

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 general (under honorable conditions). The applicant requests an upgrade honorable.

The applicant seeks relief, contending, in effect, the current discharge characterization is inequitable based on three years of honorable service without incident, including receipt of a Good Conduct Medal, prior to a single lapse in judgment. The applicant contends the punishment resulting in a general (under honorable conditions) discharge was disproportionate to the offense, given their otherwise honorable service record and contributions to the military. The applicant contends the conditions at their unit prior to deployment contributed to their decision to go absent without leave (AWOL), stating training practices raised serious concerns about Soldier safety and leadership, some of whom were later relieved of duty during deployment. The applicant contends significant personal stressors, including the loss of a fiancée and the emotional toll of being outside the U.S. for two years contributed to their decision to go AWOL. The applicant contends undiagnosed and untreated Post-Traumatic Stress Disorder (PTSD), for which they now receive 100 percent disability through the Department of Veterans Affairs, significantly impacted their decision-making at the time of the incident. The applicant contends an upgrade to an honorable discharge would acknowledge their overall honorable service and allow them to take pride in their contributions to the military, rather than continue to feel shame over a single isolated mistake.

- b. **Board Type and Decision:** In a records review conducted on 10 June 2025, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's Post Traumatic Stress Disorder outweighing the applicant's AWOL offense. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry code is proper and equitable and voted not to change it.

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:** Misconduct (AWOL) / AR 635-200, Chapter 14-12c (1) / JKD / RE-3 / General (Under Honorable Conditions)
- b. **Date of Discharge:** 10 October 2007
- c. **Separation Facts:**

- (1) **Date of Notification of Intent to Separate:** 27 September 2007

(2) Basis for Separation: The unit commander informed the applicant under the provisions of AR 635-200, Chapter 14-12c, Commission of a Serious Offense, of the following reasons: The applicant went absent without leave (AWOL) from 28 August 2006 and came back on 1 August 2007.

(3) Recommended Characterization: General (Under Honorable Conditions)

(4) Legal Consultation Date: 2 October 2007

(5) Administrative Separation Board: NA / The applicant was notified they may receive an under other than honorable discharge but was not offered an opportunity to elect for an administrative separation board.

(6) Separation Decision Date / Characterization: On 5 October 2007, the separation authority approved the applicant's separation under the provisions of AR 635-200, Chapter 14-12c, Commission of a Serious Offense. / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 10 June 2003 / 6 years

b. Age at Enlistment / Education / GT Score: 19 / High School Graduate / 108

c. Highest Grade Achieved / MOS / Total Service: E-4 / 11B1O, Infantryman / 3 years, 4 months, 11 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: Germany, SWA / Afghanistan (NIF)

f. Awards and Decorations: AGCM, NDSM, ACM, GWOTSM, ASR

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record: FG Record of Proceedings under Article 15, Uniform Code of Military Justice, 18 September 2007, for absenting themselves from their unit without authority from on or about 25 August 2006 unit 1 August 2007. The punishment consisted of a reduction to E-1, forfeiture of \$633 pay per month for two months and extra duty and restriction for 45 days.

Two Personnel Action forms reflect the applicant's duty status changed as follows:

From Present for Duty (PDY) to Absent Without Leave (AWOL), effective 25 August 2006;
From AWOL to Dropped From Rolls (DFR), effective 25 September 2006.

Report of Return of Absentee, 25 July 2007, reflects the applicant was apprehended by civil authorities and returned to military control.

