Issues:** The current characterization of service for the period under review is uncharacterized. The applicant requests an upgrade to honorable.

b. The applicant seeks relief, contending, in effect, the discharge was the result of a misdiagnosis stemming from coercive actions during initial entry training. The applicant enlisted as a tank crewman and, during basic training, the command pressured the applicant to transfer to the infantry. Upon declining the transfer, the command referred the applicant to a military psychiatrist, who misdiagnosed the applicant, leading directly to the discharge. The provides an accurate diagnosis from a private psychologist.

c. **Board Type and Decision:** In a records review conducted on 29 July 2025, and by a 5-0 vote, the Board denied the request upon finding the separation was both proper and equitable. However, notwithstanding the propriety of the applicant's discharge, the Board found that the applicant's DD Form 214, blocks 25, 26, 28, contain erroneous entries. The Board directed the following administrative corrections and reissue of the applicant's DD Form 214, as approved by the separation authority: Block 25, separation authority changed to AR 635-200, paragraph 5-14; Block 26, separation code changed to JFV; Block 28, narrative reason for separation changed to Condition, Not a Disability.

Please see Section 9 of this document for more detail regarding the Board's decision.

(Board member names available upon request)

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** Personality Disorder / AR 635-200, Paragraph 5-13 / JFX / RE-3 / Uncharacterized

b. **Date of Discharge:** 21 May 2009

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** 30 April 2009

(2) **Basis for Separation:** The applicant was informed of the following reasons: The applicant was seen by Behavioral Medicine Clinic personnel for a psychiatric evaluation because of an inability to function effectively in a military environment. The applicant received a diagnosis of Antisocial Personality Disorder (Axis II). This disorder involved deeply ingrained maladaptive coping mechanisms which hindered the applicant's adaptability to the military lifestyle. The applicant had a history of these conditions prior to their enlistment in the military. It was highly likely the applicant would "psychologically crumble" under the stress and structure of the military environment. The applicant was psychologically accountable for their actions, could distinguish right from wrong, and possessed sufficient mental capacity to participate in

administrative or judicial proceedings. However, based on the evidence, it was very unlikely the applicant would successfully complete training and would likely pose a severe threat to themselves and the people around if engaged in a combat scenario. Therefore, expeditious separation from the service was recommended in the best interest of the Army and the applicant.

(3) Recommended Characterization: Uncharacterized

(4) Legal Consultation Date: 5 May 2009

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 18 May 2009 / Uncharacterized

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 24 February 2009 / 4 years, 17 weeks

b. Age at Enlistment / Education / GT Score: 21 / High School Graduate / 106

c. Highest Grade Achieved / MOS / Total Service: E-2 / None / 2 months, 28 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: None

f. Awards and Decorations: None

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) Military Police Blotter Report, 27 April 2009, reflects the applicant committed the offense of assault when the applicant struck another Soldier in the groin with the back of the hand while in formation. The applicant admitted to the offense and stated it was done in a joking manner.

(2) Medical Examination for Separation Statement of Option, 4 May 2009, reflects the applicant elected not to receive a medical separation examination.

(3) Four Developmental Counseling Forms for being recommended for discharge because of a personality disorder, disrespecting a drill sergeant, and failing to maintain possession of the weapon.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: Confidential Report of Psychological Evaluation, 21 September 2010, reflects the applicant underwent a psychological evaluation to provide information to assist in diagnosis and comprehensive treatment planning. In the assessment the applicant expressed how unknowingly they applicant's military occupational specialty (MOS) changed. It also reflects the applicant attempted to give the appearance of "failure to adapt" which the applicant claimed was the original discharge reason. However, the applicant claimed

their discharge reason was changed to “personality disorder” by hand. The applicant provided the changed document to the clinician. The assessment concluded the applicant had moderate psychosocial and environmental problems under-employment, concerns about the applicant’s future. The applicant scored a 65 on the Global Assessment of Functioning (GAF) test.

(2) AMHRR Listed:

(a) Report of Mental Status Evaluation, 13 April 2009, reflects the applicant was screened for a discharge because of personality disorder. The applicant was diagnosed with antisocial personality disorder. The applicant was recommended to separate from the Army under Chapter 5-13 (personality disorder).

(b) Report of Mental Status Evaluation, 13 April 2009, reflects the applicant was mentally responsible, had a clear thinking process. The applicant was recommended to return to the unit. The applicant signed a no harm contract and would benefit from further services.

(c) No Harm Contract, 13 April 2009, reflects the applicant agreed not to harm himself or anyone else accidentally or on purpose without first seeing the department of behavioral health staff face to face or in the emergency room. The applicant and the clinician signed.

The ARBA’s medical advisor reviewed DoD and VA medical records, including documents listed in 4j(1) and (2) above.

5. APPLICANT-PROVIDED EVIDENCE: Application for Correction of Military Record; Confidential Report of Psychological Evaluation; Certificate of Release or Discharge from Active Duty.

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the application.

7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

b. Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities’ last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(2) Paragraph 3-7a states an Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier'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.

(3) Paragraph 3-7b states a General discharge is a separation from the Army under honorable conditions and is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

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

(5) Chapter 5 provides for the basic separation of enlisted personnel for the convenience of the government.

(6) Paragraph 5-13, in effect at the time, provided that a Soldier may be separated for a personality disorder, not amounting to disability, when the condition interfered with assignment to or performance of duty. The regulation requires that the condition is a deeply ingrained maladaptive pattern of behavior of long duration that interferes with the Soldier's ability to perform military duties. The regulation also directs that commanders will not take action prescribed in this Chapter in lieu of disciplinary action and requires that the disorder is so severe that the Soldier's ability to function in the military environment is significantly impaired. Army policy requires the award of a fully honorable discharge in such case.

