

1. Applicant's Name: [REDACTED]**a. Application Date:** 31 August 2020**b. Date Received:** 8 March 2021**c. Counsel:** [REDACTED]**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 an upgrade to honorable, change the narrative reason for separation to "Secretarial Authority," and a change of their separation code and reentry code.

(2) The applicant, through counsel, seeks relief contending this request is made for reasons of propriety and equity. They served honorably and with distinction for much of their career, attaining the rank/grade of specialist/E-4. They also deployed 9 months to Afghanistan. Unfortunately, they began to experience family stress, coupled with their unknown medical condition which lead to disciplinary issues for repeatedly failing to arrive on time and not reporting their whereabouts. Their mental state became progressively worse and they were diagnosed with depression with suicidal thoughts and was placed in in-patient care. Their mental state became progressively worse and they were diagnosed with adjustment disorder. As a result of frequent incidents of misconduct and there worsening mental and physical condition, their chain of command initiated administrative separation proceedings. They were discharged from the U.S. Army with a general (under honorable conditions) character of service.

(3) Their chain of command made a material error of discretion regarding their discharge when they did not make an adequate effort to rehabilitate them. At the time of their discharge they were clearly struggling from family and marriage stress. It is clear they were rushed through the discharge process without a concern of their mental well-being or allowed to seek the mental health counseling they needed.

(4) In addition to their honorable service, they have continued to seek to better themselves. They are currently pursuing their bachelor's degree and maintains a 3.5 grade point average with a projected graduation date of May 2020.

(5) During their separation process, many fellow Soldiers, including peers and direct supervisors wrote letter of support on their behalf attesting to their character. In addition, many people from their current community have written letters of support.

(6) The evidence provided shows their service was honorable for nearly 4 years. Unfortunately, marriage and family stress overwhelmed them during the last months of their military career. However, their chain of command did little to rehabilitate them. Despite these unfortunate facts, it is undeniable that their conduct post-service has showed marked improvements as a model citizen.

b. Board Type and Decision: In a records review conducted on 13 November 2024, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's PTSD

mitigating the applicant's Failures to Report (FTRs) to duty and disobeying the chain of command leadership, the accepted basis for separation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, paragraph 14-12a. Accordingly, the narrative reason for separation was changed to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnosis warranting consideration prior to reentry of military service.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Pattern of Misconduct / Army Regulation 635-200, Paragraph 14-12b / JKA / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 3 August 2015

c. Separation Facts: The applicant's case separation file is void of several documents from their Army Military Human Resource Record (AMHRR). However, the applicant provided several separation documents. The information in 3c(1) through (6) and 3h, were derived from those documents.

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

(2) Basis for Separation: failed to obey a lawful order and failed to report on divers occasions

(3) Recommended Characterization: NIF

(4) Legal Consultation Date:

(5) Administrative Separation Board: NIF

(6) Separation Decision Date / Characterization: 17 June 2015 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 20 March 2012 / 6 Years, 23 weeks

b. Age at Enlistment / Education / GT Score: 23 / Associate Degree / 103

c. Highest Grade Achieved / MOS / Total Service: E-4 / 92F1O, Petroleum Supply Specialist / 3 years, 4 months, 14 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: SWA / Afghanistan (5 December 2012 – 7 September 2013)

f. Awards and Decorations: ACM-CS, ARCOM, AAM, AGCM, NDSM, GWTSM, NCOPDR, ASR, OSR, MOVSM, NATOMDL

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Form 4856 (Developmental Counseling Form) dated 4 February 2015, reflects the applicant received counseling for Failure to Report. The applicant agreed with the information and signed the form on 23 February 2015.

(2) Two DA Forms 4856 dated 19 February 2015, reflects the applicant received counseling as they were released from a Medical Facility and for disrespect towards medical staff. The Key Points of Discussion is illegible. The applicant disagreed with the information and signed the forms.

