

1. Applicant's Name:

- a. **Application Date:** 30 December 2020
- b. **Date Received:** 16 February 2021
- c. **Counsel:** None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

a. **Applicant's Requests and Issues:** The current characterization of service for period under review is Under Other than Honorable Conditions. The applicant requests an upgrade to Honorable and their separation code changed.

b. The applicant seeks relief contending, they have never been an issue in the military prior to this and earned two Army Good Conduct Medals, as well as two Honorable Discharge Certificates, prior to being discharged.

c. **Board Type and Decision:** In a records review conducted on 27 March 2024, and by a 5-0 vote, the Board denied the request upon finding the separation was both proper and equitable.

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** In Lieu of Trial by Court-Martial / AR 635-200, Chapter 10 / KFS / RE-4 / Under Other than Honorable Conditions

b. **Date of Discharge:** 22 May 2018

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** NIF

(2) **Basis for Separation:** Pursuant to the applicant's request for voluntary discharge provision of AR 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

(3) **Recommended Characterization:** NIF

(4) **Legal Consultation Date:** 12 April 2018

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

(6) **Separation Decision Date / Characterization:** undated / Under Other than Honorable Conditions

4. SERVICE DETAILS:

a. **Date / Period of Enlistment:** 5 January 2016 / 6 years (2nd reenlistment)

b. **Age at Enlistment / Education / GT Score:** 25 / Some College / 97

c. **Highest Grade Achieved / MOS / Total Service:** E-6 / 91B10 2B Wheeled Vehicle Mechanic / 7 years, 11 months

d. Prior Service / Characterizations:

- RA (13 January 2010 – 9 March 2012) / HON
- RA (10 March 2012 – 4 January 2016) / HON

e. Overseas Service / Combat Service:

- Hawaii / None (24 June 2010 – 4 August 2013)
- SWA / Afghanistan (21 January – 18 December 2012)

f. Awards and Decorations: ARCOM-2, AAM-3, AGCM-2, MDSM, ACM-CS, GWTSM, NOPDR, ASR, OSR, NATO Medal, COA, AIR ASLT, DMB-DWV

g. Performance Ratings:

- SGT (3 May – 9 October 2016) / Qualified
- SSG (10 October 2016 – 18 October 2017) / Qualified (Substantiated SHARP violation)

h. Disciplinary Action(s) / Evidentiary Record:

(1) On 28 September 2009, the applicant enlisted in the United States Army Reserve's Delayed Entry Program; on 13 January 2010, they enlisted in the Regular Army for 3 years and 25 weeks as an PVT. Although missing from the record, on 10 March 2012, the applicant completed their first reenlistment. On 5 January 2016, the applicant reenlisted for 6 years as a SGT.

(2) The Enlisted Record Brief provides on 1 October 2017, the applicant promoted to SSG; they served three years in Hawaii from (2010 – 2013), deploying to Afghanistan in support of Operation Enduring Freedom (OEF) for one year. They have earned numerous awards including two Army Commendation Medals, three Army Achievement Medals, and the Afghanistan Campaign Medal with campaign star. On 4 December 2017 and 10 January 2018, they were flagged, Suspend Favorable Personnel Actions (FLAG), for commander's investigation (LA) and adverse action (AA).

(3) On 12 December 2017, the preliminary investigating officer provides in their findings and recommendations, the applicant attempted to fraternize and sexually harass SPC [redacted] and fraternized with SPC [redacted].

(a) The applicant was found in violation of Article 134, UCMJ, by attempting to establish a personal relationship with SPC [redacted] between 7 – 9 November. The applicant denied having talked with them about non-work related conversations and attempted seeking a relationship with them, stating they had a hard time distinguishing their personal life with work and is very openly vocal in the workplace in general.

