

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.

The applicant seeks relief contending, in effect, the discharge was improper because the applicant was never diagnosed with a personality disorder before their military service or after their military service. The applicant desires to rejoin the military. The applicant states it would be an honor to serve the country. The applicant's family members are currently serving in the military, and they have a cousin serving in Afghanistan. The doctor misdiagnosed the applicant with a personality disorder. The applicant is employed and has never collected any funds from Social Security Insurance for disability for their personality. The applicant has maintained a great, successful life as a law-abiding citizen.

b. Board Type and Decision: In a records review conducted on 1 April 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, and 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:

- a. block 25, separation authority changed to AR 635-200, paragraph 5-14,
- b. block 26, separation code changed to JFV,
- c. block 28, narrative reason for separation changed to Condition, Not a Disability

*Please see **Board Discussion and Determination** section for more details regarding the Board's decision. Board member names are available upon request.*

3. DISCHARGE DETAILS:

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

b. Date of Discharge: 16 August 2001**c. Separation Facts:**

(1) Date of Notification of Intent to Separate: 23 July 2001

(2) Basis for Separation: The applicant was informed of the following reasons: The commander counseled the applicant on 20 July 2001, the commander was referring the applicant to Behavioral Medicine to determine if they were fit to continue training. The commander believed the applicant was perhaps a danger to themselves and other Privates. The applicant demonstrated some odd behavior last week. The applicant's disruption to training,

belligerent to Drill Sergeants, and generally refused to train. Finally, the applicant was referred to the Chaplain and given a rehabilitative transfer to another platoon. On 20 July 2011, the commander command referred the applicant to the Behavioral Medicine Clinic. It was determined the applicant had a personality disorder which would prevent them from completing basic combat training.

(3) Recommended Characterization: Uncharacterized

(4) Legal Consultation Date: 24 July 2001

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 13 August 2001 / Uncharacterized

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 28 June 2001 / 3 years

b. Age at Enlistment / Education / GT Score: 20 / GED / 110

c. Highest Grade Achieved / MOS / Total Service: E-1 / None / 1 month, 19 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: Six Developmental Counseling Forms for being initially counseled; freely stating their membership to an extreme organization; refusing to train, disrespecting a noncommissioned officer (NCO); disobeying a lawful order from an NCO; being considered for Chapter 5-13; being rehabilitatively transferred; and pending transfer to a holding company.

Counseling Overview, 20 July 2001, the commander detailed the applicant's performance and reasons the applicant indicated for refusing the train, including harassment by another Soldier.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: None

(2) AMHRR Listed: Memorandum, subject: Mental Status Evaluation on [Applicant], 20 July 2001, reflects the applicant was cleared for any administrative actions deemed appropriate by the command. The medical examiner diagnosed the applicant with an antisocial personality disorder, and indicated the applicant had a mental condition, which was not compatible with military service. The examiner recommended separation under Army Regulation 635-200, Chapter 5-13. The document was endorsed by a physician assistant and the Chief, Behavioral Health Clinic.

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

5. APPLICANT-PROVIDED EVIDENCE: Two Applications for the Review of Discharge

6. POST SERVICE ACCOMPLISHMENTS: The applicant has maintained a great, successful life as a law-abiding citizen.

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 a separation will be described as entry-level with service uncharacterized if processing is initiated while a Soldier is in 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 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 in the applicant's Army Military Human Resource Record (AMHRR) confirms the applicant was diagnosed by a competent medical authority with a personality disorder: Antisocial Personality Disorder.

The applicant contends the doctor misdiagnosed them with a personality disorder. The applicant contends and they are employed and has never collected a Social Security Insurance for disability for their personality. The applicant did not submit evidence other than their statement to support the contention they did not have a personality disorder. The applicant's AMHRR contains documentation supporting an in-service diagnosis. The record shows the applicant underwent a mental status evaluation (MSE) on 20 July 2001, which indicates the applicant was cleared for any administrative actions deemed appropriate by the command. The medical examiner diagnosed the applicant with an antisocial personality disorder, and indicated the applicant had a mental condition, which was not compatible with military service. The examiner recommended separation under Army Regulation 635-200, Chapter 5-13. The document was endorsed by a physician assistant and the Chief, Behavioral Health Clinic. The separation authority considered the MSE.

The applicant desires to rejoin the military service. Soldiers processed for separation are assigned reentry codes based on their service records or the reason for discharge. Based on Army Regulation 601-210, the applicant was appropriately assigned an RE code of "3." There is no basis for granting a change to the reason or the RE code. An RE Code of "3" indicates the applicant requires a waiver before being allowed to reenlist. Recruiters can best advise a former service member on the Army's needs at the time and must process waivers of reentry eligibility (RE) codes if appropriate.

The applicant contends maintaining a great, successful life as a law-abiding citizen. The Army Discharge Review Board is authorized to consider post-service factors in the recharacterization of a discharge. No law or regulation provides for the upgrade of an unfavorable discharge based solely on the passage of time or good conduct in civilian life after leaving the service. The Board reviews each discharge on a case-by-case basis to determine if post-service accomplishments help demonstrate previous in-service misconduct was an aberration and not indicative of the member's overall character.

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**. A review of the available information reflects the applicant was not discharged for misconduct. The applicant was separated under AR 635-200 Chapter 5-13 for a Personality Disorder while in initial entry training. The Uncharacterized characterization of service is proper and equitable. The applicant contests the diagnosis of Personality Disorder but provided no medical documentation refuting the diagnosis. The applicant's narrative reason will change, given updates regarding the Personality Disorder narrative reason in AR 635-200.

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

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

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

b. Response to Contention(s):

(1) The applicant contends the doctor misdiagnosed them with a Personality Disorder. The Board considered this contention and found no medical documentation refuting the diagnoses. However, this diagnoses now falls under a Condition, Not a Disability in Army Regulation separation nomenclature. An administrative change is warranted for that reason.

(2) The applicant desires to rejoin the military service. The Board considered this contention and found insufficient mitigating factors to warrant a change to the applicant's reentry eligibility code. The Board voted to maintain the RE-code at RE-3, which is a waivable code. An RE Code of "3" indicates the applicant requires a waiver before being allowed to reenlist. Recruiters can best advise a former service member as to the Army's needs at the time and are required to process waivers of reentry eligibility (RE) codes, if appropriate.

(3) The applicant contends maintaining a great, successful life as a law-abiding citizen. The Board considered the applicant's post-service accomplishments and found that they did not warrant further upgrades beyond that already decided based on administrative updates.

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, and 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 applicant has exhausted their appeal options available with ADRB. However, the applicant may still apply to the Army Board for

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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 due to a Personality Disorder, 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 updates to the separation regulation, AR 635-200. The SPD code associated with the new reason for discharge is JFV.

(3) The RE code will not change given the diagnosis. The current code is also 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:

4/7/2025



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
UOTHHC – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs