

**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 and reentry eligibility (RE) code change.

The applicant seeks relief contending, in effect, receiving the first Article 15 for having a positive urinalysis test for the lowest level of tetrahydrocannabinol (THC). While serving the punishment, the applicant was enrolled in a drug and alcohol program, which was scheduled for 90 days. After attending two sessions, First Sergeant (1SG) H. and Staff Sergeant (SSG) G. removed the applicant from the classes and deployed the applicant to Bagram, Afghanistan. The applicant believes 1SG H. and SSG G. knew this was not the proper protocol. The applicant and the applicant's family were concerned about the decision. The applicant believed going to war without the proper treatment was very dangerous and the 1SG and company commander intended to discharge the applicant once the unit returned, which was very stressful. The applicant ordered spice, which is fake and legal marijuana, carried in gas stations and smoke shops. The spice arrived, but the applicant never opened the packet and placed it in a cereal box. The unit had a barracks inspection and a shot glass filled with ashes was found in the applicant's room. The 1SG became suspicious and contacted the Criminal Investigation Division (CID). The ashes were from smoking a black and mild cigar. The CID conducted a thorough search of the applicant's room and an unopened package of spice was found in a cereal box. The applicant was detained for questioning and once the applicant was released, the 1SG proceeded to complete the applicant's discharge paperwork. The applicant self-enrolled in the Army Substance Abuse Program (ASAP) to receive help, including for a sleeping disorder. The applicant did not complete the classes because the applicant was rushed out of the Army.

The applicant served more than 2 years, 6 months, and 27 days and received numerous awards and decorations. The applicant is working as a sales associate and employed at two companies to support the applicant's children. The senior vice president of the applicant's company awarded the applicant a prominent performance award. In 2014, the applicant completed a substance abuse program. The applicant should not have received RE code 4. Army Regulation 600-85 clearly states a Soldier who uses drugs while in the military needs to complete ASAP and if the counselor finds the Soldier unfit, the Soldier can be discharged under the Limited Use Policy but the Soldier will receive an honorable discharge. The applicant was not able to complete any medical treatment nor counseling before being separated. The applicant is a war veteran who served faithfully. As a private, the applicant did not know what to do and the chain of command failed to help. The applicant understands what the applicant did was wrong, but the punishment was extremely harsh. The applicant has been treated for post-traumatic stress disorder (PTSD) because of the war, which has caused other medical problems. The applicant would like to further the education and improve the applicant's career for the family. The applicant further details the contentions, including combat experiences, in a self-authored statement submitted with the application.

**b. Board Type and Decision:** In a records review conducted on 5 October 2023, and by a 5-0 vote, the Board determined the narrative reason for the applicant's separation is inequitable

based on multiple factors (length and quality of service, combat service, post-service accomplishments, and being pulled from substance abuse treatment for deployment). Accordingly, 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), and the separation code to JKN. The applicant's RE-code will change to RE-3. The Board determined the characterization of service (Honorable) was 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 (Drug Abuse) / AR 635-200, Paragraph 14-12c (2) / JKK / RE-4 / Honorable

**b. Date of Discharge:** 15 March 2012

**c. Separation Facts:**

**(1) Date of Notification of Intent to Separate:** 14 April 2011 / On 15 February 2012, the applicant was notified of the separation authority's intent to vacate the applicant's suspended approved administrative separation based on additional misconduct in violation of Article 112a, UCMJ, by wrongful use and possession of synthetic cannabinoids.

**(2) Basis for Separation:** Under Army Regulation 635-200, paragraph 14-12c, Commission of a Serious Offense, the applicant was informed of the following reasons: On 22 July 2010, the applicant tested positive for marijuana. On 25 July 2010, the applicant was arrested for driving under the influence (DUI). The applicant failed to be at the appointed place of duty on numerous occasions.

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

**(4) Legal Consultation Date:** 15 April 2011

**(5) Administrative Separation Board:** NA

**(6) Separation Decision Date / Characterization:** 27 February 2012 / General (Under Honorable Conditions) / On 7 May 2011, the separation approving authority directed the applicant be discharged under AR 635-200, paragraph 14-12c, with a general (under honorable conditions), but suspended the discharge for 12 months. On 27 February 2012, the separation authority vacated the suspension and ordered the separation executed.

