

1. Applicant's Name: [REDACTED]**a. Application Date:** 2 January 2021**b. Date Received:** 19 January 2021**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:****a. Applicant's Requests and Issues:**

(1) The current characterization of service for the period under review is General (Under Honorable Conditions). The applicant requests a change to Honorable and a change of the narrative reason for separation.

(2) The applicant seeks relief contending their General (Under Honorable Conditions) character of service and narrative reason for separation is hindering them from jobs that they would love to take so they can provide for their family. Since they have been out of the Army they had job offers from the police force to job offers overseas but they can't take these jobs because of their discharge.

(3) The death of their grandmother took a toll on them and they noticed their mental state began to fail. After reaching out several times to mental health to get some help with each time being a failed attempt, they decided to take matters into their own hands and self-medicated to ease the pain. They were able to get diagnosed with Post Traumatic Stress Disorder (PTSD).

(4) They take full responsibility for their actions and the decision they made but they don't want that one bad decision to define who they are as a person. They know they have the potential to right their wrong and make a difference if they are given a second chance to do so. They are not the person they used to be, and they have been able to take the time to grow and learn from their bad decision.

b. Board Type and Decision: In a records review conducted on 09 July 2025, and by a 5-0 vote, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable and 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. In a 4-1 vote, the Board directs a change to the re-entry code to 3. One Board member voted not to change the RE Code to RE-3 based on the applicant's drug abuse misconduct, and the Board member believed the misconduct is contrary to the Army values and does not warrant reenlistment.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Misconduct (Drug Abuse) / Army Regulations 635-200, Paragraph 14-12c(2) / JKK / RE-4 / General (Under Honorable Conditions)

b. Date of Discharge: 30 June 2017**c. Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 24 May 2017

(2) Basis for Separation: wrongfully used marijuana between on or about 27 May 2016 to on or about 27 June 2016 and between on or about 23 August 2016 to on or about 22 September 2016.

(3) Recommended Characterization: Under Other Than Honorable Conditions

(4) Legal Consultation Date: 30 May 2017

(5) Administrative Separation Board: on 30 May 2017, 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: 21 June 2017 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 1 October 2015 / 4 years

b. Age at Enlistment / Education / GT Score: 26 / HS Diploma / 90

c. Highest Grade Achieved / MOS / Total Service: E-5 / 88M1O, Motor Transport Operator / 6 years, 8 months, 27 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: SWA / Afghanistan (20 March 2012 – 2 December 2012), Kuwait (25 July 2015 – 14 April 2016)

f. Awards and Decorations: ACM-CS, ARCOM, AAM-4, AGCM, NDSM, GWTEM, GWTSMD, ASR, OSR-2, NATOMDL

g. Performance Ratings:

- 1 August 2014 – 31 July 2015 / Fully Capable
- 1 August 2015 – 30 July 2016 / Qualified
- 31 July 2016 – 31 October 2016 / Not Qualified

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Form 2627 (Record of Proceedings under Article 15, Uniform Code of Military (UCMJ)) dated 30 August 2016 reflects the applicant received nonjudicial punishment, in that they, did, at or near Fort Story, VA, between on or about 27 May 2016 to on or about 27 June 2016, wrongfully use Marijuana, a schedule I controlled substance, in violation of Article 112a, UCMJ. The applicant's punishment consisted of a reduction in rank/grade from sergeant/E-5 to specialist/E-4, forfeiture of \$1,191.00 pay for two months and extra duty and restriction for 45 days.

(a) The applicant elected to appeal and to submit additional matters. They stated they take full responsibility for what they did and own up to their mistakes because they knew it was wrong. They don't agree with the battalion commander's deducting \$1,191.00 pay for two

months and the 45 days of restriction, due to the fact that they have to take care of their family. They have served for five years, have deployed twice and they think they deserve a second chance.

(b) On 14 September 2016 the reviewing judge advocate, having considered the appeal states the proceedings were conducted in accordance with law and regulation and the punishments imposed were not unjust nor disproportionate to the offense committed.

(c) On 26 September 2016 the applicant's brigade commander, after consideration of all matters presented in the appeal, denied the applicant's appeal.

