

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 26 April 2021**b. Date Received:** 26 April 2021**c. Counsel:** [REDACTED]**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 other than honorable conditions. The applicant, through counsel, requests an upgrade to honorable and a change to the narrative reason for separation.

The applicant seeks relief contending, in effect, in the absence of treatment, the applicant began drinking heavily to cope with the PTSD related symptoms. Whereas the alcohol use had been sporadic until 2004, by the end of 2005 the applicant was consuming at least several drinks per day on most days each week, and often much more when the symptoms increased in severity. The applicant's alcohol consumption was not perceived as abnormal or as an attempt to self-medicate. By 2006, the applicant's PTSD and substance abuse issues had reached a critical point. In April 2006, the applicant was counseled for two incidents in which they drank excessively and was involved in bar fights with other service members. Although the applicant was advised to stop drinking, the superiors did not refer the applicant for alcohol treatment or any other form of mental health treatment. The applicant reported to Fort Huachuca to attend the Intelligence Basic NCO Course and reunited there with a close friend whom they had deployed to Afghanistan. The friend had access to cocaine and, over the next few weeks, the applicant began using cocaine regularly in tandem with drinking heavily. While in BNCOC the applicant tested positive for cocaine and was separated from BNCOC for misconduct and ordered back to their duty station. Once the applicant returned to the duty station, they were prohibited from drinking until an investigation concluded and they were denied access to classified information need to perform their regular duties. The applicant's mental state deteriorated progressively, and they experienced increasingly severe PTSD symptoms and after five weeks, they snapped. The superiors were opposed to the applicant continuing to serve as a Soldier, and they would seek to try them by General Court-Martial for failure to follow orders, absence without leave, use of controlled substances, and related UCMJ offenses. The applicant reluctantly requested a discharge in lieu of court-martial.

**b. Board Type and Decision:** In a records review conducted on 17 December 2024, and by a 4-1 vote, the Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, post service accomplishments and the applicant's PTSD, Major Depressive Disorder (MDD) and Anxiety Disorder NOS outweighing the applicant's DUI, drug use, and disobedience x2 basis for separation. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to General, Under Honorable Conditions. The Board determined the narrative reason/SPD code were proper and equitable and voted not to change them. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnosis 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:** In Lieu of Trial by Court-Martial / AR 635-200, Chapter 10 / KFS / RE-4 / Under Other Than Honorable Conditions

**b. Date of Discharge:** 7 October 2006

**c. Separation Facts:** The applicant's Army Military Human Resource Record (AMHRR) includes partial facts and circumstances. However, the applicant provided documents which are described below in 3c (1) through (5).

**(1) Date and Charges Preferred (DD Form 458, Charge Sheet):** On 10 August 2006, the applicant was charged with:

Charge I: Violating Article 86, UCMJ. The Specification: On or about 10 June 2006, without authority, absent oneself from the unit and did remain so absent until on or about 24 June 2006.

Charge II: Violating Article 90, UCMJ:

Specification 1: On or about 21 July 2006, having received a lawful command from CPT J. J. F., a superior commissioned officer, willfully disobey the same.

Specification 2: On or about 23 July 2006, having received a lawful command from CPT J. J. F., a superior commissioned officer, willfully disobey the same.

Charge III: Violation of Article 92, UCMJ:

Specification 1: On or about 11 June 2006, having knowledge of a lawful order issued by MG B. F., an order which it was the applicant's duty to obey, failed to obey the same by wrongfully traveling to Mexico without approval.

Specification 2: On or about 23 July 2006, failed to obey a lawful general order, by wrongfully driving their vehicle without insurance.

Charge IV: Violation of Article 111. UCMJ. The Specification: On or about 23 July 2006, on Highway 58, physically control a vehicle, while impaired by fatigue, some amount of alcohol, and loud music playing on the stereo system, in a reckless manner by fleeing the scene of an accident involving their vehicle.

Charge V: Violation of Article 112a, UCMJ:

Specification 1: On or about 23 June 2006, wrongfully use cocaine, a schedule II controlled substance.

Specification 2: On or about 23 June 2006, wrongfully use methamphetamines, a schedule II controlled substance.

Specification 3: On or about 23 June 2006, wrongfully use amphetamines, a schedule III controlled substance.

Charge VI: Violation of Article 134, UCMJ:

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Specification 1: On or about 23 July 2006, wrongfully influence the actions of PFC J. R. to flee the scene of a traffic accident in which the vehicle PFC J. R. was a passenger struck a Japanese motorcyclist.

Specification 2: On or about 23 July 2006, wrongfully and recklessly engage in conduct, to wit: operate their vehicle to flee the scene of an accident involving the vehicle while carrying two passengers, SGT M. G-J. and PFC J. R. during early morning hours while impaired by fatigue some, amount of alcohol and loud music playing on the stereo system, conduct likely to cause death or grievous bodily harm.