(7) Paragraph 5-13h, stipulates a characterization of a Soldier separated per this paragraph will be characterized as honorable unless an entry-level separation is required under chapter 3, section II. Characterization of service under honorable conditions may be awarded to a Soldier who has been convicted of an offense by general court-martial or who has been convicted by more than one special court-martial in the current enlistment, period of obligated service, or any extension thereof.

(8) Glossary defines entry-level status for RA Soldiers is the first 180 days of continuous AD or the first 180 days of continuous AD following a break of more than 92 days of active military service.

e. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), in effect at the time, provided the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identified the SPD code of "JFX" as the appropriate code to assign enlisted Soldiers who were discharged under the provisions of Army Regulation 635-200, Chapter 5-13, personality disorder.

f. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program), governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes: RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

8. SUMMARY OF FACT(S): The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

a. The applicant requests an upgrade to honorable. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. Evidence in the applicant's Army Military Human Resource Record (AMHRR) confirms the applicant was diagnosed by a medical authority with a personality disorder: Antisocial Personality Disorder.

c. The applicant contends the discharge was based on an inaccurate diagnosis; and, a private licensed psychologist provided an accurate diagnosis. The applicant provided an evaluation from a civilian psychologist, who diagnosed the applicant with moderate psychosocial and environmental problems under-employment. The applicant's AMHRR contains documentation supporting an in-service diagnosis of antisocial personality disorder. The applicant's AMHRR reflects the applicant underwent two mental status evaluations (MSEs) on 13 April 2009, which indicate the applicant was mentally responsible and able to recognize right from wrong. The provider diagnosed the applicant with antisocial personality disorder. The separation authority considered the MSEs.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **No.** The applicant was separated under of AR 635-200 Chapter 5-13 for Personality Disorder. The applicant was diagnosed with the condition, in-service, based on a history of behavior consistent with the condition that existed prior to service. The evidence supported the diagnosis and therefore the separation decision was proper and equitable. Also, given the applicant was separated during IET training after only serving 2-months and 28-days, the Uncharacterized characterization of service was proper and equitable. Given the change to AR 635-200 no longer listing a Personality Disorder narrative reason for separation, an administrative change to the narrative reason for separation to reflect JFV (Condition, Not a Disability) is in order.

(2) Did the condition exist or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A**

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Response to Contention(s): The applicant contends the discharge was not based on valid medical grounds, but rather an inaccurate diagnosis; and, a private licensed psychologist provided an accurate diagnosis. The applicant provided an evaluation from a civilian psychologist, who diagnosed the applicant with moderate psychosocial and environmental problems under-employment.

c. The Board denied the request upon finding the separation was both proper and equitable. However, notwithstanding the propriety of the applicant's discharge, the Board found that the applicant's DD Form 214, blocks 25, 26, 28, contain erroneous entries. The Board directed the following administrative corrections and reissue of the applicant's DD Form 214, as approved by the separation authority: Block 25, separation authority changed to AR 635-200, paragraph 5-14; Block 26, separation code changed to JFV; Block 28, narrative reason for separation changed to Condition, Not a Disability. The Board determined that the discharge is, at this time, proper and equitable, in light of the current evidence of record. The applicant has exhausted all available appeal options available with ADRB. However, the applicant may still apply to the Army Board for Correction of Military Records. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

d. Rationale for Decision:

(1) The Board voted not to change the applicant's characterization of service because there were no mitigating factors for the Board to consider. Since the applicant was discharged for failing medical procurement standards, Uncharacterized is proper and equitable. The discharge was consistent with the procedural and substantive requirements of the regulation, was within the discretion of the separation authority, and the applicant was provided full administrative due process.

(2) The Board voted to change the reason for discharge to Condition, Not a Disability based on AR 635-200 no longer using Personality Disorder as a reason for discharge, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JFV.

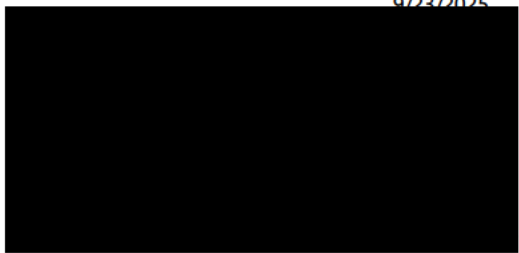
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: Yes
- b. Change Characterization to: No Change
- c. Change Reason / SPD Code to: Condition, Not a Disability / JFV
- d. Change RE Code to: No Change
- e. Change Authority to: AR 635-200

Authenticating Official:

9/23/2025



AWOL – Absent Without Leave
 AMHRR – Army Military Human Resource Record
 BCD – Bad Conduct Discharge
 BH – Behavioral Health
 CG – Company Grade Article 15
 CID – Criminal Investigation Division
 ELS – Entry Level Status
 FG – Field Grade Article 15

GD – General Discharge
 HS – High School
 HD – Honorable Discharge
 IADT – Initial Active Duty Training
 MP – Military Police
 MST – Military Sexual Trauma
 N/A – Not applicable
 NCO – Noncommissioned Officer
 NIF – Not in File
 NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
 OBH (I) – Other Behavioral Health (Issues)
 OMPF – Official Military Personnel File
 PTSD – Post-Traumatic Stress Disorder
 RE – Re-entry
 SCM – Summary Court Martial
 SPCM – Special Court Martial

SPD – Separation Program Designator
 TBI – Traumatic Brain Injury
 UNC – Uncharacterized Discharge
 UOTHC – Under Other Than Honorable Conditions
 VA – Department of Veterans Affairs