

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 to honorable.

b. The applicant seeks relief contending, in effect, serving the country strong and hard over the past 11 years, receiving numerous awards, and enriching the lives of those around them with their hard work and good Soldiering skills. Their leadership knew they could count on them to be a strong leader. In early 2008, the applicant began to show signs of what was later diagnosed as post-traumatic stress disorder (PTSD), followed by bipolar disorder, depression, and a few other illnesses. The applicant's current ex-spouse and children left them the same year because of their constant anger outbursts, violent behavior, and for not being the person, they were before deploying to combat. The applicant began to take a violent downwards spiral into depression and anger, negatively affecting their job performance, by being late and arguing with their superiors. The applicant gained massive amounts of weight, would often cry, and began drinking more, which was highly not recommended because of the medications they were using. In February 2009, they received a driving while intoxicated (DWI) citation. The sleeping pill, the applicant was using had side effects, which have been documented by other users, such as memory loss. Regardless of what the police report stated, the applicant had nothing to drink the night of the DWI, and only used their medication. The facts ultimately played out, although it was unfair in the applicant's case or for any Soldier to face civilian charges for this reason because the military would punish the Soldiers as well. The DWI led to the applicant losing their sergeant stripes by being reduced one rank. This only drove their anger and depression deeper and they began experiencing suicidal ideations. They applicant filed for divorce because their children and their spouse had completely disappeared and the applicant had no idea how to contact them. The applicant was finally pending a medical evaluation board (MEB) and received a permanent profile for being mentally unfit to remain in the military, and was to be medically retired, mainly for PTSD. They applied for social security disability, inspired by a recommendation from their doctor, and it was approved. They believed things were finally getting better, but they became angry about losing their family and how the Army punished them for being a victim of the side effects of their medication. The applicant believed no one heard their cries and began having homicidal ideations. They did not believe there was anyone to turn to, therefore; went absent without leave (AWOL) to clear their head. They stayed at a friend's house and slept for three days, slipping into a deep depression induced coma. They stayed there another two days, partly because it was the weekend, before finally feeling they were safe to return to work. That Monday, they went into their commander's office to explain their absence, but the incident resulted in their reduction in rank. Their commander initiated an administrative separation and the commanding general directed administrative separation instead of processing their case through medical disability channels. On 3 June 2011, they were discharged. The applicant does not blame the Army, but requests consideration of the loss of their family and their military career may not be all their fault; their nine years of good and patriotic service; and the reason why they were denied unemployment compensation, in which they deserve. The applicant further details the contentions in an allied self-authored statement submitted with the application.

c. Board Type and Decision: In a records review conducted on 17 July 2025, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighing the applicant's DUI and AWOL offenses. 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 (Serious Offense) / AR 635-200, Paragraph 14-12c / JKQ / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 3 June 2011

c. Separation Facts: The applicant's Army Military Human Resource Record (AMHRR) is void of the case separation file.

(1) Date of Notification of Intent to Separate: NIF

(2) Basis for Separation: NIF

(3) Recommended Characterization: NIF

(4) Legal Consultation Date: NIF

(5) Administrative Separation Board: NIF

(6) Separation Decision Date / Characterization: NIF

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 9 June 2007 / 6 years

b. Age at Enlistment / Education / GT Score: 26 / HS Graduate / NIF

c. Highest Grade Achieved / MOS / Total Service: E-5 / 92F20, Petroleum Supply Specialist / 11 years, 3 months, 6 days

d. Prior Service / Characterizations: RA, 21 February 2000 – 20 February 2003 / HD
USARCG, 21 February 2003 – 21 September 2005 /
NA
RA, 22 September 2005 – 8 June 2007 / HD

e. Overseas Service / Combat Service: Bosnia, SWA / Iraq (2 November 2006 – 19 January 2008)

f. Awards and Decorations: ARCOM, AAM, AGCM, NDSM, AFEM, GWOTSM, ICM-CS, ASR, OSR, NATOMDL, CAB

g. Performance Ratings: NIF

h. Disciplinary Action(s) / Evidentiary Record: The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant had completed the first full term of service. The applicant was discharged under the authority of AR 635-200, paragraph 14-12c, with a narrative reason of Misconduct (Serious Offense). The DD Form 214 was authenticated with the applicant's electronic signature. The applicant had lost time for the period 29 October to 2 November 2009 and 27 to 29 November 2009.

i. Lost Time / Mode of Return: 6 days:

- NIF, 29 October 2009 – 2 November 2009 / NIF
- NIF, 27 November 2009 – 29 November 2009 NIF

j. Behavioral Health Condition(s):

(1) Applicant provided:

(a) William Beaumont Army Medical Center (WBAMC), Community Mental Health Services letter, 1 July 2009, reflects the applicant was prescribed medication by their treating psychiatrist for insomnia on 4 March 2009. The applicant reported amnesic episodes, and their provider discontinued the medication.

(b) Physical Profile, 13 November 2009, reflects the applicant had PTSD, limiting their duties.

(c) Department of Veterans Affairs (VA) Disability Rating Decision, 14 November 2023, reflects the VA rated the applicant 100 percent disabled for PTSD.

(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 Correction of Military Record; Application for the Review of Discharge; two self-authored statements; Physical Profile; Oath of Reenlistment certificate; Honorable Discharge certificate; ARCOM certificate; Certification of Promotion; promotion board packet, with training documents / certificates and awards; WBAMC Community Mental Health Services letter; Coos County Veterans' Service Office letter; 1,000 Lbs. Club card; Judgment regarding name change; and VA Rating Decision.

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) 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.

(5) 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.

(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 14-12c prescribes a Soldier is subject to action per this section for commission of a serious military or civilian offense, if the specific circumstances of the offense warrant separation and a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial.

