

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 honorable. The applicant requests a narrative reason change.

The applicant seeks relief contending, in effect, the discharge violated a direct order of Brigadier General (BG) M. S. The applicant believes the conduct was a direct result of post-traumatic stress disorder (PTSD) and the applicant served honorably. The narrative reason is improper and the applicant requests a medical discharge. During the time in the military, the applicant's marriage was suspended in air. In November 2008, the applicant was stationed at Fort Carson when the applicant deployed to Iraq, which was a continuously stressful environment. While in Iraq, the unit did not notify the applicant the applicant's children were being taken away from the spouse because of child neglect and endangerment. The applicant went on emergency leave, regained custody of the children, and returned to Iraq, but concentrating on the mission was difficult. The applicant began to have dreams of dying. The applicant became withdrawn and could only think of the applicant's children. Shortly after returning to Fort Carson, the applicant received reassignment orders to Fort Campbell. Because the applicant was withdrawn, the spouse pressured the applicant to share the experiences in Iraq, but the applicant was not ready. The applicant sought medical attention and was diagnosed with PTSD, was found fit, and deployed with the unit to Afghanistan. While in Afghanistan, the applicant was informed a cousin was killed in action. The unit experienced constant enemy fire, long maneuvers, sleepless nights and days, and substandard conditions. A tank the applicant was traveling in fell 75 feet into a ravine and the Soldiers were either injured or killed. The medical facility diagnosed the applicant with a traumatic brain injury (TBI). The applicant was promoted to sergeant and received numerous awards, including the Purple Heart.

Once stateside, the applicant became isolated, had substandard performance, and was reduced in rank. The applicant experienced a marital separation and the deaths of several family members, which contributed to self-medication with marijuana and a positive urinalysis. While coping with the issues, the applicant was undergoing a medical evaluation. The physical evaluation board (PEB) found the applicant's PTSD was 90 percent disabling and the applicant was unfit for continued military service. On 9 January 2013, the applicant received discharge orders, effective 21 January 2013. The applicant turned to marijuana to cope with the memories of Afghanistan and personal and financial issues. The applicant had numerous positive urinalyses for marijuana. One week before the applicant's effective date of discharge, the discharge orders were revoked and the unit pursued administrative discharge under AR 635-200, Chapter 14-12c(2), for misconduct, drug abuse. BG M. S. terminated the administrative separation and directed the applicant be processed through the physical disability system; however, the applicant was administratively discharged. The applicant cannot understand nor justify the behavior of using marijuana to help cope with the issues. The applicant would do things differently if there was a "do-over." The applicant would have sought medical attention earlier, fought for the applicant's children and the military career. The applicant lost family and career and compromised integrity. The applicant requests the applicant's extenuating circumstances, which led to the marijuana use, be taken into consideration.

b. Board Type and Decision: In a records review conducted on 29 February 2024, and by a 5-0 vote, the Board, based on the applicant's PTSD, TBI and Depression mitigating applicant's wrongful marijuana use basis for separation, determined the narrative reason for the applicant's separation is now inequitable. Therefore, the Board directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions) with a corresponding separation code of JKN and the reentry code to RE-3.

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 (Drug Abuse) / AR 635-200, Paragraph 14-12c (2) / JKK / RE-4 / Honorable

b. Date of Discharge: 6 September 2013

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 8 May 2013

(2) Basis for Separation: The applicant was informed of the following reason: The applicant wrongfully used marijuana between 20 February and 22 March 2013.

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

(4) Legal Consultation Date: 14 May 2013

(5) Administrative Separation Board: On 5 April 2013, the administrative separation board convened for a prior case, and the applicant appeared with counsel. The board recommended the applicant's discharge with characterization of service of general (under honorable conditions).

On 1 May 2013, the separation authority directed the applicant be separated through the medical disability system instead of being administratively separated under AR 635-200, paragraph 14-12c(2), Misconduct, Abuse of Illegal Drugs.

On 8 May 2013, the applicant's company commander notified the applicant a second time of the intent to separate.

On 14 May 2013, the applicant requested to have the case heard by an administrative separation board.