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 19 August 2009 / 3 years, 22 weeks

**b. Age at Enlistment / Education / GT Score:** 22 / HS Graduate / 90

**c. Highest Grade Achieved / MOS / Total Service:** E-3 / 92A10, Automated Logistical Specialist / 2 years, 6 months, 27 days

**d. Prior Service / Characterizations:** None

**e. Overseas Service / Combat Service:** SWA / Afghanistan (7 October 2010 – 6 October 2011)

**f. Awards and Decorations:** NDSM, ACM-CS, GWOTSM, ASR, OSR, NATOMDL

**g. Performance Ratings:** NA

**h. Disciplinary Action(s) / Evidentiary Record:** Electronic Copy of DD Form 2624, 29 July 2010, reflects the applicant tested positive for THC 30 (marijuana), during an Inspection Random (IR) urinalysis testing, conducted on 22 July 2010.

Field Grade Article 15, 17 August 2010, for wrongfully using marijuana (between 23 June and 22 July 2010). The punishment consisted of a reduction to E-1; forfeiture of \$724 pay per month for two months (suspended); extra duty and restriction for 45 days; and an oral reprimand.

District Court of Maryland for Anne Arundel County, Defendant Trial Summary, 11 August 2010, reflects the applicant was charged with:

Driving, attempting to drive vehicle while under the influence of alcohol. Plea: Other Plea; Verdict: Nolle Prosequi. The applicant was not fined.

Driving, attempting to drive vehicle while impaired by alcohol. Plea: Guilty. Verdict: Probation before Judgement; probation for 1 year; and fines totaling \$207.50.

Report of Mental Status Evaluation, 7 April 2011, reflects the applicant was cleared for any administrative actions deemed appropriate by the command. The applicant could understand and participate in administrative proceedings; was mentally responsible; and met medical retention requirements. The applicant had been screened for PTSD and mTBI with negative results. The conditions were either not present or did not meet AR 40-501 criteria for a medical evaluation board. The command was advised to consider the influence of these conditions.

CID Report of Investigation - Initial Final, 16 November 2011, reflects an investigation established probable cause to believe the applicant committed the offenses of Wrongful Introduction, Wrongful Use, and Wrongful Possession of Synthetic Cannabinoids and Fail to Obey General Order. The applicant was interviewed and admitted to consuming the Spice and Spice was in the shot glass found in the applicant's room. The statement reflects the name of R. K.; however, the statement was initialed and signed by the applicant.

Numerous Developmental Counseling Forms, for but not limited to:

- Failure to keep chain of command informed of appointments;
- Failure to report on multiple occasions;
- Willfully disobey a noncommissioned officer (NCO) and disrespect an NCO;
- Being absent without leave;
- Recommendation for UCMJ following positive urinalysis for THC; enrollment in ASAP, and recommendation for Bar to Reenlistment;
- Notification for initiation of separation;
- Requirement to continue out-processing for elimination, which was interrupted by deployment;
- Intent to vacate suspended administrative separation; and
- Positive monthly performance.

The applicant provided:

Army Substance Abuse Program Enrollment form (second page), 28 July 2010, reflecting 1SG H., the applicant, and clinician reviewed the evaluation. The applicant anticipated deployment in less than three weeks and was not enrolled in the program, but was offered supportive counseling.

Army Substance Abuse Program (ASAP) Enrollment form, 12 January 2012, reflecting the applicant was referred in the ASAP because of investigation or apprehension and the applicant improperly used drugs.

Patient Progress Report (PPR), 14 March 2012, reflecting the applicant was released from ASAP because the commander decided to terminate treatment and separate the applicant. The counselor's assessment of the applicant's progress was poor. The commander's appraisal of conduct was unsatisfactory.

**i. Lost Time / Mode of Return:** None

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

**(1) Applicant provided:** Patient Intake / Screening Record (PIR), 1 October 2010, reflecting the applicant was self-referred to ASAP and was diagnosed with cannabis and alcohol abuse. The commander decided not to enroll the applicant in the program.

Department of Veterans Affairs (VA) letter, 24 August 2015, reflecting the VA rated the applicant 30 percent disabled for PTSD.

**(2) AMHRR Listed:** None

**5. APPLICANT-PROVIDED EVIDENCE:** DD Form 214; DD Form 293; two self-authored statements; Army Substance Abuse Program documents; VA letter of entitlements; and three character references.

**6. POST SERVICE ACCOMPLISHMENTS:** The applicant is working as a sales associate and employed at two companies; received a prominent performance award from the place of employment; and completed a substance abuse program.

**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 600-85, paragraph 10-12a defines the Limited Use Policy and states unless waived under the circumstances listed in paragraph 10-13d, Limited Use Policy prohibits the use by the government of protected evidence against a Soldier in actions under the UCMJ or on the issue of characterization of service in administrative proceedings. Additionally, the policy limits the characterization of discharge to "Honorable" if protected evidence is used. Protected evidence under this policy includes: Results of command-directed drug or alcohol

testing that are inadmissible le under the MRE; Results of a drug or alcohol test collected solely as part of a safety mishap investigation undertaken for accident analysis and the development of countermeasures; Information concerning drug or alcohol abuse or possession of drugs incidental to personal use, including the results of a drug or alcohol test, collected as a result of a Soldier's emergency medical care solely for an actual or possible alcohol or other drug overdose; A Soldier's self-referral to BH for SUD treatment; Admissions and other information concerning alcohol or other drug abuse or possession of drugs incidental to personal use occurring prior to the date of initial referral to treatment and provided by Soldiers as part of their initial entry into SUD treatment; Drug or alcohol test results, if the Soldier voluntarily submits to a DoD or Army SUD treatment before the Soldier has received an order to submit for a lawful drug or alcohol test; and, the results of a drug or alcohol test administered solely as a required part of a DoD or Army SUD treatment program.

**e.** Army Regulation 635-200 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.

**f.** 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).

**g.** 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 a narrative reason change and a reentry eligibility 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 with an honorable discharge. 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 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.

The applicant contends being diagnosed with PTSD and cannabis and alcohol abuse, and the condition affected behavior which led to the discharge. The applicant provided medical documents indicating the applicant was diagnosed with cannabis and alcohol abuse, while in the service. The VA granted the applicant 30 percent service-connected disability for PTSD. The AMHRR shows the applicant underwent a mental status evaluation (MSE) on 7 April 2011, which indicates the applicant was mentally responsible. The applicant had been screened for PTSD and mTBI with negative results. The MSE does not indicate any diagnosis. The MSE was considered by the separation authority.

The applicant contends not being provided the opportunity to complete ASAP and the applicant should have been discharged under the Limited Use Policy. The applicant provided documents to reflect in 2010, the applicant self-referred to ASAP but was not enrolled because of an anticipated deployment and the applicant was offered supportive counseling. On 12 January 2012, the applicant was referred and enrolled into ASAP because of investigation or apprehension and was released by the commander. The ASAP counselor indicated the applicant's progress was poor and the commander indicated the applicant's conduct was unsatisfactory. There is no evidence the Limited Use Policy applied to the applicant's discharge.

The applicant contends youth and immaturity affected the applicant's behavior at the time of the discharge. The AMHRR shows the applicant met entrance qualification standards to include age.

The applicant contends good service, including a combat tour. The Board will consider the applicant's service accomplishments and the quality of service according to the DODI 1332.28.

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 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 working as a sales associate and employed at two companies, receiving a prominent performance award, and completing a substance abuse program. 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.

The third party statements provided with the application speak highly of the applicant. They all recognize the applicant's good conduct after leaving the Army.

#### **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, the applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially mitigating diagnoses/experiences: PTSD.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found that the applicant is diagnosed and service connected by the VA for combat-related PTSD. Service connection establishes that the applicant's PTSD existed during military service.