(2) A DA Form 2166-9-1 (NCO Evaluation Report) covering the period 31 July 2016 through 31 October 2016, reflects in –

- Part IV(c) (Character) – “DID NOT MEET STANDARD,” lacked personal courage which resulted in a failure to adhere to Army Values and Army Regulation 600-85 (Army Substance Abuse Program (ASAP)), by abusing a controlled substance
- Part IV(e) (Intellect) – “DID NOT MEET STANDARD,” lacked the sound judgment of an NCO by abusing an illegal controlled substance and violating Army Regulation 600-85; failed to look for assistance and mentoring when confronted with difficult decisions
- Part IV(f) (Leads) – “DID NOT MEET STANDARD,” failed to lead [Applicant's] Soldiers by example and follow Army regulations; displayed inability to communicate with Soldiers, peers and superiors to inform them of [Applicant's] substance abuse issue; lost the trust of other NCOs and Officers after lacking the moral courage to follow Army Regulation 600-85 or self-enroll in ASAP
- Rater Overall Performance – exhibited lack of mental discipline to follow Army regulations and uphold Army Values; demonstrated a poor example for subordinates by abusing an illegal substance
- Part V (Senior Rater – Overall Potential) – “NOT QUALIFIED,”
 - [Applicant] does not possess the ability to succeed in roles of increased responsibility
 - Do not promote [Applicant]
 - Do not assign [Applicant] to challenging positions and consider Soldier for separation from service
 - Soldier does not reflect loyalty to the command

(3) A DA Form 3822 (Report of Mental Status Evaluation) dated 30 March 2017, reflects the applicant is fit for duty, including deployment. Section IV (Diagnoses) reflects behavioral health diagnoses of Cannabis Use, Uncomplicated. The behavioral health provider comments a review of medical records indicates evaluation/treatment with Substance Use Disorder Clinical Care from 22 July 2016 to present for Cannabis Abuse. There are no indications of extenuating circumstances in terms of behavioral health issues that contributed significantly to applicant's cannabis use. The applicant is cleared psychologically for separation from the Army by paragraph 14-12c process. There is no evidence that the applicant has any current psychiatric issues which are medically unacceptable or that should preclude the chapter 14 separation. The applicant is cleared psychologically for separation from the Army.

(4) A DD Form 2808 (Report of Medical Evaluation) dated 4 April 2017 reflects the examining physician marked “Normal” for all items examined, except for item 34 (Lower Extremities) and item 35 (Feet); the applicant is qualified for service with no physical profile; and lists diagnoses of right knee injury, insomnia and depression.

(5) A memorandum, 119th Inland Cargo Transfer Company, 11th Transportation Battalion, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct – Abuse of Illegal Drugs, (Applicant), undated, reflects the applicant received notification of the initiation of separation action against them from their company commander for Misconduct – Abuse of Illegal Drugs. The reason for the proposed separation action is described above in paragraph 3c(2). The company commander recommended the applicant receive a Under Other Than Honorable Conditions discharge. On 24 May 2017 the applicant acknowledged receipt of their notification of separation and of the rights available to them.

(6) In the applicant's memorandum, subject: Election of Rights Regarding Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], the applicant acknowledged they have been advised their consulting counsel of the basis for the contemplated action to separate them under Army Regulation 636-200, paragraph 14-12c(2), and its effects, of the rights available to them; and the effect of any action taken by them in waiving their rights. They requested consideration of their case by an administrative separation board, requested consulting counsel, and requested a personal appearance before an administrative separation board. They elected not to submit statements in their own behalf. They understand they may expect to encounter substantial prejudice in civilian life if a General (Under Honorable Conditions) discharge is issued to them. They further understand that as the result of issuance of a discharge Under Other Than Honorable Conditions, they may be ineligible for many or all benefits as a veteran under both Federal and State laws. The applicant indicated they do believe they suffer from PTSD or Traumatic Brain Injury (TBI) as a result of deployment overseas in support of a contingency operation during the previous 24 months.

(7) In the applicant's memorandum, subject: Conditional Waiver of Administrative Separation Board under Army Regulation 635-200, Paragraph 14-12c, [Applicant], dated 30 May 2017, reflects the applicant voluntarily waived consideration of their case by an administrative separation board contingent upon them receiving a characterization of service or description of separation no less favorable than General (Under Honorable Conditions). They are signing this acknowledgement on their own free will and have not been subjected to any coercion whatsoever by any person, and only after consulting with legal counsel.

(8) A memorandum, 119th Inland Cargo Transfer Company, 11th Transportation Battalion, subject: Commander's Report – Proposed Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], undated, reflects the company commander's recommendation to separate the applicant from the U.S. Army prior to the expiration of their current term of service. The commander states the applicant was given a Field Grade Article 15 on 6 September 2016 for wrongfully using Marijuana. Additionally, the applicant was given a Field Grade Article 15 on 2 February 2017 [not in evidence for review] for wrongfully using Marijuana. The applicant was found guilty of all specifications and was adjudged a reduction to private/E-1 and forfeiture of \$799.00 pay for two months. The commander does not consider it feasible or appropriate to accomplish other disposition as "Good Soldiers don't do drugs."

(9) A memorandum, 11th Transportation Battalion, 7th Transportation Brigade (Expeditionary), subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], undated, reflects the battalion commander's recommendation to separate the applicant from the U.S. Army prior to the expiration of their current term of service. The battalion commander recommended the applicant's service be characterized as General (Under Honorable Conditions).