Two Developmental Counseling Forms for AWOL and recommendation for separation.

i. Lost Time / Mode of Return: 11 months, 6 days (AWOL, 25 August 2006 – 31 July 2007) / Apprehended by Civilian Authorities and returned to military control

j. Behavioral Health Condition(s):

(1) Applicant provided: VA Rating Decision, 10 June 2011, reflects the applicant was awarded 100 percent service-connected disability for posttraumatic stress disorder effective 7 January 2011. The physician noted impaired impulse control and suspiciousness during the applicant's mental examination. However, the physician also observed normal thought processes, communication, eye contact, behavior, hygiene, orientation, and speech patterns. The examination revealed no evidence of suicidal/homicidal ideation, delusions, hallucinations, memory loss, obsessive/ritualistic behavior, or panic attacks. As a result, the physician deemed the applicant competent to manage their own financial affairs. The applicant received a Global Assessment of Functioning score of 55 out of 100 during this examination. This score reflected the clinician's judgment of the applicant's overall level of functioning specifically in psychological, social, and occupational areas, excluding any impairment due to physical or environmental limitations. The physician attributed the applicant's past poor job history and current unemployment to PTSD symptoms. The applicant's parents corroborated the statements concerning social isolation and reclusiveness, and the available evidence demonstrated total occupational and social impairment. The document stated that a 100 percent evaluation is assigned when there is evidence of total occupational and social impairment due to symptoms such as gross impairment in thought processes or communication, persistent delusions or hallucinations, grossly inappropriate behavior, persistent danger of self-harm or harming others, intermittent inability to perform activities of daily living (including maintaining minimal personal hygiene), disorientation to time or place, or memory loss for names of close relatives, own occupation, or own name. The applicant reported receptiveness and motivation toward treatment. Because the psychiatrist indicated a likelihood of improvement, the assigned total evaluation was not considered permanent and was subject to a future review examination.

(2) AMHRR Listed: None

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 the Review of Discharge; VA Decision Rating.

6. POST SERVICE ACCOMPLISHMENTS: Sought out and adhered to PTSD treatment.

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 3-5c, provides the reasons for separation, including the specific circumstances that form the basis for the separation, will be considered on the issue of characterization. As a general matter, characterization will be based upon a pattern of behavior

other than an isolated incident. There are circumstances, however, in which the conduct or performance of duty reflected by a single incident provides the basis for characterization.

(3) 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.

(4) 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.

(5) Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed.

(6) Paragraph 14-3 prescribes a discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record.

(7) Paragraph 14-2c, prescribes Commanders will not take action prescribed in this chapter instead of disciplinary action solely to spare an individual who may have committed serious misconduct from the harsher penalties that may be imposed under the UCMJ

(8) Paragraph 14-12c(1) allows for an absentee returned to military control from a status of absent without leave or desertion to be separated for commission of a serious offense.

e. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes) provides 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 identifies the SPD code of "JKD" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c(1), misconduct (awol).

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 waivable and nonwaivable 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 waivable. 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.

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.

Evidence of the AMHRR shows the applicant went absent without leave (AWOL) from 28 August 2006 and returned on 1 August 2007. The applicant was separated on 2 October 2007, the separation authority approved the applicant's separation under the provisions of AR 635-200, Chapter 14-12c, Commission of a Serious Offense with a general (under honorable conditions) discharge.

Based on the applicant's AMHRR, someone in the discharge process erroneously entered on the applicant's DD Form 214, block 25, "AR 635-200, Para 14-12c(1)." The discharge packet confirms the separation authority approved the discharge under the provisions AR 635-200, Chapter 14, Paragraph 14-12c, Commission of Serious Offense. Army Regulations state a Soldier separated under this provision will receive a narrative reason of Misconduct (Serious Offense) and a Separation Code of "JKQ."

The applicant contends undiagnosed and untreated Post-Traumatic Stress Disorder (PTSD), for which they now receive 100 percent disability through the Department of Veterans Affairs, significantly impacted their decision-making at the time of the incident. The applicant submitted evidence of a 100 percent service-connected VA Disability Rating for PTSD to support the contention the discharge resulted from a medical condition. The applicant's AMHRR includes no documentation of a PTSD diagnosis.

The applicant contends the punishment resulting in a general (under honorable conditions) discharge was disproportionate to the offense, given their otherwise honorable service record and contributions to the military. Paragraph 14-2c, prescribes Commanders will not take action prescribed in this chapter instead of disciplinary action solely to spare an individual who may have committed serious misconduct from the harsher penalties that may be imposed under the UCMJ.