(b) The applicant was found in violation of Article 93, UCMJ, by sexually harassing SPC [redacted] between 7 – 9 November; in violation of Article 134, UCMJ, by fraternizing and committing adultery between 11 and 26 November. SPC admitted to the brief relationship began with text conversations, discussing the applicant's marital problems. When SPC wanted to end the conversation, the applicant brought up their depression and sent SPC pictures of their personal firearms, threatening suicide. SPC told the applicant what they were doing was not professional and SPC cared about their career. While on staff duty with two other SPCs, the

applicant hinted heavily towards a type of relationship with SPC. The applicant asked SPC [redacted] to come to staff duty multiple times and they eventually did. SPC [redacted] admitted the applicant to them to the conference room. They stated they did not want to have sex with the applicant but the applicant convinced them to do it. The applicant told several Soldiers they had sex in battalion, the applicant's truck, SPC [redacted] car, and the applicant's bed. SPC [redacted] asked the applicant not to bother them anymore but the applicant still kept talking to them and throwing stuff at them during work. The relationship became an open secret in the motor pool due to the applicant's bragging, their public displays of affection, and possible favoritism. Another SPC noted the applicant would chase SPC [redacted] around the motor pool, touching their sides. The applicant seemed to favor them more than any of the other Soldiers. The applicant denied seeing SPC [redacted] while on staff duty and clarified they sent them a picture, while cleaning their weapon with no intention of harming themselves or others. The applicant admitted to having personal conversations with SPC [redacted] because they were Pacific Islander, like their spouse.

(c) The applicant was found in violation of Article 134, UCMJ, for obstructing justice between 26 November and 7 December, ordering both SPC [redacted] and SPC [redacted] to delete their text conversations with the applicant and threatened to beat a group of Soldiers if the applicant found out one of them told.

(d) Six sworn statements provide further details of the case.

(4) On 28 March 2018, the applicant was charged with two specifications in violation of Article 92, UCMJ, for wrongfully sending inappropriate text messages to SPC [redacted] and for engaging in an inappropriate relationship with SPC [redacted]; two specifications in violation of Article 107, for a false official statement, to wit: "Did not tell anyone to delete any messages" and "Did not see [redacted] while on staff duty"; four specifications in violation of Article 134, for wrongfully having sexual intercourse with SPC [redacted], a person not their spouse, wrongfully having sexual intercourse with SPC [redacted] in the battalion conference room, wrongfully attempting to impede an investigation in the case of themselves, and for wrongfully attempting to impede an adverse administrative proceedings in the case of themselves. Charges were referred.

(5) On 12 April 2018, after consulting with counsel, the applicant voluntarily requested discharge for the good of the service in lieu of trial by court-martial under the provisions of Army Regulations 635-200, chapter 10, discharge in lieu of trial by court-martial. In their request, they affirmed no one had subjected them to coercion, and counsel had advised them of the implications of their request. The applicant further acknowledged they were guilty of the charge against them or a lesser one and was advised they may submit a statement on their behalf.

(a) Defense counsel recommended approval of the applicant's voluntary discharge request, in lieu of their impending trial by court-martial, for the sake of their three children's future. They were in the process of a divorce and will be providing alimony and child support. This would prevent a federal conviction on their record, allowing the opportunity for them to apply for more reliable and better paying jobs. The applicant accepts responsibility for putting themselves in a situation where they are facing a federal conviction, a year in confinement, reduction to the grade of E-1, and a bad conduct discharge, however, they are concerned their punishment could have a disproportionate impact on their family. They have completed over eight years of active duty service and to this point, had no prior disciplinary or administrative infractions. Instated, the applicant has been a reliable and dedicated Soldier who deployed to Afghanistan for nearly 12 months (2012) and had hopes of serving for 20 years, as shown with their third reenlistment for six years. Their acceptance of another than honorable conditions is a harsh punishment and likewise equitably addresses the needs of their family who relies upon

them.

(b) On 16 April 2018, the company and battalion commanders concurred, recommending approval of the applicant's request. The appropriate approval authority approved the separation and directed the applicant be discharged with their serviced characterized as Under Other than Honorable Conditions and reduced to the lowest enlisted grade.

(c) On 16 May 2018, they were issued separation orders. A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 22 May 2018, with 8 years, 7 months, and 25 days of total service. The applicant has completed their first full term of service.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: Although the applicant indicated posttraumatic stress disorder (PTSD) on their application, they did not provide documentation to support their diagnosis.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293 (Application for the Review of Discharge); Two Honorable Discharge Certificates (9 March 2012 and 4 January 2016); Second Army Good Conduct Medal Award

6. POST SERVICE ACCOMPLISHMENTS: None submitted with this 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), dated 25 September 2019, 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 provides the basic authority for the separation of enlisted personnel.