(3) A DA Form 3349 (Physical Profile) dated 19 February 2015, reflects the applicant's medical conditions as depression with suicidal thoughts and was issued a 3-month temporary profile. Item 8 (Functional Limitations and Capabilities and Other Comments), the profiling officer states the applicant has anxiety, depression, and difficulty sleeping. They have reported suicidal thoughts. They should not have access to personal or military weapons and should be monitored for safety. They have been prescribed psychoactive medications.

(4) A DA Form 3349 dated 17 March 2015 reflects the applicant's medical condition as adjustment disorder with disturbances in emotions and conduct, factitious disorder with predominantly physical signs, ruled out hypochondriasis and was issued a 3-month temporary profile.

(5) Four DA Forms 4856, dated 20 March 2015, reflects the applicant received counseling for failure to update address and contact information, failure to be at appointed place of duty, failure to adhere to medical profile, and disobeying an order. The Key Points of Discussion on the forms are illegible. The applicant disagreed with the information and signed the forms.

(6) A Standard Form 600 (Chronological Record of Medical Care) titled: Veterans Health Administration (VHA) Traumatic Brain Injury (TBI) Clinical Reminder and Screening Tool, undated, reflects the applicant's checked responses to experiencing a blast or explosion, a vehicular/crash, and a fall during their deployment. They checked being dazed, confused or "seeing stars," and a head injury immediately afterwards. Afterwards they checked the following conditions began or got worse; memory problems or lapses, sensitivity to bright light, irritability, and sleep problems. In the past week they checked they have had the same symptoms as described previously.

(7) A DD Form 2807-1 (Report of Medical History) dated 8 May 2015 reflects the applicant checked "Yes" to the question "Have you ever had or do you now have:" to multiple conditions to include, frequent trouble sleeping, depression or excess worrying, and been evaluated or treated for mental condition. Item 30 (Examiner's Summary and Elaboration of All Pertinent Data) the examiner stated the applicant is seeing behavior health on regular basis for these conditions. [Note: the examiner's signature block with date are not in evidence for review.]

(8) A DA Form 3822 (Report of Mental Status Evaluation) dated 12 May 2015 reflects the applicant is fit for duty, can understand and participate in administrative proceedings, can appreciate the difference between right and wrong, and meets medical retention standard (i.e., does not qualify for a Medical Evaluation Board).

- Section V (Diagnoses) reflects the applicant's diagnoses as Factitious Disorder per medical record, Adjustment Disorder with Disturbance of Emotions and Conduct
- Section VI (Proposed Treatments) reflects "None"
- Section VIII (Additional Comments) reflects –
 - the applicant screened positive for Post Traumatic Stress Disorder (PTSD)
 - the applicant screened negative for TBI
 - it is the professional opinion of the undersigned the applicant will not respond to command efforts at rehabilitation or and behavioral health treatment methods currently available in the military
- Remarks Section, the behavioral health provider stated the applicant is cleared from a psychiatric perspective for administrative separation, applicant screened positive for PTSD; however, they have recently been evaluated for PTSD and found not to have the diagnosis

(9) DD Form 2808 (Report of Medical Examination) dated 20 May 2015 reflects the examining physician marked "Normal" for all medical conditions and for item 40 (Psychiatric). [Note: pages 3 and 4 are not in evidence for review.]

(10) A DA Form 4856 dated 19 June 2015 reflects the applicant received counseling, from their detachment commander, with notification of involuntarily separation from the military. The Key Points of Discussion states on 19 March 2015, the applicant disregarded a direct order to contact [chain of command] if they went to any medical treatment facility. They were also instructed to contact their squad leader every 4 hours. The applicant failed to comply with these orders, in doing so, they violated Article 92 (Failure to Obey Order, Regulation) of the Uniform Code of Military Justice (UCMJ) and are being recommended for separation from the military. The applicant agreed with the information and signed the form.

(11) A memorandum, Delta Company, 501st Brigade Support Battalion, 1st Brigade Combat Team, 1st Armored Division, subject: Commander's Report – Proposed Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 16 July 2015, reflects the applicant's company commander's recommendation to separate them from the Army prior to the expiration of their current term of service. The company commander stated the factual reasons for the action recommended is the applicant failed to obey a lawful order and failed to report on divers occasions. The description of rehabilitation attempts reflect the applicant was counseled on multiple occasions. The company commander states they do not consider it feasible or appropriate to accomplish other disposition as the applicant has repeatedly shown they are unwilling to live within the UCMJ, they believe the applicant will continue to act out, and their behavior is based solely on whether they are getting what they want.

