

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 under than honorable conditions. The applicant requests an upgrade to honorable.

The applicant seeks relief contending, in effect, serving this great country for sixteen years and went on six deployments and awarded the Combat Action Badge. The applicant has been diagnosed with post-traumatic stress disorder (PTSD), lost their hearing and a host of other injuries. When the applicant returned from their last deployment, they were messed up mentally, physically, and emotionally. The applicant could not sleep and was having nightmares all the time. The applicant started drinking and found peace and it was the only way they could sleep. The drinking caused the applicant to make a bad decision, which resulted in a driving under the influence (DUI) and a discharged. The applicant has received the help they needed from Greenleaf Treatment Center (30 day in-patience rehabilitation). The applicant is asking for their 16 years of honorable service to be considered. The applicant cannot find a good job because of the characterization of their discharge, cannot go to school, and their VA claim is in jeopardy.

b. Board Type and Decision: In a records review conducted on 28 January 2025, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, applicant's PTSD, Major Depressive Disorder (MDD), Unspecified Depressive Disorder, Adjustment Disorder, and mTBI diagnoses outweighing the applicant's DUI, disobeying a lawful order from a senior NCO, and larceny basis for separation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to General, Under Honorable Conditions and changed to the separation authority to AR 635-200, paragraph 14-12b. Accordingly, the narrative reason for separation was changed to Pattern of Misconduct, with a corresponding separation code of JKA. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnoses warranting consideration prior to reentry of military service. *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, Chapter 14-12c / JKQ / RE-3 / Under Other Than Honorable Conditions

b. Date of Discharge: 12 January 2012**c. Separation Facts:**

(1) Date of Notification of Intent to Separate: 13 June 2011

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(2) Basis for Separation: The applicant was informed of the following reasons: The applicant was apprehended for driving drunk on or about 3 September 2009. The applicant disobeyed a lawful order from a senior non-commissioned officer on or about 14 September 2009, and committed larceny on or about 25 May 2009. These actions are unbecoming of a Soldier in the United States Army.

(3) Recommended Characterization: General (Under Honorable Conditions) / The intermediate commanders recommended an under other than honorable conditions discharge.

(4) Legal Consultation Date: 15 June 2011

(5) Administrative Separation Board: On 20 December 2011, the separation authority approved the findings and recommendations of the administrative separation board.

(6) Separation Decision Date / Characterization: 20 December 2011 / Under Other Than Honorable Conditions

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 21 November 2007 / 6 years

b. Age at Enlistment / Education / GT Score: 34 / GED / 94

c. Highest Grade Achieved / MOS / Total Service: E-6 / 88M30, Motor Transport Operator / 16 years, 5 months, 23 days

d. Prior Service / Characterizations: RA, 20 July 1995 – 19 July 1999 / HD
RA, 7 February 2001 – 30 March 2003 / HD
RA, 31 March 2003 – 29 September 2005 / HD
RA, 30 September 2005 – 3 March 2007 / HD
RA, 4 March 2007 – 20 November 2007 / HD

e. Overseas Service / Combat Service: SWA / Afghanistan (23 November 2001 – 23 May 2002); Iraq (1 January 2005 – 1 January 2006; 15 January 2007 – 1 April 2008); Kuwait (23 February 2003 – 28 February 2004)

f. Awards and Decorations: ARCOM-4, AAM, ASUA, AGCM-3, NDSM-2, AFEM, ACM-2CS, GWOTEM, GWOTSM, AFSM, ICM-CS, NCOPDR-2, ASR, ARCOTR, NATOMDL, CAB

g. Performance Ratings: March 2004 – May 2005 / Fully Capable
June 2005 – 31 May 2008 / fully Capable
1 June 2008 – 15 January 2009 / Fully Capable

h. Disciplinary Action(s) / Evidentiary Record: Military Police Report, 21 November 2004, reflects the applicant was apprehended for: Driving while license suspended; Speeding 73/55 miles per hour (on post).

Military Police Report, 19 August 2006, reflects the applicant was apprehended for: Failure to obey a lawful order or regulation; Failure to stop at a posted stop sign (on post).