The applicant contends the conditions at their unit, prior to deployment contributed to their decision to go absent without leave (AWOL), stating training practices raised serious concerns about Soldier safety and leadership, some of whom were later relieved of duty during deployment. The applicant did not submit evidence other than their statement to support the contention. The AMHRR does not include any indication or evidence of arbitrary or capricious actions by the command.

The applicant contends significant personal stressors, including the loss of a fiancée and the emotional toll of being outside the U.S. for two years, contributed to their decision to go AWOL. The applicant did not submit evidence other than their statement to support the contention. There is no evidence in the AMHRR the applicant ever sought assistance before committing the misconduct, which led to the separation action under review.

The applicant contends an upgrade to an honorable discharge would acknowledge their overall honorable service and allow them to take pride in their contributions to the military, rather than continue to feel shame over a single isolated mistake. Army Regulation 635-200, paragraph 3-5, in pertinent part, stipulates there are circumstances in which the conduct or performance of duty reflected by a single incident provides the basis for a characterization.

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? **Yes.** The Board reviewed the applicant's DOD and VA health records, applicant's

statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: the applicant asserts PTSD.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board found the applicant is 100 percent service-connected (SC) for PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board determined, based on the Board Medical Advisor's opine, that the applicant's behavioral health conditions mitigate the discharge. Given the nexus between PTSD and avoidant behavior, the AWOL offenses is mitigated.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the applicant's Post Traumatic Stress Disorder outweighed the applicant's AWOL offense.

b. Response to Contention(s):

(1) The applicant contends undiagnosed and untreated Post-Traumatic Stress Disorder (PTSD), for which they now receive 100 percent disability through the Department of Veterans Affairs, significantly impacted their decision-making at the time of the incident. The Board liberally considered this contention and determined that the applicant's Post Traumatic Stress Disorder outweighed the applicant's AWOL offense.

(2) The applicant contends the punishment resulting in a general (under honorable conditions) discharge was disproportionate to the offense, given their otherwise honorable service record and contributions to the military. The Board liberally considered the totality of the applicant's service record and determined that the applicant's Post Traumatic Stress Disorder outweighed the applicant's AWOL offense.

(3) The applicant contends the conditions at their unit, prior to deployment contributed to their decision to go absent without leave (AWOL), stating training practices raised serious concerns about Soldier safety and leadership, some of whom were later relieved of duty during deployment. The Board considered this contention but found insufficient evidence in the applicant's AMHRR or applicant-provided evidence to show that the command acted in an arbitrary or capricious manner, other than the applicant's contention.

(4) The applicant contends an upgrade to an honorable discharge would acknowledge their overall honorable service and allow them to take pride in their contributions to the military, rather than continue to feel shame over a single isolated mistake. The Board liberally considered the totality of the applicant's service record and determined that the applicant's Post Traumatic Stress Disorder outweighed the applicant's AWOL offense.

c. The Board determined the discharge is inequitable based on the applicant's Post Traumatic Stress Disorder outweighing the applicant's AWOL offense. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry code is proper and equitable and voted not to change it.

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d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's PTSD outweighed the applicant's misconduct of AWOL. Thus, the prior characterization is no longer appropriate.

(2) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JKN.

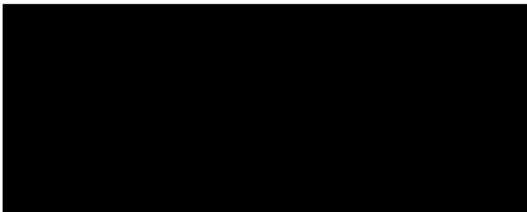
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214:** Yes
- b. Change Characterization to:** Honorable
- c. Change Reason / SPD Code to:** Misconduct (Minor Infractions)/JKN
- d. Change RE Code to:** No Change
- e. Change Authority to:** AR 635-200, paragraph 14-12a

Authenticating Official:

7/29/2025



Legend:

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