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 "JKQ" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c, misconduct (serious offense).

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. The applicant's Army Military Human Resources Record (AMHRR) is void of the specific facts and circumstances concerning the events leading to the discharge from the Army. The applicant's AMHRR does include a properly constituted DD Form 214 (Certificate of Release or Discharge from Active Duty), which was authenticated by the applicant's electronic signature. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 14, paragraph 14-12c, by reason of Misconduct (Serious Offense), with a characterization of service of general (under honorable conditions).

c. The applicant contends mental health conditions, including PTSD and TBI, and their family issues affected behavior leading to their discharge, and they were 100 percent disabled. The applicant submitted several medical documents supporting the contention the applicant was diagnosed with in-service PTSD. The VA rated the applicant 100 percent service-connected disabled for PTSD and 0 percent for TBI. The applicant's AMHRR is void of a mental status evaluation.

d. The applicant contends good service, including a combat tour. The Board considered the applicant's service accomplishments and the quality of service according to the DODI 1332.28.

e. The applicant contends medical evaluation board processing was ongoing during the separation proceedings. The Department of Defense disability regulations do not preclude a disciplinary separation while undergoing a medical board. Appropriate regulations stipulate separations for misconduct take precedence over potential separations for other reasons. Whenever a member is being processed through the Physical Evaluation Board and is subsequently processed for an involuntary administrative separation or referred to a court-martial for misconduct, the disability evaluation is suspended. The Physical Evaluation Board case remains in suspense pending the outcome of the non-disability proceedings. If the action includes either a punitive or administrative discharge for misconduct, the medical process is stopped, and the board report is filed in the member's medical record.

f. The applicant contends the narrative reason for the discharge needs changed. The applicant was separated under Chapter 14, paragraph 14-12c, AR 635-200 provisions with a general (under honorable conditions) discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "Misconduct (Serious Offense)," and the separation code is "JKQ." Army Regulation 635-8 (Separation Processing and Documents) governs the preparation of the DD Form 214 and dictates the entry of the narrative reason for separation, entered in block 28, and separation code, entered in block 26 of the form, will be as listed in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation stipulates no deviation is authorized. There is no provision for entry of any other reason under this regulation.

g. The applicant contends they should receive unemployment compensation (disability). The applicant's request does not fall within this board's purview. The applicant may apply to the Army Board for Correction of Military Records (ABCMR) using the enclosed DD Form 149 or obtained from a Veterans' Service Organization.

h. The applicant contends an upgrade of the discharge would allow veterans benefits. Eligibility for veteran's benefits does not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local Department of Veterans Affairs office for further assistance.

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: Adjustment Disorder, PTSD, TBI, Depression, Bipolar Disorder, Dysthymic Disorder, Anxiety Disorder NOS.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found that the applicant was diagnosed in service with an Adjustment Disorder, PTSD, TBI, Depression, Bipolar Disorder, Dysthymic Disorder, Anxiety Disorder NOS, and the VA as service connected the PTSD and Depression.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that there is evidence of mitigating BH conditions. The applicant was diagnosed in service with an Adjustment Disorder, PTSD, TBI, Depression, Bipolar Disorder, Dysthymic Disorder, Anxiety Disorder NOS, and the VA as service connected the PTSD and Depression. The Board voted to accept that the basis of separation is a DUI and AWOL. Given the nexus between PTSD, TBI, Depression, Bipolar Disorder, Dysthymic Disorder, Anxiety Disorder NOS and using substances for self-medication, the DUI is mitigated. PTSD has a nexus with avoidance, so the AWOL is also 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, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighed the applicant's DUI and AWOL offenses.

b. Response to Contention(s):

(1) The applicant contends mental health conditions, including PTSD and TBI, and their family issues affected behavior leading to their discharge, and they were 100 percent disabled. The Board liberally considered this contention and determined that the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighed the applicant's DUI and AWOL offenses.

(2) The applicant contends good service, including a combat tour. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighing the applicant's DUI and AWOL offenses.

(3) The applicant contends medical evaluation board processing was ongoing during the separation proceedings. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the

applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighing the applicant's DUI and AWOL offenses.

(4) The applicant contends the narrative reason for the discharge should be changed. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighing the applicant's DUI and AWOL offenses.

(5) The applicant contends they should receive unemployment compensation (disability). The Board determined that the applicant's request for disability pay does not fall within the purview of the ADRB. The applicant may apply to the Army Board for Correction of Military Records (ABCMR), using a DD Form 293 regarding this matter. A DD Form 293 may be obtained online at <https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd0293.pdf> or from a Veterans' Service Organization.

(6) The applicant contends an upgrade of the discharge would allow veterans benefits. The Board considered this contention and determined that eligibility for Veteran's benefits, to include educational benefits under the Post-9/11 or Montgomery GI Bill, healthcare or VA loans, do not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local office of the Department of Veterans Affairs for further assistance.

c. The Board determined the discharge is inequitable based on the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighing the applicant's DUI and AWOL offenses. 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.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Post Traumatic Stress, Adjustment Disorder, Traumatic Brain Injury, Depression, Bipolar Disorder, Dysthymic Disorder, and Anxiety Disorder outweighed the applicant's DUI and AWOL offenses. 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.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

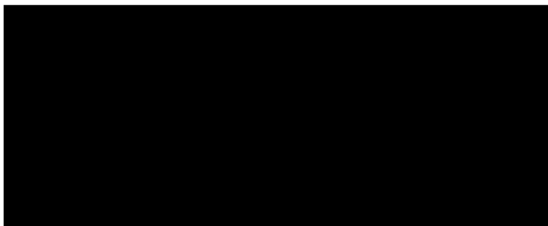
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10. BOARD ACTION DIRECTED:

- 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

Authenticating Official:

9/10/2025



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