

**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 and a change to the narrative reason for separation.

The applicant seeks relief contending, in effect, throughout their service they excelled in everything they did. In January 2004, they deployed to Iraq and endured near death experiences and witnessed first-hand the casualties of war. After returning from Iraq, the experiences began to take a toll on the applicant's health and wellbeing. The spouse stated the applicant came back a different person and the marriage began to dissolve. Ten months after returning from Iraq, the applicant was assigned to Kuwait. This is where things began to fall apart. The applicant had begun having feelings of guilt, sorrow and deceit. The marriage had taken a turn for the worse. The applicant was ordered by the chain of command to provide spousal support. The applicant tried to file for a divorce while in Kuwait; however, because of the geographical situation, the applicant could not, and the spouse was not willing to do it and was comfortable with receiving monthly payments. The applicant was experiencing internal spiritual and oral conflicts. The mental status was in such confusion, the applicant decided to seek a discharge from the Army as a Conscientious Objector. When presented to the 1SG, the 1SG said the applicant may be suffering from PTSD. The applicant sought medical attention from the mental health clinic. The applicant returned in October 2006 and was assigned to Fort Huachuca. The battalion commander's bias decision led to the applicant's demise. The applicant even considered taking their life. The applicant believed there was no need to even try to be a good Soldier anymore and made the bad decision to self-medicate with drugs and alcohol. The applicant self-referred to the Army Substance Abuse Program (ASAP). The applicant was subjected to a urinalysis before beginning the ASAP treatment. The applicant was admitted to the VA hospital in Tucson for inpatient alcohol dependency and was treated like a long time alcoholic and not someone suffering from a mental disorder. The chain of command made no attempt to rehabilitate them. Before being diagnosed, they were showing symptoms consistent with PTSD which should have been recognized and addressed properly by the chain of command. The applicant has suffered some prejudice in the workplace because of the characterization on the DD form 214 and well as disqualification from the Post 9/11 GI Bill.

**b. Board Type and Decision:** In a records review conducted on 14 November 2024, 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, and partial medical mitigation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, paragraph 14-12a. Accordingly, the narrative reason for separation changed 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, Chapter 14-12c / JKQ / RE-3 / General (Under Honorable Conditions)

**b. Date of Discharge:** 20 June 2007

**c. Separation Facts:**

**(1) Date of Notification of Intent to Separate:** 23 May 2007

**(2) Basis for Separation:** The applicant was informed of the following reasons:

Received a Field Grade Article 15 for leaving the unit without authority from 2 March 2007 to 5 March 2007;

Failed to provide BAH to the spouse as directed by the company commander;

On 1 March 2007 the applicant wrongfully went to Nogales, Mexico; and,

On two separate occasions, the applicant tested positive for use of Marijuana.

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

**(4) Legal Consultation Date:** 23 May 2007

**(5) Administrative Separation Board:** On 23 May 2007, the applicant conditionally waived consideration of the case before an administrative separation board, contingent upon receiving a characterization of service no less favorable than general (under honorable conditions) discharge.

**(6) Separation Decision Date / Characterization:** 30 May 2007 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 12 November 2003 / 6 years

**b. Age at Enlistment / Education / GT Score:** 22 / some college / 110

**c. Highest Grade Achieved / MOS / Total Service:** E-5 / 25L20, Cable Systems Installer/Maintainer / 7 years, 11 months, 1 day

**d. Prior Service / Characterizations:** RA, 20 July 1999 – 11 November 2003 / HD

**e. Overseas Service / Combat Service:** SWA / Iraq (18 January 2004 – 16 January 2005); Kuwait (10 October 2005 – 5 October 2006)

**f. Awards and Decorations:** AAM-2, AGCM-2, NDSM, GWOTEM, GWOTSM, HSM, ICM, NCOPDR, ASR

**g. Performance Ratings:** March 2003 – July 2005 / Among the Best  
August 2005 – 31 July 2006 / Fully Capable

**h. Disciplinary Action(s) / Evidentiary Record:** Superior Court of Arizona, Petition for Dissolution of a Non Covenant Marriage, 6 December 2006, reflects the notice of obligations to creditors and dissolution of marriage.