(12) A memorandum, 6th Squadron, 1st Cavalry Regiment, 1st Brigade Combat Team, 1st Armored Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 17 July 2015, reflects the applicant's squadron commander's recommendation to separate them from the Army prior to the expiration of their current term of service.

(13) A memorandum, 1st Brigade Combat Team, 1st Armored Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 17 July 2015, reflects the separation authority reviewed the separation packet of the applicant, and after careful consideration of all matters, directed the applicant be

separation prior to the expiration of their current term of service. The separation authority directed the applicant be separated with a General (Under Honorable Conditions) discharge.

(14) On 3 August 2015 the applicant was discharged from the Regular Army. Their DD Form 214 (Certificate of Release or Discharge from Active Duty) provides they completed 3 years, 4 months, and 14 days of net active service this period. Their DD Form 214 shows in:

- item 18 (Remarks) – MEMBER HAS NOT COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions
- item 25 (Separation Authority) – Army Regulation 635-200, Paragraph 14-12b
- item 26 (Separation Code) – JKA
- item 27 (Reentry Code) – 3
- item 28 (Narrative Reason for Separation) – Pattern of Misconduct

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s): None

(1) Applicant provided:

- Standard Form 600 – VHA TBI Clinical Reminder and Screening Tool, reflecting the applicant's checked responses for TBI experienced events and symptoms
- DD Form 2807-1, reflecting the examining physician's comment of the applicant being seen regularly for their mental health concerns
- two DA Form 3349, reflecting their medical conditions of depression with suicidal thoughts, Adjustment Disorder with disturbance in emotions and conduct, and Factitious Disorder with predominantly physical signs
- DA Form 3822, reflecting diagnoses of Factitious Disorder and Adjustment Disorder with disturbance of emotions and conduct

(2) AMHRR Listed: NIF

5. APPLICANT-PROVIDED EVIDENCE:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
 - Counsel's Brief in Support of Application for Discharge Upgrade, with exhibits – excerpts of AMHRR; Service Medical forms; The White House letter; College Transcript; twelve 3rd Party Statements

6. POST SERVICE ACCOMPLISHMENTS: additional coursework towards their Bachelor of Science in Aeronautical Science.

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 Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), dated 17 December 2009, 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) Chapter 1 (General Provisions) sets policies, standards, and procedures to ensure readiness and competency of the force while providing for the orderly administrative separation of Soldiers, it provides in pertinent part:

(a) When a separation is ordered, the approved proceedings will be sent to the commander who has the Soldier's records for separation processing. The original copy of the proceedings will be filed in the permanent part of the Soldiers official personnel record.

(b) 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. Except as otherwise indicated, commanders must make maximum use of counseling and rehabilitation before determining that a Soldier has no potential for further useful service and ensure it occurs prior to initiating separation proceedings for reason to include Minor Disciplinary Infractions (14-12a) or a Pattern of Misconduct (14-12b).

(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 14-12b (Pattern of Misconduct), stated, a pattern of misconduct consisting of one of the following – discreditable involvement with civil or military authorities, or discreditable conduct and conduct prejudicial to good order and discipline including conduct violating the accepted standards of personal conduct found in the UCMJ, Army regulations, the civil law, and time-honored customs and traditions of the Army.

(6) Paragraph 14-3 (Characterization of Service or Description of Separation) prescribed 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.

(7) 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 "JKA" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12b, (Pattern of Misconduct).

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. 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 the following Article 92 (Failure to Obey Order, Regulation).