FG Article 15, 15 December 2006, for on or about 17 November 2006, violate Section 40-5-121, Official Code of Georgia Annotated, adopted by the Federal Government through the Federal

Assimilative Crimes Act by operating a motor vehicle on a highway at a time when their driving privileges were suspended. This is in violation of Article 134, UCMJ. The punishment consisted of a reduction to E-4 (suspended); forfeiture of \$1009 pay per month for two months (suspended); and extra duty for 15 days.

Military Police Report, 10 May 2008, reflects the applicant was apprehended for: Failure to obey a lawful order or regulation; Driving while license suspended (on post).

Military Police Report, 25 May 2009, reflects the applicant was apprehended for larceny of private property (on post).

Military Police Report, 3 September 2009, reflects the applicant was apprehended for Drunken operation of a vehicle; Fail to obey a general order (on post).

Military Police Report, 23 September 2009, reflects the applicant was apprehended for Drunk and disorderly; resisting apprehension.

Military Police Report, 8 September 2010, reflects the applicant was apprehended for: Simple assault; Assault consummated by battery (on post).

FG Article 15, 6 August 2009, on or about 25 May 2009, steal a Lovono Think Pad Laptop of a value of about \$600, the property of S.W. The punishment consisted of a reduction to E-5; forfeiture of \$10414 pay per month for two months (suspended); and extra duty for 45 days.

General Officer Memorandum of Reprimand, 24 September 2009, reflects the applicant was driving while impaired on 3 September 2009, Fort Stewart Military Police responded to the report of a possible drunk driver operating a silver Durango. The Military Police observed the applicant operating a silver Durango in the vicinity of the reported location and initiated a traffic stop. When the Military Police began speaking with the applicant, they detected a strong odor of alcohol emanating from the applicant. The applicant was given several field sobriety tests, which they failed. A breathalyzer test showed their blood alcohol content at the time was .192. As a result, the applicant was cited with driving under the influence and failing to obey a lawful order by driving while their privileges are suspended.

Record Of Supplementary Action Under Article 15, UCMJ, 29 October 2009, reflects the suspended portion of the punishment imposed on 6 August 2009, was vacated for on or about 3 September 2009, without authority, go from their appointed place of duty to wit: 1800 Extra Duty at Building 640. This is a violation of Article 86, UCMJ.

Charge Sheet, 17 May 2010, reflects the applicant was charged with:

Charge I: Violation of the UCMJ, Article 86: The Specification: On or about 3 September 2009, go from their appointed place of duty to wit: 1805 hours extra duty located at or near Building 640. Plea: Not Guilty; Finding: Not Guilty.

Charge II: Violation of the UCMJ, Article 92: The Specification: Having knowledge of a lawful order issued by Colonel K. M., to wit not to drive on Fort Stewart, Georgia, or words to that effect, dated on or about 10 May 2008, an order which it was their duty to obey, did, at or near Fort Stewart, Georgia, on or about 3 September 2009, fail to obey the same by wrongfully driving on Fort Stewart. Plea: Not Guilty; Finding: Not Guilty.

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Charge III: Violation of the UCMJ, Article 95: The Specification: On or about 14 September 2009, resist being apprehended by Specialist R. M., an armed force military policeman, a person authorized to apprehend the accused. Plea: Not Guilty; Finding: Not Guilty.

Charge IV: Violation of the UCMJ, Article 111: The Specification: On or about 3 September 2009, was in actual physical control of a vehicle, to wit: a passenger car, while the alcohol concentration in their breath was as shown by chemical analysis equal to or exceeded 0.08 grams of alcohol per 210 liters of breath, which is the limit under Georgia Code 40-6-391(a)(I) and 40-6-391(a)(5). Plea: Not Guilty; Finding: Guilty.

Charge V: Violation of the UCMJ, Article 112: The Specification: On or about 14 September 2009, found drunk while on duty as a Soldier performing extra duty. Plea: Not Guilty; Finding: Not Guilty.

Charge VI: Violation of the UCMJ, Article 134: The Specification: On or about 14 September 2009, drunk and disorderly, which conduct was of a nature to bring discredit upon the armed forces. Plea: Not Guilty; Finding: dismissed.

Charge Sheet, 13 July 2010, reflects the applicant was charged with:

Additional Charge I: Violation of the UCMJ, Article 91: The Specification: Having received a lawful order from Sergeant Major M. B., a noncommissioned officer, then known by accused to be a noncommissioned officer, to stop, an order which it was their duty to obey, did at or near Fort Stewart Police Station, Fort Stewart, Georgia, on or about 14 September 2009, willfully disobey the same. Plea: Not Guilty Finding: Guilty.

Additional Charge II: Violation of the UCMJ, Article 112: The Specification: On or about 3 September 2009, found drunk while on duty as a Soldier performing extra duty. Plea: Not Guilty; Finding: Not Guilty

Additional Charge III: Violation of the UCMJ, Article 128: The Specification: On or about 14 September 2009, assault Specialist R. M., who then was and was then known by the accused to be a person then having and in the execution of military police duties by pushing Specialist R.M. Plea: Not Guilty; Finding Not Guilty.

Report of Result of Trial reflects the applicant was tried in a Special Court-Martial on 9 November 2010. The applicant was charged with nine specifications. Sentence: Reduction to the grade of E-3; Confinement for 45 days; Forfeiture \$795 pay and confinement for 30 days. The sentence was adjudged and effective date of any forfeiture or reduction in grade is on 23 November 2010.

Four Developmental Counseling Forms, for simple assault; rehabilitation program; Article 91 and larceny.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: Chronological Record of Medical Care, 14 December 2009, reflects a diagnosis of Adjustment disorder with anxiety; post traumatic stress disorder and Alcohol dependence.

(2) AMHRR Listed: Mental Status Evaluation, 2 December 2009, reflects the applicant was diagnosed with: AXIS I: PTSD; Depression; Alcohol Dependence; Adjustment Disorder with anxiety.

Report of Medical Examination and History, 28 March 2011, the examining medical physician noted in the comments section: post-traumatic stress disorder (PTSD) and alcoholism.

The ARBA's medical advisor reviewed DoD and VA medical records and not solely those documents listed in 4j(1) and (2) above.

5. APPLICANT-PROVIDED EVIDENCE: Certificate of Release or Discharge from Active Duty; Application for the Review of Discharge; self-authored letter; Certificate of Completion; Permanent orders 158-17 and 201-060; Recommendation for Award; six Noncommission Officers Evaluation Reports, medical records.

6. POST SERVICE ACCOMPLISHMENTS: The applicant sought help from the Greenleaf Treatment Center for their drinking.

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 3-7c states Under Other Than Honorable Conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court martial based on certain circumstances or patterns of behavior or acts or omissions that constitute a significant departure from the conduct expected of Soldiers in the Army.

(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 14-12c 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.

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.

The applicant contends being diagnosed with PTSD and alcoholism. The applicant provided a Chronological Record of Medical Care, 14 December 2009, reflecting a diagnosis of Adjustment disorder with anxiety; post-traumatic stress disorder and Alcohol dependence. The AMHRR includes a Mental Status Evaluation, 2 December 2009, reflecting the applicant was diagnosed with: AXIS I: PTSD; Depression; Alcohol Dependence; Adjustment Disorder with anxiety. Also, a Report of Medical Examination and History, 28 March 2011, the examining medical physician noted in the comments section: post-traumatic stress disorder (PTSD) and alcoholism. All medical documents were considered by the separation authority.

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

The applicant contends an upgrade of the discharge will allow the applicant to obtain better employment. The Board does not grant relief to gain employment or enhance employment opportunities.

The applicant contends an upgrade of the discharge would allow veterans benefits and educational benefits through the GI Bill. Eligibility for veteran's benefits to include educational benefits under the Post-9/11 or Montgomery GI Bill does 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.

The applicant contends seeking help from the Greenleaf Treatment Center for their drinking. 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? **Yes.** The Board's Medical Advisor, a voting member, 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: PTSD, MDD, Unspecified Depressive Disorder, Adjustment Disorder, mTBI.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant is 70 percent service connected (SC) for PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Partially.** The Board's Medical Advisor applied liberal consideration and opined that a review of the available information reflects the applicant has BH conditions that partially mitigates applicant's misconduct. The applicant is 70 percent SC for PTSD and has additional potentially mitigating diagnosis of Depressive Disorder, MDD recurrent, Acute Reaction to Stress, Adjustment Disorder w/Anxiety subsumed by PTSD, and history of Concussion. Given the nexus between PTSD and the use of substance to self-medicate and the nexus between PTSD and problems with authority, the applicant's misconduct characterized by DUI and disobeying a lawful order from a senior NCO (constituted by refusing to stop walking when directed to do so) is mitigated by applicant's SC condition. However, misconduct characterized by larceny is not mitigated as it is not natural sequela of either BH condition and applicant's history of Concussion was not of a severity to impact judgement, cognition, or behavior at the time of the misconduct.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence before the Board, the ADRB determined that the applicant's PTSD, Depressive Disorder, Adjustment Disorder, history of concussions, Depressive Disorder, and MDD outweighed the following portions of the basis of separation – DUI and disobeying a lawful order from a senior NCO. However, the following portion of the basis of separation (larceny) is not mitigated as the applicant's behavioral health conditions do not have natural sequela to this misconduct.

b. Response to Contention(s):

(1) The applicant contends being diagnosed with PTSD and alcoholism. The Board considered this contention and determined the applicant is diagnosed with PTSD and alcohol dependence. Ultimately, the Board voted to upgrade the applicant's discharge due to the applicant's length and quality of service, to include combat service, applicant's PTSD, MDD,

Unspecified Depressive Disorder, Adjustment Disorder, and mTBI diagnoses outweighing the applicant's DUI, disobeying a lawful order from a senior NCO, and larceny basis for separation.

(2) The applicant contends good service, including four combat tours. The Board recognizes and appreciates the applicant's willingness to serve and considered this contention during board proceedings along with the totality of the applicant's service record. The Board found an upgrade to Honorable not supported by the evidence of record. The Honorable characterization is appropriate when the quality of the Soldier's service generally has met the standards of accept conduct and performance of duty or is otherwise meritorious that any other characterization would be clearly inappropriate. The Board found that the applicant's service, given the nature of the misconduct, including a DUI, disobeying a lawful order from a senior NCO, and larceny, was not sufficiently meritorious to warrant an honorable discharge.

(3) The applicant contends an upgrade of the discharge will allow the applicant to obtain better employment. The Board considered this contention but does not grant relief to gain employment or enhance employment opportunities.

(4) The applicant contends an upgrade of the discharge would allow veterans benefits and educational benefits through the GI Bill. 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.

(5) The applicant contends seeking help from the Greenleaf Treatment Center for their drinking. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on length and quality of service, to include combat service, applicant's PTSD, MDD, Unspecified Depressive Disorder, Adjustment Disorder, and mTBI diagnoses outweighing the applicant's DUI, disobeying a lawful order from a senior NCO, and larceny basis for separation.

c. The Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, applicant's PTSD, MDD, Unspecified Depressive Disorder, Adjustment Disorder, and mTBI diagnoses outweighing the applicant's DUI, disobeying a lawful order from a senior NCO, and larceny basis for separation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to General, Under Honorable Conditions and changed to the separation authority to AR 635-200, paragraph 14-12b. Accordingly, the narrative reason for separation was changed to Pattern of Misconduct, with a corresponding separation code of JKA. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnoses warranting consideration prior to reentry of military service. However, the applicant may request a personal appearance hearing to address further issues before the Board. 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 to change the applicant's characterization of service to General, Under Honorable Conditions because the applicant's length and quality of service, to include combat service, applicant's PTSD, MDD, Unspecified Depressive Disorder, Adjustment Disorder, and mTBI diagnoses outweighing the applicant's DUI, disobeying a lawful order from a senior NCO, and larceny basis for separation. Thus, the prior characterization is no longer appropriate.

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

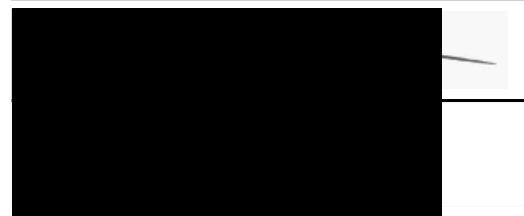
(3) The RE code will not change due to applicant's BH diagnoses warranting consideration prior to reentry of military service.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: Yes
- b. Change Characterization to: General, Under Honorable Conditions
- c. Change Reason / SPD Code to: Pattern of Misconduct/JKA
- d. Change RE Code to: No Change
- e. Change Authority to: AR 635-200, paragraph 14-12b

Authenticating Official:

2/6/2025



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