(3) Does the condition or experience excuse or mitigate the discharge? **Partially.** The Board's Medical Advisor applied liberal consideration and opined that the applicant is diagnosed and service connected by the VA for combat-related PTSD, which provides partial mitigation for the basis of separation. Given the nexus between PTSD and avoidance, the FTRs that occurred after October 2010 are mitigated. However, FTRs that occurred prior to when the applicant went to combat are not mitigated by the PTSD since the index trauma for the condition had not yet occurred. And while PTSD has a nexus with self-medicating with substances and would normally mitigate marijuana use and DUI, this misconduct occurred prior to the applicant's



combat exposure. Therefore, applicant's PTSD did not exist at the time of this misconduct and does not mitigate the marijuana use or DUI.

**(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 PTSD outweighed the applicant's medically unmitigated FTR, marijuana use, or DUI offenses.

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

**(1)** The applicant contends the narrative reason for the discharge needs to be changed. The Board determined that this contention was valid and voted to upgrade the narrative reason due to PTSD mitigating the applicant's post-combat FTRs. The applicant's length/quality of service (to include combat) outweighed the applicant's pre-combat offenses that served as the basis for separation.

**(2)** The applicant requests a reentry eligibility (RE) code change. The Board considered this contention and upgraded the RE code to RE-3 based on the applicant's PTSD (waiver required).

**(3)** The applicant contends being diagnosed with PTSD and cannabis and alcohol abuse, and the condition affected behavior which led to the discharge. The Board considered this contention and determined, after applying liberal consideration, that some of the applicant's misconduct occurred prior to applicant's PTSD diagnosis. Therefore, there is no nexus between the applicant's marijuana use, DUIs, FTR and PTSD.

**(4)** The applicant contends not being provided the opportunity to complete ASAP and the applicant should have been discharged under the Limited Use Policy. The Board considered this contention and determined the applicant was discharged for two DUIs that happened in 2010 and an FTR, all which occurred prior to the applicant's enrollment in ASAP in 2012 and after the PTSD diagnosis. After applying liberal consideration, the Board determined the applicant's misconduct occurred prior to the PTSD diagnosis, so there is no nexus between the marijuana use, DUIs, FTR and PTSD.

**(5)** The applicant contends youth and immaturity affected the applicant's behavior at the time of the discharge. The Board considered this contention during proceedings but ultimately did not address it in detail due to an upgrade being granted as discussed above in 9b(1) and 9b(2) above. Additionally, the applicant was old enough to meet age-related service requirements.

**(6)** The applicant contends good service, including a combat tour. The Board considered this contention during board proceedings along with the totality of the service record.

**(7)** 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 do not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact the Department of Veterans Affairs for further assistance.

**(8)** 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.

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**AR20210001566**

(9) The applicant contends working as a sales associate and being employed at two companies, receiving a prominent performance award, and completing a substance abuse program. The Board considered this contention and factored the post-service accomplishments into its decision.

c. The Board determined the narrative reason for the applicant's separation is inequitable based on multiple factors (length and quality of service, combat service, post-service accomplishments, and being pulled from substance abuse treatment for deployment). Accordingly, 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), and the separation code to JKN. The applicant's RE-code will change to RE-3. The Board determined the characterization of service (Honorable) was proper and equitable.

**d. Rationale for Decision:**

(1) The Board determined the characterization of service is proper and equitable as the applicant already holds an Honorable characterization. No further relief is available.

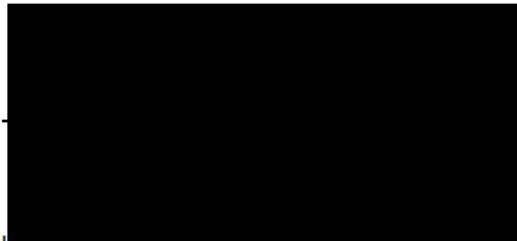
(2) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) based on the applicant's length/quality of service, combat service, post-service accomplishments, and the fact that the applicant was pulled from treatment for deployment. Accordingly, the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JKN.

(3) The RE code will change 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

**Authenticating Official:**



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