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 an administrative irregularity in the proper retention of records, specifically the AMHRR is void of the case files for approved separation. The applicant provided evidence of facts and circumstances surrounding the pattern of misconduct they were discharged under the provision on Army Regulation 635-200, paragraph 14-12b. Their DD Form 214 provides they were discharged with a character of service of general (under honorable conditions) for a pattern of misconduct. They completed

3 years, 4 months, and 14 days of their 6-year, 23 week contractual obligation and did not complete their first full term of service.

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.

d. The applicant's AMHRR does not reflect documentation of a diagnosis of mental health condition. However, the applicant provided evidence of a diagnoses Factitious Disorder and Adjustment Disorder with disturbance of emotions and conduct. Their Report of Mental Status Evaluation reflect the behavioral health provider stated the applicant was cleared from a psychiatric perspective for administrative separation and meets retention standards. The applicant was screened negative for TBI and was recently evaluated for PTSD and found not to have the diagnosis.

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: the applicant held in-service diagnoses of Adjustment Disorder and Factitious Disorder with ongoing assessment for Personality Disorder and concern for Malingering. Post-service connected for PTSD.

(2) Did the condition exist, or experience occur during military service? **Yes.** The applicant held in-service diagnoses of Adjustment Disorder and Factitious Disorder with ongoing assessment for Personality Disorder and concern for Malingering. The trauma serving as the basis for the service-connected PTSD occurred in-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, irrespective of this advisor's concern for the accuracy or relation of the service-connected condition, the applicant's FTRs and disobeying the chain of command leadership, the accepted basis for separation, is mitigated by the applicant's PTSD diagnosis given the nexus between trauma, avoidance, and difficulty with authorities/others.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the applicant's PTSD outweighed the FTRs and disobeying the chain of command leadership basis for separation.

b. Response to Contention(s):

(1) The applicant contends this request is made for reasons of propriety and equity. They served honorably and with distinction for much of their career, attaining the rank/grade of specialist/E-4. They also deployed 9 months to Afghanistan. The Board recognizes and appreciates the applicant's willingness to serve and considered this contention during board proceedings along with the totality of the applicant's service record. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

(2) The applicant contends they began to experience family stress, coupled with their unknown medical condition which lead to disciplinary issues for repeatedly failing to arrive on time and not reporting their whereabouts. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

(3) The applicant contends their mental state became progressively worse and they were diagnosed with adjustment disorder. As a result of frequent incidents of misconduct and their worsening mental and physical condition, their chain of command initiated administrative separation proceedings. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

(4) The applicant contends their chain of command made a material error of discretion regarding their discharge when they did not make an adequate effort to rehabilitate them. It is clear they were rushed through the discharge process without a concern of their mental well-being or allowed to seek the mental health counseling they needed. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

(5) The applicant contends they have continued to seek to better themselves. They are currently pursuing their bachelor's degree and maintains a 3.5 grade point average with a projected graduation date of May 2020. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

(7) The applicant contends despite the unfortunate circumstances that lead to their discharge; it is undeniable that their conduct post-service has showed marked improvements as a model citizen. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD fully outweighing the applicant's FTRs and disobeying the chain of command leadership basis for separation.

c. The Board determined the discharge is inequitable based on the applicant's PTSD mitigating the applicant's FTRs and disobeying the chain of command leadership basis for separation. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200,

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20210007254

paragraph 14-12a. Accordingly, the narrative reason for separation was changed to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnosis warranting consideration prior to reentry of military service. However, the applicant may request a personal appearance hearing to address further issues before the Board. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's PTSD mitigated the applicant's misconduct of FTRs and disobeying the chain of command leadership. Thus, the prior characterization is no longer appropriate.

(2) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JKN.

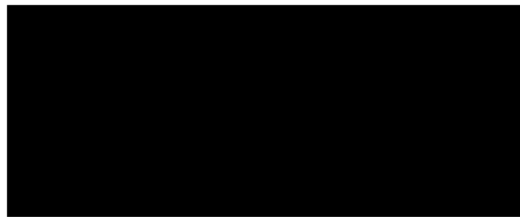
(3) The RE code will not change due to applicant's BH diagnosis warranting consideration prior to reentry of military service.

10. BOARD ACTION DIRECTED:

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

Authenticating Official:

2/28/2025



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