On 5 June 2013, the separation authority rescinded the previous action to have the case processed through disability processing and returned the case to the brigade commander for disposition.

On 10 July 2013, the applicant was notified to appear before an administrative separation board and advised of rights.

On 26 July 2013, the administrative separation board convened, and the applicant appeared with counsel. The board recommended the applicant's discharge with characterization of service of general (under honorable conditions).

On 2 August 2013, the separation authority approved the administrative separation board's findings and recommendation.

(6) Separation Decision Date / Characterization: 2 August 2013 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 1 October 2008 / 6 years

b. Age at Enlistment / Education / GT Score: 26 / HS Graduate / 91

c. Highest Grade Achieved / MOS / Total Service: E-5 / 11B20, Infantryman / 8 years, 7 months, 6 days / The applicant's AMHRR reflects the applicant served 6 months, 27 days of inactive service, which is not reflected on the applicant's DD Form 214; a total service of 9 years, 2 months, 3 days.

d. Prior Service / Characterizations: RA, 19 November 2003 – 20 October 2005 / GD
(Break in Service)
ARNG, 6 June 2006 – 1 January 2007 / HD
RA, 3 January 2007 – 30 September 2008 / HD

e. Overseas Service / Combat Service: SWA / Afghanistan (4 May 2010 – 28 April 2011); Iraq (7 December 2007 – 4 February 2009)

f. Awards and Decorations: ACM-CS, ICM-2CS, PH, ARCOM-4, AGCM-2, NDSM, GWOTSM, ASR, OSR-2, NATOMDL, CIB, CAB

g. Performance Ratings: 1 January 2011 – 31 December 2011 / Fully Capable
1 January 2012 – 9 August 2012 / Marginal

h. Disciplinary Action(s) / Evidentiary Record: Orders 009-0634, 9 January 2013, reflect the applicant was scheduled to be released from duty because of physical disability incurred while entitled to basic pay, and placed on the temporary disability retired list (TDRL), with a disability rating of 70 percent, effective date of retirement 21 January 2013. Orders 009-0634 were revoked or rescinded by Orders 014-0600, 14 January 2013.

Electronic Copy of DD Form 2624, 2 April 2013, reflects the applicant tested positive for OXMOR 109 (oxymorphone) and THC 160 (marijuana), during a Probable Cause (PO) urinalysis testing, conducted on 22 March 2013.

Formal AR 15-6 Investigation Findings and Recommendations, 5 April 2013, reflects the administrative separation board found a preponderance of the evidence did support the allegation the applicant on 16 October 2012, wrongfully tested positive for oxycodone, oxymorphone, and THC. The board recommended the applicant be separated from the service because of misconduct with a general (under honorable conditions).

Orders 127-0609, 7 May 2013, reflect the applicant was scheduled to be released from duty because of physical disability incurred while entitled to basic pay, and placed on the temporary

disability retired list (TDRL), with a disability rating of 70 percent, effective date of retirement 20 May 2013. Orders 009-0634 were revoked or rescinded by Orders 128-0613, 8 May 2013.

Formal AR 15-6 Investigation Findings and Recommendations, 26 July 2013, reflects the administrative separation board found a preponderance of the evidence did support the allegation the applicant between 20 February and 22 March 2013, wrongfully tested positive for marijuana. The board recommended the applicant be separated from the service because of misconduct with a general (under honorable conditions).

Orders 226-0632, 14 August 2013, as amended by Orders 238-0604 and Orders 249-0609, reflect the applicant was to be reassigned to the U.S. Army Transition Point and discharged on 6 September 2013 from the Regular Army.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: Physical Evaluation Board letter for the Department of Veteran Affairs (VA), 1 November 2012, reflecting PEB found the applicant unfit to continue military service for PTSD. The PEB requested a disability rating percentage for all referred and claimed conditions.

Department of Veterans Affairs, Disability Evaluation System (DES) Proposed Rating Decisions, 27 November 2012, reflecting the VA rated the applicant 70 percent service-connected disabled for PTSD (also claimed as insomnia and memory loss) for DES purposes and proposed entitlement to VA benefits. The VA proposed a combined rating of 90 percent for PTSD and other medical conditions.

Informal Physical Evaluation Board (PEB) Proceedings, 14 December 2012, reflecting the PEB found the applicant was physically unfit and recommended a disability rating of 70 percent for PTSD and the applicant be placed on the temporary disability retired list (TDRL), with reexamination during September 2013.

(2) AMHRR Listed: Medical Evaluation Board (MEB) Proceedings, 29 September 2012, determined the applicant's medical condition of PTSD was medically unacceptable and the following conditions were determined to be medically acceptable: Bilateral tinnitus; attention deficit disorder, inattentive type; history of mild traumatic brain injury (TBI), with no residuals; right trigeminal nerve palsy; accommodative paresis; and several physical medical conditions. The board referred the applicant to a physical evaluation board (PEB).

Report of Medical Examination, 23 October 2012, the examining medical physician noted: PTSD; not cleared by Behavioral Health for Chapter 14.

Report of Mental Status Evaluation, 17 January 2013, reflects the applicant was not cleared for chapter action. The applicant could understand and participate in administrative proceedings; could appreciate the difference between right and wrong, but did not meet medical retention requirements. The applicant had been screened for PTSD and mTBI with positive results. The applicant was diagnosed with: Anxiety Disorder, not otherwise specified (combat-related). It was not clear if the alleged drug use was directly related to the applicant's combat stress. The command could pursue chapter action with the final deciding authority given to the commanding general.

5. APPLICANT-PROVIDED EVIDENCE: DD Form 214; two DD Forms 293, with continuation sheet; self-authored statement; separation authority memorandum, directing disability processing; VA proposed rating decision; PEB documents; military service awards and related documents; promotion orders; numerous training certificates; active duty orders; disability discharge orders; Oath of Reenlistment; two Honorable Discharge certificates; and two third-party support statements.

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the application.

7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

b. Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be

considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(2) Paragraph 3-7a states an Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

(3) 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.

(4) 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.

(5) Paragraph 14-12c(2) terms abuse of illegal drugs as serious misconduct. It continues; however, by recognizing relevant facts may mitigate the nature of the offense. Therefore, a single drug abuse offense may be combined with one or more minor disciplinary infractions or incidents of other misconduct and processed for separation under paragraph 14-12a or 14-12b as appropriate.

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 "JKK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, misconduct (drug abuse).

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-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 a narrative change. 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 to be changed. The applicant was separated under the provisions of Chapter 14, paragraph 14-12c(2), AR 635-200 with an honorable discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "Misconduct (Drug Abuse)," and the separation code is "JKK." Army Regulation 635-8 (Separation Processing and Documents), governs 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 PTSD, TBI, and family issues affected behavior, which led to the discharge. The applicant provided several medical documents indicating the applicant was diagnosed with in-service PTSD; attention deficit disorder, inattentive type; and had a history of TBI. The applicant provided VA documents and PEB documents reflecting the VA and the PEB recommended 70 percent disability for PTSD and the applicant received orders, placing the applicant on the TDRL, with 70 percent disability. The applicant provided a third-party statement from the applicant's parent, which described the applicant's change in behavior after returning from combat and supported the applicant's contention. The AMHRR shows the applicant underwent an MEB on 29 September 2012, indicating the applicant was medically unacceptable for PTSD and medically acceptable for TBI. The applicant underwent a mental status evaluation (MSE) on 17 January 2013, which indicates the applicant could appreciate the difference between right from wrong. The applicant was not cleared for chapter action, but the command could pursue separation if approved by the commanding general. The applicant was diagnosed with anxiety disorder, not otherwise specified (combat-related). The MEB and MSE were considered by the separation authority.

The applicant contends the separation was improper because the separation authority directed separation processing through the physical disability system. The applicant's AMHRR reflects the separation authority directed disability processing on a previous separation proceeding, but rescinded the decision because the separation authority was informed the applicant tested positive on a urinalysis subsequent to the action. The separation authority returned the separation packet to the applicant's brigade commander for disposition and the command pursued separation under AR 635-200, paragraph 14-12c(2).

The applicant contends, while deployed, the command failed to inform the applicant of serious family issues. The applicant stated the applicant was granted emergency leave to resolve the

family issues. The applicant's AMHRR does not contain any indication or evidence of arbitrary or capricious actions by the command.

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

The applicant contends the applicant should receive a medical discharge. The applicant's request does not fall within this board's purview. The applicant may apply to the Army Board for Correction of Military Records (ABCMR), using the enclosed DD Form 149 regarding this matter. A DD Form 149 may also be obtained from a Veterans' Service Organization.

The third party statements provided with the application speak highly of the applicant's character. They all recognize the applicant's good military service and/or good conduct after separating from the Army, and any deviation was a result of mental issues.

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: Adjustment Disorder, PTSD, TBI, Depression, ADHD, Anxiety Disorder NOS.

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

(3) Does the condition or experience excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that the applicant was diagnosed in service with an Adjustment Disorder, PTSD, TBI, Depression, and Anxiety Disorder NOS. The VA has also service connected the applicant's PTSD. Given the nexus between PTSD, TBI, Depression and self-medicating with substances, the applicant's BH conditions mitigate the marijuana use that led to the separation.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the applicant's PTSD, TBI, Depression outweighed the wrongful marijuana use basis for separation.

b. Response to Contention(s):

(1) The applicant contends the narrative reason for the discharge needs to be changed. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD, TBI, and depression fully outweighing the applicant's wrongful marijuana use basis for separation.

(2) The applicant contends PTSD, TBI, and family issues affected behavior, which led to the discharge. The Board determined that this contention was valid and voted to upgrade the narrative reason and RE-code due to PTSD, TBI, and depression mitigating the applicant's wrongful marijuana use.

(3) The applicant contends the separation was improper because the separation authority directed separation processing through the physical disability system. 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 PTSD, TBI, and depression fully outweighing the applicant's wrongful marijuana use basis for separation.

(4) The applicant contends, while deployed, the command failed to inform the applicant of serious family issues. 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 PTSD, TBI, and depression fully outweighing the applicant's wrongful marijuana use basis for separation.

(5) The applicant contends good service, including two combat tours. 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 PTSD, TBI, and depression fully outweighing the applicant's wrongful marijuana use basis for separation.

(6) The applicant contends a physical evaluation board was under process at the time of the separation proceedings. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD, TBI, and depression fully outweighing the applicant's wrongful marijuana use basis for separation.

(7) The applicant contends the applicant should receive a medical discharge. The Board determined that the applicant's requested change, a medical discharge, to the DD Form 214 does not fall within the purview of the ADRB. The applicant may apply to the Army Board for Correction of Military Records (ABCMR), using a DD Form 149 regarding this matter. A DD Form 149 may be obtained from a Veterans' Service Organization.

c. The Board, based on the applicant's PTSD, TBI and Depression mitigating applicant's wrongful marijuana use basis for separation, determined the narrative reason for the applicant's separation is now inequitable. Therefore, the Board directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions) with a corresponding separation code of JKN and the reentry code to RE-3. 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.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20210001456

d. Rationale for Decision:

(1) The Board determined the discharge is proper and equitable as a prior ADRB has upgraded the discharge with a Characterization of Honorable, therefore no further relief is available.

(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.

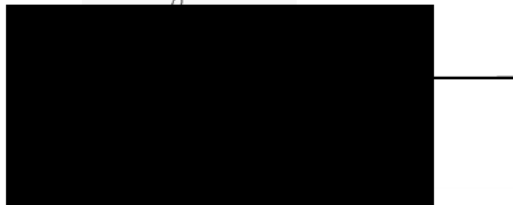
(3) The Board voted to change the RE code to RE-3.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: Yes
- b. Change Characterization to: No Change
- c. Change Reason / SPD Code to: Misconduct (Minor Infractions)/JKN
- d. Change RE Code to: RE-3
- e. Change Authority to: AR 635-200, paragraph 14-12a

Authenticating Official:

5/13/2024



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