

**1. Applicant's Name:** [REDACTED]

- a. **Application Date:** 24 November 2020
- b. **Date Received:** 30 November 2020
- c. **Counsel:** None

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

a. **Applicant's Requests and Issues:** The current characterization of service for the period under review is General (Under Honorable Conditions). The applicant requests a change to their narrative reason for separation.

b. The applicant seeks relief contending, they were not properly diagnosed with posttraumatic stress disorder (PTSD) upon release from their military duty, and now they are receiving mental health treatment for PTSD. Their reason for separation on their DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects negatively on their character and the verbiage makes it difficult for them to achieve their goals today.

c. **Board Type and Decision:** In a records review conducted on 10 January 2024, and by a 5-0 vote, the Board determined the discharge is inequitable based on the applicant's PTSD mitigating the use of marijuana. 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, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reenry code is proper and equitable based on the applicant's medical diagnosis and voted not to change it.

**3. DISCHARGE DETAILS:**

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

b. **Date of Discharge:** 21 April 2006

**c. Separation Facts:**

- (1) **Date of Notification of Intent to Separate:** 6 March 2006
- (2) **Basis for Separation:** On or between 7 June – 7 July 2006, the applicant wrongfully used marijuana.
- (3) **Recommended Characterization:** General (Under Honorable Conditions)
- (4) **Legal Consultation Date:** 7 March 2006
- (5) **Administrative Separation Board:** NA
- (6) **Separation Decision Date / Characterization:** 11 April 2006

**4. SERVICE DETAILS:**

- a. **Date / Period of Enlistment:** 1st Reenlistment: 25 March 2004 / 3 years

- b. Age at Enlistment / Education / GT Score:** 18 / Bachelor's Degree / 93
- c. Highest Grade Achieved / MOS / Total Service:** E-4 / 92F10 Petroleum Supply Spec / 4 years
- d. Prior Service / Characterizations:** RA / 14 February 2002 – 24 March 2004 / HON
- e. Overseas Service / Combat Service:**
- Korea / None (29 July 2002 – 6 November 2003) 1 year, 3 months, 8 days
  - SWA / Iraq (28 March 2005 – 24 October 2004) / 5 months, 5 days
- f. Awards and Decorations:** AAM-2, AGCM, NDSM, GWOTEM, GWOTSM, KDSM, HSM, NCOPDR, ASR
- g. Performance Ratings:** NA
- h. Disciplinary Action(s) / Evidentiary Record:**

(1) On 17 January 2002, the applicant enlisted in the United States Army Reserve's Delayed Entry Program; on 14 February 2002, they enlisted in the Regular Army as a PVT. On 25 March 2004, the applicant completed their first reenlistment for 3 years as a SPC.

(2) The Enlisted Record Brief provides the applicant was married, promoted to SPC on 1 October 2003, On 9 August 2005, they were flagged, Suspend Favorable Personnel Actions (FLAG), for adverse action (AA).

(3) On 25 July 2005, the Army Substance Abuse Program (ASAP) Officer, Fort Polk, LA, provides notification to the command of the applicant's positive test results for wrongful use of marijuana on 7 July 2005, advising to initiate mandatory actions IAW AR 600-85, which requires immediately reporting the positive result to Criminal Investigation Division (CID) within 48 hours, initiate a Suspend Favorable Personnel Actions (FLAG), and refer the Soldier to the ASAP Clinic for evaluation within 5 working days of receipt of the positive results, and initiate separation action.

(4) On 1 August 2005, Fort Polk Criminal Investigation Division (CID) provides a report stating the applicant was accused of wrongful use and possession of marijuana, when the applicant tested positive during a command directed urinalysis screening. Probable cause was established when the applicant admitted to smoking marijuana and was found in possession of approximately .9 grams of suspected marijuana, which is in violation of Article 112a, UCMJ, upon the applicant consenting to the search of their quarters. The applicant was advised of their legal rights on 25 July 2005 and submitted a self-authored statement on their behalf, wherein they admitted to smoking. The search resulted in the discovery of marijuana and the applicant made a spontaneous comment of the bag being their dad's since it was in their dad's bible. INV conducted a field test of suspected marijuana using a Duquenois-Levine Reagent which resulted in the positive presence of THC.

(5) On 25 July 2005, the applicant invoked their right to not be questioned and not to provide a statement. The same day, the applicant provides a sworn statement stating shortly after deployment in March, was depressed over leaving their spouse in Iraq and the burying of their father the previous February. For nearly two months, they were unable to sleep, eat, and would not go anywhere. While at the club, drinking heavily, they met a person who they left with

to party within Lake Charles, LA, and smoked weed. They never smoked every day or sold weed; it was the one time, and they were caught.