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

From Present for Duty (PDY) to Absent Without Leave (AWOL), effective 2 March 2007; and,

From AWOL to PDY, effective 5 March 2007.

Serious Incident Report, 2 March 2007, reflects the applicant was confined by Mexican Government / AWOL.

Electronic Copy of DD Form 2624, 5 March 2007, reflects the applicant tested positive for THC 40 (marijuana), during an Inspection Random (IR) urinalysis testing, conducted on 20 February 2007.

Electronic Copy of DD Form 2624, 13 March 2007, reflects the applicant tested positive for THC 329 (marijuana), during a Probable Cause (PO) urinalysis testing, conducted on 5 March 2007.

FG Article 15, 28 March 2007, on or about 2 March 2007, without authority absent oneself from the unit and did remain so absent until on or about 5 March 2007; on or about 14 February 2007, willfully disobey a lawful command from 2LT L. O.; on or about 1 March 2007; on or about 21 January and 20 February 2007, wrongfully used marijuana; and on or about 3 February and 5 March 2007, wrongfully used marijuana. The punishment consisted of a reduction to E-4; forfeiture of \$1031 pay per month for two months; however, the second month pay is suspended, and extra duty for 45 days.

Several Developmental Counseling Forms, for various acts of misconduct.

**i. Lost Time / Mode of Return:** AWOL for 3 days, 2 March 2007 to 5 March 2007. This period is not annotated on the DD Form 214 block 29.

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

**(1) Applicant provided:** Health Record, 14 April 2006, reflects the applicant was being seen by Mental Health in Kuwait. The applicant was diagnosed with R/O Adjustment Disorder and MDD. The applicant continues presenting problems due to religious beliefs. Will continue present treatment as patient continues to hold on pharmacotherapy.

Department of Veterans Affairs letter, 29 January 2010, reflects the applicant has been under the care of mental health professions at the VA hospital for the past year and receiving care for PTSD and Major Depressive Disorder. The applicant was diagnosed with: Axis I: PTSD, chronic. History of Major Depressive Disorder and Axis IV: educational, financial, social.

**(2) AMHRR Listed:** Tucson Medical Center Psychiatric Evaluation, 16 April 2007, reflects the applicant was diagnosed with Axis I: Mood disorder not otherwise specified; Posttraumatic distress disorder; Substance induced mood disorder; Alcohol abuse and dependence; marijuana abuse. Axis II: Dependent/antisocial personality disorder traits. Axis IV: Severe due to legal problems, financial responsibilities and estrangement from spouse. Axis V: GAF: 35-40.

Report of Mental Status Evaluation (MSE), 1 May 2007, reflects the applicant was cleared for any administrative actions deemed appropriate by the command. The applicant could understand and participate in administrative proceedings; could appreciate the difference between right and wrong; and met medical retention requirements. The applicant was previously diagnosed with Depression, for which they have received inpatient treatment and is currently receiving out-patient follow-up treatment at Behavioral Health Services. Additionally, they were presented with substance abuse problems and was referred for treatment at the ASAP. Despite the identified problems, there is no current psychiatric condition or defect which would interfere with UCMJ proceedings.

Report of Medical Assessment, 11 May 2007, the health care provider noted in the comments section: Depression/Anxiety/PTSD.

Report of Medical History, 11 May 2007, the examining medical physician noted: Depression/Anxiety/PTSD.

*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 Correction of Military Record; self-authored statement with listed attachments 1 through 17; Certificate of Release or Discharge from Active Duty; Enlisted Record Brief; two third-party letters.

**6. POST SERVICE ACCOMPLISHMENTS:** The applicant strives to do their best to contribute as a model citizen by working, going to school, and volunteering time to the community. They are also continuing treatment at the local VA clinic.