(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) An Under other-than-honorable-conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court martial based on certain circumstances or patterns of behavior or acts or omissions that constitute a significant departure

from the conduct expected of Soldiers in the Army.

(4) Chapter 10, Discharge in Lieu of Trial by Court Martial is applicable to members who committed an offense or offenses for which the authorized punishment included a bad conduct or dishonorable discharge could submit a request for discharge for the good of the service. The request could be submitted at any time after the charges had been preferred. Although an honorable or general was authorized, an under other than honorable conditions discharge was considered appropriate, unless the record was so meritorious it would warrant an honorable. After receiving legal counseling, the soldier may elect to submit a request for discharge in lieu of trial by court-martial. The soldier will sign a written request, certifying that they have been counseled, understands their rights, and may receive a discharge under other than honorable conditions. The following will accompany the request for discharge:

- A copy of the court-martial Charge Sheet (DD Form 458)
- Report of medical examination and mental status evaluation, if conducted
- A complete copy of all reports of investigation
- Any statement, documents, or other matter considered by the commanding officer in making their recommendation, including any information presented for consideration by the soldier or consulting counsel.
- A statement of any reasonable ground for belief that the soldier is, or was at the time of misconduct, mentally defective, deranged, or abnormal. When appropriate, evaluation by a psychiatrist will be included.

(5) Chapter 15 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 "KFS" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

f. Army Regulation 601-210, Regular Army, and Reserve Components Enlistment Program, governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes:

(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. Manual for Courts-Martial (2016 Edition), United States, states 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 orders and discipline in the Armed Forces.

(1) Article 92 (violation of failure to obey a general order or regulation) states in subparagraph the maximum punishment consists of a dishonorable discharge, forfeiture of all pay and allowances, and confinement for one year.

(2) Article 107 (false official statements) states in subparagraph, the maximum punishment consists of dishonorable discharge, forfeiture of all pay and allowances, and confinement for five years.

(3) Article 134 (adultery; fraternization; obstructing justice) states in subparagraph, the maximum punishment for adultery consists of dishonorable discharge, forfeiture of all pay and allowances, and confinement for one year; for fraternization is dismissal, forfeiture of all pay and allowances, and confinement for two years; for obstructing justice is dishonorable discharge, forfeiture of all pay and allowances, and confinement for five years.

8. SUMMARY OF FACT(S): The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

a. The applicant requests an upgrade to Honorable and their separation code changed. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. A review of the available evidence provides the applicant was on their second reenlistment, at the time, with 5 years, 11 months, and 23 days of active duty service. They deployed to Afghanistan for a one year tour, promoted to SSG, and received various recognitions, including two Army Commendation Medals, three Army Achievement Medals, two Army Good Conduct Medals, and their Afghanistan Campaign Medal with campaign star. They were flagged, Suspend Favorable Personnel Actions (FLAG), for a commander's investigation (LA) and adverse action (AA).

(1) In December 2017, the investigation determined the applicant's negative conduct resulted in a substantiated SHARP complaint. Charges were referred for special court-martial for the applicant wrongfully sending inappropriate text messages to SPC [redacted]; engaging in an inappropriate relationship with SPC [redacted]; for two specifications of having made false official statements; and four specifications for wrongfully having sexual intercourse with SPC [redacted] (a person who is not their spouse), wrongfully having sexual intercourse with SPC [redacted] in the battalion conference room; wrongfully attempted to impede an investigation on themselves, and wrongfully attempted to impede an adverse administrative proceeding in their own case.

(2) As a result of the charges and after consulting with counsel, the applicant requested to be voluntarily discharged in lieu of trial by court-martial with no indication on if they submitted a statement on their behalf. Defense counsel recommended the applicant's voluntary discharge request be approved in lieu of their impending trial by court-martial, for the sake of their three children's future. They were in the process of a divorce and will be providing alimony and child support. This would prevent a federal conviction on their record, allowing the opportunity for them to apply for more reliable and better paying jobs. The applicant accepts responsibility for putting themselves in a situation where they are facing a federal conviction, a year in confinement, reduction to the grade of E-1, and a bad conduct discharge, however, they are concerned their punishment could have a disproportionate impact on their family. They have completed over eight years of active duty service and to this point, had no prior disciplinary or administrative infractions. Instated, the applicant has been a reliable and dedicated Soldier who deployed to Afghanistan for nearly 12 months (2012) and had hopes of serving for 20 years, as shown with their third reenlistment for six years. Their acceptance of an other than honorable conditions is a harsh punishment and likewise equitably addresses the needs of their family who relies upon them.

(3) The record is void of a medical and/or mental status examination, although, not required for a voluntary discharge request, this can be requested by the Soldier.

c. Army Regulation 635-200 states Chapter 10 is a voluntary discharge request in-lieu of trial by court-martial. A discharge under other than honorable conditions normally is appropriate for a soldier who is discharge in lieu of trial by court-martial. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record during the current enlistment. For Soldiers who have completed entry-level status, characterization of service as honorable is not authorized unless the Soldier's record is otherwise so meritorious that any other characterization clearly would be improper.

d. 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: Adjustment DO with mixed anxiety and depressed mood; Depressive DO; GAD.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found that the diagnoses of Adjustment DO with mixed anxiety and depressed mood and Depressive DO were made while on active duty. VA service connection for GAD establishes it occurred or began during active duty.

(3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that there are no

mitigating BH conditions. While the applicant has been diagnosed with Adjustment DO, Depression and Generalized Anxiety DO, none of these conditions mitigates his offenses of fraternization, sexual harassment, adultery, obstruction of justice, or wrongful impeding of an investigation/administrative proceedings as none of these diagnoses affect one's ability to distinguish right from wrong and act in accordance with the right.

(4) Does the condition or experience outweigh the discharge? **No.** Based on liberally considering all the evidence before the Board, the ADRB determined that the BH condition did not outweigh the basis of separation - (Inappropriate relationship, adultery, sexual harassment, false official statement).

b. Response to Contention(s):

(1) Defense counsel recommended approval of the applicant's voluntary discharge request, in lieu of their impending trial by court-martial, for the sake of their three children's future. They were in the process of a divorce and will be providing alimony and child support. This would prevent a federal conviction on their record, allowing the opportunity for them to apply for more reliable and better paying jobs. The applicant accepts responsibility for putting themselves in a situation where they are facing a federal conviction, a year in confinement, reduction to the grade of E-1, and a bad conduct discharge, however, they are concerned their punishment could have a disproportionate impact on their family. They have completed over eight years of active duty service and to this point, had no prior disciplinary or administrative infractions. Instated, the applicant has been a reliable and dedicated Soldier who deployed to Afghanistan for nearly 12 months (2012) and had hopes of serving for 20 years, as shown with their third reenlistment for six years. Their acceptance of another than honorable conditions is a harsh punishment and likewise equitably addresses the needs of their family who relies upon them.

This contention was considered during the Board proceedings along with the totality of the applicant's records but the Board determined that these factors did not outweigh the applicant's specific misconduct- (Inappropriate relationship, adultery, sexual harassment, and false official statement).

(2) The applicant contends, they have never been an issue in the military prior to this and earned two Army Good Conduct Medals, as well as two Honorable Discharge Certificates, prior to being discharged.

This contention was considered during the Board proceedings along with the totality of the applicant's records but the Board determined that these factors did not outweigh the applicant's specific misconduct- (Inappropriate relationship, adultery, sexual harassment, and false official statement).

c. The Board determined that the discharge is, at this time, proper and equitable, in light of the current evidence of record. However, the applicant may request a personal appearance hearing to address the 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.

d. Rationale for Decision:

(1) The Board voted not to change the applicant's characterization of service because, there are no mitigating BH conditions. None of the conditions mitigate the offenses of Fraternization, Sexual harassment, adultery, obstruction of justice, or wrongful impeding an investigation/administrative proceeding. The Board considered the applicant's statement, record of service, the frequency and nature of misconduct, and the reason for separation. The Board found insufficient evidence of in-service mitigating factors and concurred with the conclusion of the medical advising official that the applicant does not have a BH condition that mitigates the applicant's misconduct. Based on a preponderance of evidence, the Board determined that the reason for the applicant's separation and the character of service the applicant received upon separation were proper and equitable.

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

(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order:** No
- b. Change Characterization to:** No change
- c. Change Reason / SPD code to:** No change
- d. Change RE Code to:** No change
- e. Change Authority to:** No change

Authenticating Official:

4/3/2024

X

Presiding Officer, COL, U.S. ARMY
Army Discharge Review Board

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