(6) On 1 September 2005, the applicant accepted nonjudicial punishment (NJP) in violation of Article 112a, UCMJ, for wrongfully using marijuana. They were sentenced to a reduction to Private (E1); forfeiture of \$617, suspended, to be automatically remitted if not vacated before 6 March 2006; extra duty for 45 days, restriction to the limits of place of duty, quarters, or commissary for 45 days; they did not appeal.

(7) On 21 November 2005, their commander counseled the applicant on their intention to initiate separation actions IAW AR 635-200, Chapter 14-12b, Misconduct (Serious Offense). The applicant agreed and did not submit a statement on their behalf.

(8) On 16 and 21 February 2006, the applicant was seen at the Bayne-Jones Army Community Hospital (BJACH), Fort Polk, LA, and completed their Report of Medical History, Medical Examination, and Medical Assessment. The Provider did not provide any recommendations and qualified the applicant for service and cleared for separation.

(9) On 6 March 2006, the company commander-initiated action to separate the applicant under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse). The applicant acknowledged receipt of their separation notice. On 7 March 2006, the applicant received legal consultation, and elected to submit statements on their behalf within one week from the notification.

(a) The applicant submitted a self-authored statement on 15 March 2006, providing their request to be retained. They took full responsibility for their bad decision, stating it was stupid, selfish, cowardly, and something they must leave in the past. Since their offense, they maintained a high level of discipline and motivation day in and day out. The applicant wished to continue on with their goal to become a leader and instill discipline and motivation to upcoming Soldiers in their unit. They were ashamed of the dishonor their actions brought to their spouse, their unit and themselves, requesting the chance to make things right and remained in the Army.

(b) On 27 March 2006, the battalion commander concurred with the separation and recommended a General (Under Honorable Conditions) characterization of service. On 11 April 2006, the appropriate authority approved the separation and directed the applicant be discharged with a General (Under Honorable Conditions) characterization of service and their separation orders were issued on 17 April 2006.

(10) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 21 April 2006, with 4 years, 3 months, and 5 days of service, characterized as General (Under Honorable Conditions). 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 marked "PTSD" on their Application for a Discharge Review (DD Form 293), documentation was not provided.

(2) **AMHRR Listed:** On 6 February 2006, provides the applicant received a Mental Status Evaluation by a Psychologist from the BJACH, Fort Polk, LA, which they were diagnosed

with Cannabis Abuse; however, the applicant had the capacity to understand and participate in the evaluation and is mentally responsible. There was no evidence of mental defect, emotional illness, or psychiatric disorder of sufficient severity to warrant disposition through military medical channels. They were psychologically cleared for any administrative action deemed appropriate by the separation authority.

**5. APPLICANT-PROVIDED EVIDENCE:** DD Form 293 (Application for the Review of Discharge); Five Third-Party Statements provides the following:

a. On 15 March 2006, MSG provides a character statement for the applicant requesting they be retained. The applicant realized drugs will not be tolerated in the military and completed the ASAP program in January 2006, for rehabilitation. The applicant has the technical and tactical knowledge to be an asset to our military and the Warrior Brigade. They was the applicant's 1SG for 2 years and the applicant's daily work performance clearly outshined that of their peers. The applicant demonstrated no hostility or ill-will toward others and has shown no propensity for danger to other Soldiers or themselves.

b. The same day, SSG provides a character statement for the applicant, requesting they be retained. The applicant is an outstanding Soldier and while serving as a petroleum supply specialist, they have demonstrated an abundant amount of skill and competence while performing their duties. Their awards and accomplishments thus far have shown that they can and will do what is expected of them as a Soldier. The applicant has a take charge attitude and shows great motivation and leadership skills, which is pertinent in their profession. The applicant deserves a second chance because they are a good person and a great Soldier, who has truly learned from their bad decision and is now ready to move forward in their career.

c. The same day, SGT provides a character statement for the applicant, requesting they be retained. The applicant has shown exemplary work habits ever since they have had the privilege of working as on of their leaders. They have always gone above and beyond to complete the mission to the best of their ability and to standard. The applicant realized they made a bad decision and has conquered their problems and is now ready to move forward with their career so they may progress in life, choosing not to give up or quit. They are genuinely a good person which makes them a great Soldier who can offer so much to the U.S. Army.

d. On 17 March 2006, 1LT provides a statement for the applicant, requesting they be retained. The applicant is an exceptional person, a model Soldier, and a dedicated to the Army. 1LT has seen the applicant living in sorrow at the decision they made, which has adversely affected their family and their military career. However, instead of choosing to give up, the applicant has remained motivated to be part of the team. They have shown incredible leadership potential through volunteering for tasks, leading platoon physical training, and even counseling their peers on the adverse effects of drug use. They truly believe the applicant's offense has made them realize their consequences of illegal, immoral, and unethical behavior, and along with the applicant's immediate chain of command, they believe the applicant should have a second chance.

e. The same day, SGT provides a statement for the applicant, requesting they be retained. The applicant is an outstanding Soldier who shows motivation and takes the initiative to complete the mission. They stand out amongst their peers, from their duty performance to their military appearance, their professionalism, their hard work and dedication is unmatched. Since the incident, the applicant has shown great regrets for their decision and has become a better Soldier and person, inside out. Their selfless service and loyalty to the company makes SGT proud to say this is one Soldier I will stand beside in a foxhole and fight with to the end of the battle.

**6. POST SERVICE ACCOMPLISHMENTS:** The applicant is currently receiving mental health treatment for their PTSD.

**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 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. 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. A Soldier is subject to action per this section for commission of a serious military or civilian offense, if the specific circumstances of the offense warrant separation and a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial.

(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 "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 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, United States (2005 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. Article 112a (Wrongful Use, Possession, etc., of Controlled Substances) stated in subparagraph, the maximum punishment consists of dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

**h.** Army Regulation 600-85 (Army Substance Abuse Program (ASAP)), provided a comprehensive alcohol and drug abuse prevention and control policies, procedures, and responsibilities for Soldiers for ASAP services. 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.

**(1)** 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.

**(2)** ASAP participation is mandatory for all Soldiers who are command referred. Failure to attend a mandatory counseling session may constitute a violation of Article 86 (Absence Without Leave) of the UCMJ.

(3) Alcohol and/or other drug abusers, and in some cases dependent alcohol users, may be enrolled in the ASAP when such enrollment is clinically recommended. Soldiers who fail to participate adequately in, or to respond successfully to, rehabilitation will be processed for administrative separation and not be provided another opportunity for rehabilitation except under the most extraordinary circumstances, as determined by the Clinical Director in consultation with the unit commander.

(4) All Soldiers who are identified as drug abusers, without exception, will be referred to the ASAP counseling center for screening; be considered for disciplinary action under the UCMJ, as appropriate; and be processed for administrative separation in accordance with Army Regulation 635-200.

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

a. The applicant requests a change to their narrative reason for separation. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The available evidence provides the applicant was married and completed their first reenlistment for 3 years as a SPC. They served for 14 months in Korea and deployed in support of Iraqi Freedom for 5 months.

(1) Approximately three months post-deployment, they accepted NJP for wrongful use of marijuana and separation actions were initiated IAW AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse) with their service characterized as General (Under Honorable Conditions). They elected and consulted with defense counsel and submitted a self-authored statement requesting to be retained. They took full responsibility for their bad decision, stating it was stupid, selfish, cowardly, and something they must leave in the past. They were ashamed of the dishonor their actions brought to their spouse, their unit and themselves, requesting the chance to make things right and remain in the Army. Moreover, they submitted five-character letters requesting they be retained in the Army, which spoke to their professionalism, work ethic, service, and dedication to the Army.

(2) The applicant received a separation physical and a mental health status evaluation and found to be qualified for separation. They completed a total of 4 years, 2 months, and 8 days of Net Active Service and 2 years and 27 days of their 3-year reenlistment contractual 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.

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.

#### 1. 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 diagnosis: he is service connected for PTSD.

(2) Did the condition exist or experience occur during military service? **Yes.** The applicant asserts PTSD 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 given the nexus between PTSD and substance use, the basis for separation is mitigated.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opinion, the Board determined that the applicant's PTSD outweighed the drug abuse basis for separation for the aforementioned reason(s).

b. Response to Contention(s): The applicant seeks relief contending, they were not properly diagnosed with posttraumatic stress disorder (PTSD) upon release from their military duty, and now they are receiving mental health treatment for PTSD. The Board considered this contention and determined it valid and voted to grant relief.

c. The Board determined the discharge is inequitable based on the applicant's PTSD mitigating the use of marijuana. 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, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry code is proper and equitable based on the applicant's medical diagnosis and voted not to change it.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's PTSD outweighed the applicant's misconduct of marijuana abuse. Thus, the prior characterization is no longer appropriate.

**ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE**

**AR20210008228**

(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, as the Board determined the current code is proper and equitable based on the applicant's medical diagnosis.

**2. 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

**Authenticating Official:**

1/24/2024

X 

Presiding   


**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