

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 7 April 2021**b. Date Received:** 14 April 2021**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 an upgrade to Honorable.

**b.** The applicant seeks relief contending, they were suffering from undiagnosed Posttraumatic Stress Disorder (PTSD) and Depression, brought on during their service and operational deployment to Ukraine. The applicant had one suicide attempt during their service and was allowed to continue to serve. In order to self-medicate, the applicant took psilocybin mushrooms off duty hours to try and save themselves. When confronted, they told the truth and was then discharged for this incident alone, after serving Honorably their entire career. The applicant has been justifiably diagnosed and receiving service-connected compensation for PTSD and other hallucinogen use disorder, severe, [through the Veterans Affairs (VA)].

**c. Board Type and Decision:** In a records review conducted on 4 October 2024, and by a 5-0 vote, the Board determined the discharge is inequitable based on the circumstances surrounding the discharge (Post Traumatic Stress Disorder) outweighed the applicant's wrongful use of psilocybin. Therefore, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable and directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), and the separation code to JKN. The Board determined the RE Code was proper and equitable and voted not to change it.

*Please see Section 9 of this document for more detail regarding the Board's decision. (Board member names available upon request)*

**3. DISCHARGE DETAILS:**

**a. Reason / Authority / Codes / Characterization:** Misconduct (Drug Abuse) / AR 635-200, Chapter 14-12C (2) / JKK / RE-3 / General (Under Honorable Conditions)

**b. Date of Discharge:** 6 October 2020

**c. Separation Facts:**

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

**(2) Basis for Separation:** Wrongful use of psilocybin

**(3) Recommended Characterization:** NIF

**(4) Legal Consultation Date:** NIF

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

**(6) Separation Decision Date / Characterization:** NIF

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 11 April 2019 / 5 years (first reenlistment)

**b. Age at Enlistment / Education / GT Score:** 23 / Some College / 119

**c. Highest Grade Achieved / MOS / Total Service:** E-6 (SSG) / 18C30 Special Forces Engineer Sergeant / 4 years, 4 months, 13 days

**d. Prior Service / Characterizations:**

**(1)** Air National Guard, 20 November 2012 – 23 May 2016 / Honorable

**(2)** IADT, 9 July – 25 October 2013 / Honorable (Concurrent Service)

**(3)** RA, 24 May 2016 – 10 April 2019 / Honorable

**e. Overseas Service / Combat Service:** Ukraine / None (27 July – 19 December 2019)

**f. Awards and Decorations:**

**(a)** Army Achievement Medal (3rd Award)

**(b)** Army Good Conduct Medal

**(c)** National Defense Service Medal

**(d)** Army Service Ribbon

**(e)** Special Forces Tab

**(f)** Military Freefall Parachutist Badge

**g. Performance Ratings:** SSG (1 July 2019 – 30 June 2020) / Highly Qualified

**(1)** For Presence: The applicant “Exceeded Standard” having scored a 290 on the APFT at 6,000 above sea level, exceeding the USACSOC standard; organized and led and Upper Body Round Robin physical challenge, leading from the front by scoring 1471 points; demonstrated great professionalism during daily engagement with NATO and UKRSOF; enhanced USSOF credibility.

**(2)** For Intellect: They “Exceeded Standard” having developed a SUT POI that trained over 80 UKRSOF SMs; increased UKRSOF lethality and interoperability with USSOF; performed re-deployment ADVON duties for UKR BILAT ISO OAR; maximized efficiency for the deployment/RIP process; earned a 1+/1+ on the Russian OPI; met the USASOC standard and enhanced his team’s communication capabilities.

**(3)** For Develops: The applicant “Exceeded Standard” having trained 11 Soldiers on breaching techniques during SFAUC; helped developed Detachment SOPs during the six-week course; established a demolition POI for UKRSOF Soldiers; increasing lethality for combat operations in the JFO; mentored UKRSOF during SUT train-the-

trainer POI; successfully implemented training on 45 URKSOF operators.