**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 14-3 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.

(6) 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 the narrative reason for the discharge needs changed. The applicant was separated under the provisions of Chapter 14, paragraph 14-12c, AR 635-200 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 any other reason to be entered under this regulation.

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

The applicant contends the spouse stated the applicant came back a different person and the marriage began to dissolve and take a turn for the worse. The applicant was ordered by the chain of command to provide spousal support. The applicant tried to file for a divorce while in

Kuwait; however, because of the geographical situation, the applicant could not, and the spouse was not willing to do it and was comfortable with receiving monthly payments. There is no evidence in the AMHRR the applicant ever sought assistance before committing the misconduct, which led to the separation action under review.

The applicant contends experiencing internal spiritual and oral conflicts. The mental status was in such confusion, the applicant decided to seek a discharge from the Army as a Conscientious Objector. When presented to the 1SG, the 1SG said the applicant may be suffering from PTSD. The applicant sought medical attention from the mental health clinic. The applicant was admitted to the VA hospital in Tucson for inpatient alcohol dependency and was treated like a long time alcoholic and not someone suffering from a mental disorder. The chain of command made no attempt to rehabilitate them. Before being diagnosed the applicant was showing symptoms consistent with PTSD which should have been recognized and addressed properly by the chain of command. The applicant provided a Health Record, 14 April 2006, which reflects the applicant was seen by Mental Health in Kuwait. The applicant was diagnosed with R/O Adjustment Disorder and MDD. The applicant continues presenting problems due to religious beliefs. Will continue present treatment as patient continues to hold on pharmacotherapy. A Department of Veterans Affairs letter, 29 January 2010, reflects the applicant has been under the care of mental health professionals at the VA hospital for the past year and receiving care for PTSD and Major Depressive Disorder. The applicant was diagnosed with: Axis I: PTSD, chronic. History of Major Depressive Disorder and Axis IV: educational, financial, social. The applicant's AMHRR includes a Tucson Medical Center Psychiatric Evaluation, 16 April 2007, reflecting the applicant was diagnosed with Axis I: Mood disorder not otherwise specified; Posttraumatic distress disorder; Substance induced mood disorder; Alcohol abuse and dependence; marijuana abuse. Axis II: Dependent/antisocial personality disorder traits. Axis IV: Severe due to legal problems, financial responsibilities, and estrangement from spouse. Axis V: GAF: 35-40. A Report of Medical Assessment, 11 May 2007, the health care provider noted in the comments section: Depression/Anxiety/PTSD. A Report of Medical History, 11 May 2007, the examining medical physician noted: Depression/Anxiety/PTSD. The AMHRR shows the applicant underwent a mental status evaluation (MSE) on 1 May 2007, which reflects the applicant was cleared for any administrative actions deemed appropriate by the command. The applicant could understand and participate in administrative proceedings; could appreciate the difference between right and wrong; and met medical retention requirements. The applicant was previously diagnosed with Depression, for which they had received inpatient treatment and was currently receiving out-patient follow-up treatment at Behavioral Health Services. Additionally, they were presented with substance abuse problems and was referred for treatment at the ASAP. Despite the identified problems, there is no current psychiatric condition or defect which would interfere with UCMJ proceedings.

The applicant contends the battalion commander's bias decision led to the applicant's demise. The applicant even considered taking their own life. The applicant believed there was no need to even try to be a good Soldier anymore and made the bad decision to self-medicate with drugs and alcohol. There is no evidence in the AMHRR the applicant sought assistance or reported the harassment. The applicant's AMHRR does not contain any indication or evidence of arbitrary or capricious actions by the command.

The third-party statements provided with the application reflect the applicant's good character and volunteer work since being discharged from the Army.

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 would allow 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 strives to do their best to contribute as a model citizen by working, going to school, and volunteering time to the community. They are also continuing treatment at the local VA clinic. 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 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: Depression, Anxiety, and PTSD.