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20210006026

(10) A memorandum, Headquarters, 7th Transportation Brigade (Expeditionary), subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], dated 21 June 2017, reflects the separation authority reviewed the separation packet of the applicant and directed the applicant be separated from the Army prior to the expiration of their current term of service. The commander directed the applicant's service be characterized as General (Under Honorable Conditions). The commander determined the rehabilitative requirements of Army Regulation 635-200, paragraph 1-16 does not apply to this case.

(11) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged on 30 June 2017, with 6 years, 8 months, and 27 days of net active service this period. The DD Form 214 shows in –

- item 4a (Grade, Rate or Rank) – Private
- item 4b (Pay Grade) – E-1
- item 12i (Effective Date of Pay Grade) – 2 February 2017
- item 13 (Remarks) – in part, MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions)
- item 26 (Separation Code) – JKK
- item 27 (Reentry Code) – 4
- item 28 (Narrative Reason for Separation) – Misconduct (Drug Abuse)

i. Lost Time / Mode of Return: NA

j. Behavioral Health Condition(s):

(1) Applicant provided: Department of Veterans Affairs (VA) Electronic Medical Documentation reflecting diagnoses of PTSD, Major Depressive Disorder, Bipolar Disorder, and Cannabis Use Disorder.

(2) AMHRR Listed: DA Form 3822 (Report of Mental Status Evaluation) reflecting diagnosis of Cannabis Dependence and Intermittent Explosive Disorder.

5. APPLICANT-PROVIDED EVIDENCE:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States), with statement
- Excerpts of AMHRR documents
- VA Medical Record File
- Civilian Training Certificates
- College Transcripts
- VA Summary of Benefits Letter
- Five 3rd Party Statements

6. POST SERVICE ACCOMPLISHMENTS: College Coursework and Civilian Training Certificates

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

a. Title 10, U.S. Code, Section 1553, (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, Title 10, U.S. Code, Section 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 (DoD) 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; Title 10, U.S. Code, Section 1553; and DoD Directive 1332.41 and DoD Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), 19 December 2016, set policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

(1) 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.

(2) 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.

(3) A Under Other Than Honorable Conditions Discharge is an administrative separation from the Service under conditions other than honorable. It may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court-martial.

(4) Paragraph 1-16 (Counseling and Rehabilitative Requirements) stated Army leaders at all levels must be continually aware of their obligation to provide purpose, direction, and motivation to Soldiers. It is essential that Soldiers who falter, but have the potential to serve honorably and well, be given every opportunity to succeed. The rehabilitative transfer requirements in chapter 14 may be waived by the separation authority in circumstances where common sense and sound judgment indicate that such transfer will serve no useful purpose or produce a quality Soldier.

(5) Chapter 14 (Separation for Misconduct) established policy and prescribed procedures for separating members for misconduct. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. Paragraph 14-12c(2) (Abuse of Illegal Drugs is Serious Misconduct), stated, however; 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. 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) Chapter 15 (Secretarial Plenary Authority), currently in effect, provides explicitly for separation under the prerogative of the Secretary of the Army. Secretarial plenary separation authority is exercised sparingly and seldom delegated. Ordinarily, it is used when no other provision of this regulation applies, and early separation is clearly in the Army's best interest. Separations under this paragraph are effective only if approved in writing by the Secretary of the Army or the Secretary's approved designee as announced in updated memoranda. Secretarial separation authority is normally exercised on a case-by-case basis.

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, paragraph 12c(2), 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 DoD Instructions 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:

(1) 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.

(2) 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.

(3) 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.

g. Army Regulation 600-85 (Army Substance Abuse Program (ASAP)) governs the program and identifies Army policy on alcohol and other drug abuse, and responsibilities. The ASAP is a command program that emphasizes readiness and personal responsibility. The ultimate decision regarding separation or retention of abusers is the responsibility of the Soldier's chain of command. Abuse of alcohol or the use of illicit drugs by military personnel is inconsistent with Army values and the standards of performance, discipline, and readiness necessary to accomplish the Army's mission. Unit commanders must intervene early and refer all Soldiers suspected or identified as alcohol and/or drug abusers to the ASAP. The unit commander should recommend enrollment based on the Soldier's potential for continued military service in terms of professional skills, behavior, and potential for advancement.

h. Manual for Courts-Martial, United States (2019 Edition) stated, military law consists of the statutes governing the military establishment and regulations issued thereunder, the constitutional powers of the President and regulations issued thereunder, and the inherent authority of military commanders. Military law includes jurisdiction exercised by courts-martial and the jurisdiction exercised by commanders with respect to nonjudicial punishment. The purpose of military law is to promote justice, to assist in maintaining good order and discipline in the Armed Forces. Appendix 12 (Maximum Punishment Chart) Manual for Courts-Martial shows the maximum punishments include punitive discharge for violating Article 112a (Wrongful Use, Possession, etc., of Controlled Substances).