**(2) Legal Consultation Date:** 16 August 2006

**(3) Basis for Separation:** Pursuant to the applicant's request for discharge under the provisions of AR 635-200, Chapter 10, in lieu of trial by court-martial.

**(4) Recommended Characterization:** Under Other Than Honorable Conditions

**(5) Separation Decision Date / Characterization:** 18 September 2006 / Under Other Than Honorable Conditions

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 24 December 2003 / 4 years

**b. Age at Enlistment / Education / GT Score:** 21 / High School Graduate / 104

**c. Highest Grade Achieved / MOS / Total Service:** E-6 / 96B3S, Intelligence Analyst / 6 years, 2 months, 27 days

**d. Prior Service / Characterizations:** RA, 5 September 2000 – 23 December 2003 / HD

**e. Overseas Service / Combat Service:** Japan, SWA / Afghanistan (3 January 2003 – 28 August 2003)

**f. Awards and Decorations:** ARCOM-2, AAM-2, AGCM, NDSM, ACM, GWOTEM, GWOTSM, NCOPDR, ASR, OSR

**g. Performance Ratings:** May 2004 – April 2005 / Among the Best  
May 2005 – April 2006 / Among the Best

**h. Disciplinary Action(s) / Evidentiary Record:** The applicant provided:

Memorandum Thru Commander, 10 August 2006, reflects on 30 July 2006, Japanese police detained the applicant for suspicion of driving while intoxicated and involvement in a hit and run accident. When requested to provide a breath sample for chemical testing the applicant refused to cooperate. Pursuant to AR 190-5, paragraphs 2-5a(3) and 2-6c(5), because the applicant was suspected of having committed the offense of driving under the influence of alcohol. The revocation would remain in effect for 12-months from the date of any earlier suspension notice.

Memorandum for Commander, 11 August 2006, reflects the applicant was under investigation by Japanese law enforcement authorities and was placed on International Hold.

Two Developmental Counseling Forms, for disciplinary counseling due to two alcohol related incidents the applicant was involved in and counseling for being disenrolled from BNCOC.

Charge sheet as previously described in paragraph 3c(1).

i. **Lost Time / Mode of Return:** AWOL for 14 days, 10 June 2006 to 24 June 2006. This period is not annotated on the DD Form 214 block 29.

j. **Behavioral Health Condition(s):**

(1) **Applicant provided:** Progress Notes, Mental Health/Outreach Consult Note, 27 July 2009, reflects the applicant was diagnosed with Axis I: MDD recurrent moderate. Anxiety Disorder NOS r/o PTSD chronic. Cocaine Abuse in sustained full remission and Axis IV: Interpersonal, poor primary group support, unemployed.

Department of Veterans Affairs Medical Center letter, 2 September 2009, reflects the applicant was referred to the Post Traumatic Stress Disorder Clinical Team (PCT). The applicant's reported pattern of problems and symptoms appeared to be consistent with individuals who suffer from military related PTSD. As such, the applicant was enrolled in PCT for medication management and group therapy.

C & P Exam, 2 November 2009, reflects the applicant was diagnosed with Axis I: PTSD.

VA Rating Decision, 6 December 2019, reflects the applicant was granted 100 percent for service-connected PTSD.

(2) **AMHRR Listed:** None

*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:** Two Applications for the Review of Discharge; two attorney briefs with listed exhibits 1 through 37 and listed attachments A through E.

**6. POST SERVICE ACCOMPLISHMENTS:** In 2009, the applicant obtained a psychological evaluation from VA and was eligible to receive treatment due to the successful completion of the first enlistment and was diagnosed with PTSD. With the benefit of treatment, the applicant gradually improved in their ability to cope with the PTSD symptoms and started to get their life back on track. The applicant completed an Associates' degree in Information Systems and by 2013, completed a Bachelor's and Master's degree. The applicant is now married and has two children.

**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 10 provides, in pertinent part, that a member who has committed an offense or offenses for which the authorized punishment includes a punitive discharge may submit a request for a discharge for the good of the Service in lieu of trial by court-martial. The request may be submitted at any time after charges have been preferred and must include the individual's admission of guilt.

(6) Paragraph 10-8a stipulates a discharge under other than honorable conditions normally is appropriate for a Soldier who is discharged in lieu of trial by court-martial. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record during the current enlistment. (See chap 3, sec II.)

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 "KFS" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

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-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.

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.

RE-4 Applies to: Person separated from last period of service with a nonwaiverable disqualification. This includes anyone with a DA imposed bar to reenlistment in effect at time of

separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

**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's Army Military Human Resources Record (AMHRR) includes partial facts and circumstances concerning the events which led to the discharge from the Army. The applicant's AMHRR does contain a properly constituted DD Form 214 (Certificate of Release or Discharge from Active Duty), which was authenticated by the applicant's signature. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 10, by reason of In Lieu of Trial by Court-Martial, with a characterization of service of under other than honorable conditions.

The evidence in the applicant's Army Military Human Resource Record (AMHRR) confirms the applicant was charged with the commission of an offense punishable under the UCMJ with a punitive discharge. The applicant, in consultation with legal counsel, voluntarily requested, in writing, a discharge under the provisions of AR 635-200, Chapter 10, in lieu of trial by court-martial. In this request, the applicant admitted guilt to the offense, or a lesser included offense, and indicated an understanding an under other than honorable conditions discharge could be received, and the discharge would have a significant effect on eligibility for veterans' benefits. The under other than honorable conditions discharge received by the applicant was normal and appropriate under the regulatory guidance.

The applicant contends using alcohol and drugs to self-medicate to cope with PTSD. The applicant has been diagnosed with service-connected PTSD by the VA. The applicant provided Progress Notes, Mental Health/Outreach Consult Note, 27 July 2009, which reflects the applicant was diagnosed with Axis I: MDD recurrent moderate. Anxiety Disorder NOS r/o PTSD chronic. Cocaine Abuse in sustained full remission and Axis IV: Interpersonal, poor primary group support, unemployed. Department of Veterans Affairs Medical Center letter, 2 September 2009, reflects the applicant was referred to the Post Traumatic Stress Disorder Clinical Team (PCT). The applicant's reported pattern of problems and symptoms appeared to be consistent with individuals who suffer from military related PTSD. The applicant was enrolled in PCT for medication management and group therapy. A C & P Exam, 2 November 2009, reflects the applicant was diagnosed with Axis I: PTSD. A VA Rating Decision, 6 December 2019, reflects the applicant was granted 100 percent for service-connected PTSD. The applicant's AMHRR includes no documentation of PTSD diagnosis.

The applicant contends the narrative reason for the discharge needs changed. The applicant was separated under the provisions of Chapter 10, AR 635-200, with an under other than honorable conditions discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "In Lieu of Trial by Court-Martial," and the separation code is "KFS." 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 any other reason to be entered under this regulation.

The applicant contends the SPD code should be changed. The SPD codes are three-character alphabetic combinations that identify reasons for, and types of, separation from active duty. The primary purpose of SPD codes is to provide statistical accounting of reasons for separation. They are intended exclusively for the internal use of DoD and the Military Services to assist in the collection and analysis of separation data. The SPD Codes are controlled by OSD and then implemented in Army policy AR 635-5-1 (Separation Program Designator (SPD) Codes) to track types of separations. The SPD code specified by Army Regulations for a discharge under Chapter 10, is "KFS."

The applicant requests a reentry eligibility (RE) code change. 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 "4." An RE code of "4" cannot be waived, and the applicant is no longer eligible for reenlistment matter.

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.

The applicant contends the superiors did not refer the applicant for alcohol treatment or any other form of mental health treatment. Army Regulation 635-200, paragraph 1-17d(2), entitled counseling and rehabilitative requirements, states the separation authority may waive the rehabilitative requirements in circumstances where common sense and sound judgment indicate such a transfer will serve no useful purpose or produce a quality Soldier. Army Regulation 600-85, paragraph 7-3 entitled voluntary (self) identification and referral, states voluntary (self) ID is the most desirable method of identifying substance use disorder. The individual whose performance, social conduct, interpersonal relations, or health becomes impaired because of these problems has the personal obligation to seek help. Soldiers seeking self-referral for problematic substance use may access services through BH services for a SUD evaluation. The Limited Use Policy exists to encourage Soldiers to proactively seek help.

In 2009, the applicant obtained a psychological evaluation from VA and was eligible to receive treatment due to the successful completion of the first enlistment and was diagnosed with PTSD. With the benefit of treatment, the applicant gradually improved in their ability to cope with the PTSD symptoms and started to get their life back on track. The applicant completed an Associates' degree in Information Systems and by 2013, completed a Bachelor's and Master's degree as well. The applicant is now married and has two children. 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, Anxiety Disorder NOS.



(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant is 100 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 as outlined in the BoS. The applicant is 100 percent SC for PTSD and given the nexus between PTSD and the use of substances to self-medicate, applicant's misconduct characterized by wrongful use of amphetamine, methamphetamine, and cocaine is mitigated by the PTSD. The misconduct characterized by disobeying general orders on 11 June 2006 (i.e., going to Mexico) and 23 July 2006 (i.e., driving a vehicle without insurance) are not mitigated by either BH condition nor is the misconduct characterized by disobeying lawful orders on 21 July 2006 and 23 July 2006 (i.e., drove vehicle and violated restriction). In these instances of misconduct, it appears the applicant made informed decisions and acted with willful intent. Regarding the additional misconduct that occurred on 23 July 2006, DUI is typically mitigated by PTSD due to the nexus between PTSD and self-medicating, regarding specification of AWOL from 10 June 2006 to 24 June 2006, the available information suggests the applicant traveled to Mexico in violation of a general order on 10 June 2006 and was summarily disenrolled from BNOC on 11 June 2006 and directed to out-process and return to unit. On 29 June 2006, the applicant received an Article-15 from home unit for being AWOL from 19 June to 24, which suggest the time was accounted from 11 to 18 June 2006. The record is quiet on what transpired between 19 to 24 June 2006 and as such this advisor cannot make an informed decision on mitigation for the period but will state that AWOL is typically mitigated by PTSD, in absence of extenuating circumstances.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the available evidence did not support a conclusion that the applicant's PTSD, MDD and Anxiety Disorder NOS outweighed the basis for applicant's separation – disobedience x2.

**b. Response to Contention(s):**

(1) The applicant contends using alcohol and drugs to self-medicate to cope with PTSD. The applicant has been diagnosed with service-connected PTSD by the VA. 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 length and quality of service, to include combat service, post service accomplishments and the applicant's PTSD, MDD and Anxiety Disorder NOS outweighing the applicant's DUI, drug use, and disobedience x2 basis for separation.

(2) The applicant contends the narrative reason for the discharge needs changed. The Board considered this contention and noted that this action is a procedural step which is part of a normal process, when an alternative forum is chosen. In this case, the charges were dismissed because the applicant requested to be discharged under the provisions of Chapter 10, AR 635-200, in lieu of trial by court-martial and the convening authority approved that request. There was no evidence presented to the Board to convince the Board the narrative reason for separation is inequitable or improper.

(3) The applicant contends the SPD code should be changed. The Board considered this contention and determined that the applicant received the appropriate SPD code for the discharge specified by AR 635-200, Chapter 10 is "KFS." Therefore, no change is warranted.

(4) The applicant requests a reentry eligibility (RE) code change. The Board considered this contention and voted to maintain the RE-code. An RE Code of "4" Person separated from last period of service with a nonwaiverable disqualification. This includes anyone with a DA imposed bar to reenlistment in effect at time of separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

(5) The applicant contends good service, including a combat tour. 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.

(6) The applicant contends the superiors did not refer the applicant for alcohol treatment or any other form of mental health treatment. The Board determined that this contention was valid and voted to upgrade the characterization of service due to the applicant's length and quality of service, to include combat service, post service accomplishments and the applicant's PTSD, MDD and Anxiety Disorder NOS outweighing the applicant's DUI, drug use, and disobedience x2 basis for separation.

(7) In 2009, the applicant obtained a psychological evaluation from VA and was eligible to receive treatment due to the successful completion of the first enlistment and was diagnosed with PTSD. The applicant completed an Associates' degree in Information Systems and by 2013, completed a Bachelor's and Master's degree as well. The applicant is now married and has two children. 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 length and quality of service, to include combat service, post service accomplishments and the applicant's PTSD, MDD and Anxiety Disorder NOS outweighing the applicant's DUI, drug use, and disobedience x2 basis for separation.

c. The Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, post service accomplishments and the applicant's PTSD, MDD and Anxiety Disorder NOS outweighing the applicant's DUI, drug use, and disobedience x2 basis for separation. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to General, Under Honorable Conditions. The Board determined the narrative reason/SPD code were proper and equitable and voted not to change them. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnosis warranting consideration prior to reentry of military service. that the discharge is, at this time, proper and equitable, in light of the current evidence of record. The applicant has exhausted their appeal options available with ADRB. However, the applicant may still apply to the Army Board for Correction of Military Records. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

**d. Rationale for Decision:**

(1) The Board voted 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, post service accomplishments and the applicant's PTSD, MDD and Anxiety Disorder NOS outweighed the applicant's misconduct of DUI, drug use, and disobedience x2. Thus, the prior characterization is no longer appropriate.

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(2) The Board voted not to change the applicant's reason for discharge or accompanying SPD code as the reason the applicant was discharged was both proper and equitable.

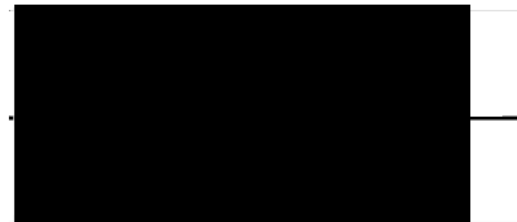
(3) The RE code will not change due to applicant's BH diagnosis warranting consideration prior to reentry of military service.

**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: No Change
- d. Change RE Code to: No Change
- e. Change Authority to: No Change

**Authenticating Official:**

3/10/2025

**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