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board found that the applicant was diagnosed in service with Depression, Anxiety, and PTSD, and the VA has service connected the PTSD.

(3) Does the condition or experience excuse or mitigate the discharge? **Partially.** The Board determined, based on the BMA's opine, that the applicant's behavioral health conditions partially mitigate the discharge. Given the nexus between Depression, Anxiety, PTSD, avoidance, and self-medicating with substances, leaving the unit without authority and testing positive for marijuana are mitigated. However, failing to provide BAH to the spouse and wrongfully going to Nogales, Mexico are not mitigated because none of the applicant's BH conditions to include Depression, Anxiety, or PTSD interfere with the ability to distinguish between right and wrong and act in accordance with the right.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board determined that the available evidence did not support a conclusion that the applicant's Depression, Anxiety, and Post Traumatic Stress Disorder outweighed the applicant's medically unmitigated offenses of failing to pay BAH to the spouse as ordered and going to Mexico in violation of travel restriction.

b. Response to Contention(s):

(1) The applicant contends experiencing internal spiritual and moral conflicts. The applicant's mental status was in such confusion, the applicant decided to seek a discharge from the Army as a Conscientious Objector. When presented to the 1SG, the 1SG said the applicant may be suffering from PTSD. The applicant sought medical attention from the mental health clinic and was admitted to the VA hospital in Tucson for inpatient alcohol dependency. The applicant was treated like a long time alcoholic and not someone suffering from a mental



disorder. The chain of command made no attempt to rehabilitate them. Before being diagnosed, the applicant was showing symptoms consistent with PTSD which should have been recognized and addressed properly by the chain of command. The Board liberally considered this contention and determined that the available evidence did not support a conclusion that the applicant's Depression, Anxiety, and Post Traumatic Stress Disorder outweighed the applicant's medically unmitigated offenses of failing to pay BAH to the spouse as ordered and going to Mexico in violation of travel restriction.

(2) The applicant contends good service, including two combat tours. The Board considered this contention and determined that the applicant's years of service, including tours in Iraq and Kuwait, outweighed the applicant's medically unmitigated offenses of failing to pay BAH to the spouse as ordered and going to Mexico in violation of travel restriction. Therefore, a discharge upgrade is warranted.

(3) The applicant contends the spouse stated the applicant came back a different person and the marriage began to dissolve and take a turn for the worse. The applicant was ordered by the chain of command to provide spousal support. The applicant tried to file for a divorce while in Kuwait; however, because of the geographical situation, the applicant could not, and the spouse was not willing to do it and was comfortable with receiving monthly payments. The Board considered this contention during proceedings but ultimately did not address it in detail after determining that a discharge upgrade was warranted based on the reasons discussed above in 9b(1) and 9b(2).

(4) The applicant contends the battalion commander's bias decision led to the applicant's demise. The applicant even considered taking their own life. The applicant believed there was no need to try to be a good Soldier anymore and made the bad decision to self-medicate with drugs and alcohol. The Board considered this contention during proceedings but ultimately did not address it in detail after determining that a discharge upgrade was warranted based on the reasons discussed above in 9b(1) and 9b(2).

(5) 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.

(6) The applicant contends an upgrade would allow 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.

(7) The applicant strives to do their best to contribute as a model citizen by working, going to school, and volunteering time to the community. They are also continuing treatment at the local VA clinic. The Board considered the noted post-service accomplishments but ultimately did not address it further after determining that a discharge upgrade was warranted based on the reasons discussed above in 9b(1) and 9b(2).

c. The Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, and partial medical mitigation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, paragraph 14-12a. Accordingly, the narrative reason for separation changed to Misconduct (Minor Infractions) with

**ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE****AR20210000634**

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 length and quality of service, to include combat service, and partial medical mitigation outweigh the applicant's separating misconduct. 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 due to the BH diagnoses. The current code is consistent with the procedural and substantive requirements of the regulation.

**10. BOARD ACTION DIRECTED:**

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

**Authenticating Official:**

11/20/2024



**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