i. Title 38, U.S. Code, Sections 1110 and 1131, permits the VA to award compensation for a medical condition which was incurred in or aggravated by active military service. The VA, however, is not required by law to determine medical unfitness for further military service. The VA, in accordance with its own policies and regulations, awards compensation solely on the basis that a medical condition exists and that said medical condition reduces or impairs the social or industrial adaptability of the individual concerned. Consequently, due to the two concepts involved, an individual's medical condition, although not considered medically unfitting for military service at the time of processing for separation, discharge, or retirement, may be sufficient to qualify the individual for VA benefits based on an evaluation by the agency.

8. SUMMARY OF FACT(S):

a. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

b. A review of the available evidence provides the applicant received nonjudicial punishment under the provisions of Article 15, UCMJ, in violation of Article 112a, UCMJ and they were involuntary separation from the Army. The applicant's DD Form 214 indicates their discharge under the provisions of Army Regulation 635-200, paragraph 14-12c(2), by reason of Misconduct (Drug Abuse), with a characterization of service of General (Under Honorable Conditions). The applicant completed 6 years, 8 months, and 27 days of net active service this period and completed their first full term of service, however, their 1 October 2015 reenlistment document is not in evidence for review to determine their reenlistment obligation.

c. Chapter 14 establishes policy and prescribes procedures for separation members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, commission of a serious offense and convictions by civil authorities. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. 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. Characterization of service as honorable is not authorized unless the Soldier's record is otherwise so meritorious that any other characterization clearly would be inappropriate. An honorable characterization of service is generally required when the Government initially introduces limited-use evidence.

d. The applicant's AMHRR reflects documentation of a diagnoses of Cannabis Use; however, their AMHRR does not reflect a diagnosis of PTSD. The applicant provided VA Electronic Medical Documentation reflecting diagnoses of PTSD, Major Depressive Disorder, Bipolar Disorder, and Cannibals Use Disorder.

e. Published Department of Defense guidance indicates that the guidance is not intended to interfere or impede on the Board's statutory independence. The Board will determine the relative weight of the action that led to the discharge and whether it supports relief or not. In reaching its determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

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 (70%SC), MDD. [Note-diagnosis of IED is subsumed under diagnosis of MDD.]

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found VA service connection for PTSD with associated MDD (70%SC) establishes nexus with active military service.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that the applicant has two mitigating BH conditions, PTSD and MDD. As there is an association between PTSD, MDD and self-medication, there is nexus between their diagnosis of PTSD, MDD and wrongful use of marijuana.

(4) Does the condition or experience outweigh the discharge? **Yes.** Based on liberally considering all the evidence before the Board, the ADRB determined that the condition or experience outweighed the basis of separation.

b. Prior Decisions Cited: None

c. Response to Contention(s): None

d. The Board determined the discharge is inequitable based on the applicant's Post Traumatic Stress Disorder (PTSD), MDD and self-medication outweighed the applicant's wrongful use of marijuana basis of separation. Additionally, the Board noted the applicant possesses length and quality of service, combat and post-service accomplishments. Therefore, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable and 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 with an Reentry code of 3.

e. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Post Traumatic Stress Disorder outweighed the applicant's misconduct of marijuana abuse. 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 rationale, 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 change to RE-3.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

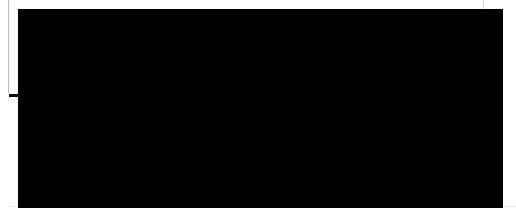
AR20210006026

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order: Yes
- b. Change Characterization to: Honorable
- 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:

7/17/2025



Legend:

AWOL – Absent Without Leave
AMHRR – Army Military Human
Resource Record
BCD – Bad Conduct Discharge
BH – Behavioral Health
CG – Company Grade Article 15
CID – Criminal Investigation
Division
ELS – Entry Level Status
FG – Field Grade Article 15

GD – General Discharge
HS – High School
HD – Honorable Discharge
IADT – Initial Active Duty Training
MP – Military Police
MST – Military Sexual Trauma
N/A – Not applicable
NCO – Noncommissioned Officer
NIF – Not in File
NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
OBH (I) – Other Behavioral
Health (Issues)
OMPF – Official Military
Personnel File
PTSD – Post-Traumatic Stress
Disorder
RE – Re-entry
SCM – Summary Court Martial
SPCM – Special Court Martial

SPD – Separation Program
Designator
TBI – Traumatic Brain Injury
UNC – Uncharacterized
Discharge
UOTHC – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs