ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE
AR20210008832

1. Applicant's Name: [redacted]

a. Application Date: 25 August 2020

b. Date Received: 18 March 2021

c. Counsel: None

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

a. Applicant Requests: The current characterization of service for the period under review is general (under honorable conditions). The applicant requests an upgrade to honorable.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect, the applicant injured a foot during training which required two operations. The applicant was reclassified but still could not finish training because of the foot injury and was discharged with a general (under honorable conditions) characterization of service instead of an honorable characterization of service.

c. Board Type and Decision: In a records review conducted on 1 May 2025, the board, by a unanimous 5-0 vote, found the discharge to be inequitable. This determination was based on the fact that the applicant's profile was not entered or dropped out of the MEDPROS system, leading the new chain of command to mistakenly assume the applicant was eligible to take the APFT. Consequently, the board voted to grant relief by upgrading the characterization of service to Honorable. The board determined that the narrative reason for separation, SPD code, and RE code were proper and equitable, and therefore, no changes will be made to them. Please see **Board Discussion and Determination** section for more detail regarding the board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Physical Standards / AR 635-200 / Chapter 13-2E / JFT / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 11 September 2019

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 27 August 2019

(2) Basis for Separation: The applicant was informed of the following reasons: The applicant failed to meet physical standards by failing to meet the standard on two consecutive Army Physical Fitness Tests.

(3) Recommended Characterization: Honorable

(4) Legal Consultation Date: 3 September 2019

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 3 September 2019 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 23 January 2018 / 4 years, 22 weeks

b. Date / Period of Reenlistment(s): None

c. Age at Enlistment / Education / GT Score: HS Graduate / 109

d. Highest Grade Achieved / MOS / Total Service: E-3 / None / 1 year, 7 months, 19 days

e. Prior Service / Characterizations: None

f. Overseas Service / Combat Service: None

g. Awards and Decorations: None

h. Performance Ratings: NA

i. Disciplinary Action(s) / Evidentiary Record:

(1) Report of Mental Status Evaluation (MSE), 16 July 2019, reflects the applicant could understand and participate in administrative proceedings and appreciate the difference between right and wrong. The applicant was diagnosed with occupational problems.

(2) The applicant was counseled on three separation occasions pertaining to the failure of the APFT.

j. Lost Time / Mode of Return: None

k. Behavioral Health Condition(s): The following documents have been provided to the ARBA Medical Advisor, if applicable. See "**Board Discussion and Determination** "for Medical Advisor Details.

(1) Applicant provided: None

(2) AMHRR provided: None

5. APPLICANT-PROVIDED EVIDENCE: DD Form 149

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the 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. Office, Secretary of Defense memorandum (Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requests by Veterans Claiming Post Traumatic Stress Disorder), 3 September 2014, directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged UOTHC and who have been diagnosed with PTSD by a competent mental health professional representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

c. Office, Under Secretary of Defense memorandum (Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment), 25 August 2017 issued clarifying guidance for the Secretary of Defense Directive to DRBs and BCM/NRs when considering requests by Veterans for modification of their discharges due in whole or in part to mental health conditions, including PTSD; Traumatic Brain Injury; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

d. Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

(1) This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, DRBs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

(2) Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

e. 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.

g. Army Regulation 635-200 provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation. It states:

(a) 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.

(b) 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.

(2) Chapter 13 contains the policy and outlines the procedures for separating individuals for unsatisfactory performance, and provides, in pertinent part, that commanders will separate a member under this Chapter when, in the commander's judgment, the member will not develop sufficiently to participate satisfactorily in further training and/or become a satisfactory Soldier. Army policy states that a general, under honorable conditions discharge is normally considered appropriate; however, an honorable discharge may be granted in meritorious cases. Chapter 13-2e states in pertinent part, that separation proceedings will be initiated for Soldiers without medical limitations that have two consecutive failures of the Army Physical Fitness Test. The reason for discharge will be shown as physical standards. The service of Soldiers separated because of unsatisfactory performance for failure to meet physical standards will be characterized as honorable or general (under honorable conditions).

(3) 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. If Secretarial Authority is granted normally correct the record to show the following:

- Separation Authority: Army Regulation 635-200, Chapter 15
- Separation Code: JFF
- Reenlistment Code: RE1
- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

8. SUMMARY OF FACT(S): Standard of Review. 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. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The applicant was separated under the provisions of Army Regulation 635-200, Chapter 13-2e, due to Physical Standards, with a General (Under Honorable Conditions) discharge, and RE Code of '3." The applicant completed 1 year, 7months, and 19 days of a 4-year, 22-week enlistment.

c. The applicant contends the applicant injured a foot during training which required two operations. The applicant was reclassified but still could not finish training because of the foot injury and was discharged with a general (under honorable conditions) characterization of service instead of an honorable characterization of service. Chapter 13-2e states in pertinent part, separation proceedings will be initiated for Soldiers without medical limitations that have two consecutive failures of the Army Physical Fitness Test. The reason for discharge will be shown as physical standards. The service of Soldiers separated because of unsatisfactory performance for failure to meet physical standards will be characterized as honorable or general (under honorable conditions).

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? **No.** The Board's Medical Advisor reviewed DoD and VA medical records and found no mitigating BH diagnoses on the applicant. The applicant provided no documents or testimony of a condition or experience, that, when applying liberal consideration, could have excused or mitigated a discharge.

(2) Did the condition exist, or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A**

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Prior Decisions Cited: NA – Applies to Personal Appearances only.

c. Response to Contention(s): The applicant contends they injured a foot during training which required two operations. The applicant was reclassified but still could not finish training because of their foot injury and was discharged with a general (under honorable conditions) characterization of service instead of an honorable discharge.
The board considered this contention and voted to grant relief in the form of an upgrade to the characterization of honorable. The board determined the narrative reason/SPD code and RE code were proper and equitable and voted not to change them.

d. The board determined that the discharge was inequitable due to the applicant's medical profile not being transferred into or removed from the system. Additionally, the applicant's unit believed they were eligible to take the APFT, however they were not eligible due to a profile. As a result, the board voted to grant relief by upgrading the characterization of service to honorable.

e. Rationale for Decision:

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the board's statutory independence. The board determines the relative weight of the action that was the basis for the discharge and whether it supports relief or not. In reaching its determination, the board considers the applicant's petition, available records and any supporting documents included with the petition.

(2) The board voted to change the applicant's characterization of service to honorable based on the applicant's profile which did not transfer into the system. The chain of command believed the applicant was able to take the APFT, however the applicant was ineligible due to a profile. Thus, the prior characterization is no longer appropriate.

(3) 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.

(4) 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: Yes

b. Change Characterization to: Honorable

c. Change Reason / SPD code to: No Change

d. Change RE Code to: No Change

e. Change Authority to: No Change

Authenticating Official:

5/21/2025

[redacted]

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
FTR – Failure to Report
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