(4) For Achieves: They “Exceeded Standard” having produced the top score in two of the SFOD-As strength and conditioning leader board events; set the bar as a SOF athlete; managed the movement of \$2,000,000 of Detachment equipment ISO OAR with no loss of equipment or delays; achieved a “go” on all events during SFAUC; demonstrated tactical proficiency and mental agility with the M249.

(5) The ranked number 4 out of the 7 amongst the noncommissioned officers, as the senior rater noted the applicant has high potential as an operator and leader in the SF Regiment. The applicant distinguished themselves an expert at their craft and as the hardest working NCO on the Detachment. Leaders could count on the applicant to accomplish missions even when outside of their expertise. Noted to continue to challenge with positions of increased responsibility and send to Ranger school at earliest convenient. They were promoted to SSG this rating period.

#### **h. Disciplinary Action(s) / Evidentiary Record:**

(1) On 11 April 2019, the applicant completed their first reenlistment in the Regular Army (RA) as a sergeant (E-5) for 4 years, with 5 years, 2 months, and 21 days of total prior service (Army National Guard (ARNG) and RA).

(2) The Enlisted Record Brief provides on 1 September 2019, they were promoted to staff sergeant (E-6); Russian as their foreign language was indicated; and on 23 July and 9 September 2020, the applicant was flagged, Suspend Favorable Personnel Actions (FLAG), for adverse action (AA) and field-initiated involuntary separation (BA).

(3) On 18 August 2020, the applicant accepted nonjudicial punishment in violation of Article 112a, UCMJ for having wrongfully used psilocybin on or about 22 March – June 2020. The punishment imposed a reduction to SGT (E-5); forfeiture of \$1,547.00 pay per month for two months, suspended, to be automatically remitted if not vacated on or before 16 November 2020; restriction to the limits of company area, dining/medical facility, and place of worship for 45 days, suspended, to be automatically remitted if not vacated on or before 16 November 2020; oral reprimand. They did not appeal.

(4) Notwithstanding the missing separation package, on 29 September 2020, their separation orders were issued. A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 6 October 2020, with 6 years, 10 months, and

**i. Lost Time / Mode of Return:** None

#### **j. Behavioral Health Condition(s):**

(1) **Applicant provided:** On 5 February 2021, a VA Rating Decision provides effective 7 October 2020, the applicant was awarded a 70% service-connection for PTSD and other hallucinogen use disorder.

(2) **AMHRR Listed:** None

**5. APPLICANT-PROVIDED EVIDENCE:** Application for the Review of Discharge; Certificate of Release or Discharge from Active Duty; VA Rating Decision; Five Character Letters

provide the following:

a. Ms. J. has known the applicant a short while and witnessed some of the most inspiring acts of kindness, generosity, and honesty...empathetic nature allows [the applicant] to recognize what [their] peers, community, and friends need. [Their] capacity to create connections...testament to [the applicant's] broad-mindedness, acceptance, and genuine care...able to receive feedback with an open mind, active listening, and an unchanging desire to learn and grow...positive influence on the people [they] surrounds [themselves] with;

b. Mr. R. has known the applicant for over a decade and can count on [them] for anything. Even though [the applicant] is one of the brightest energies they have ever been around...they suffer from internal struggles and is the last person to reach out and ask for help when needed. They revere the applicant as one of the most inspirational people in character and charisma. Although they may have been in trouble, the applicant does not deserve more hardships in their life, as any punishment received will not compare to the internal battle [the applicant] is dealing with.

c. W01 G. has known the applicant for nearly 30 years and has seen the applicant live through character defining moments, from victorious amongst their peers to humbled by death of those the applicant held near. Having known the applicant's character, W01 knows the applicant possess a force of will and a deep and boundless compassion. With confidence as a Soldier and a leader of Soldiers, the takes loss without the applicant, ending with this quote, "Do not judge a man by his worst moments, or his best, but judge him by the sum of the moments in between."

d. Mr. B. served with the applicant and they became friends, contending the applicant is the first they call when they are in need. The applicant's character is held in the highest regard...their sound and well grounded personality is renowned and appreciated by many. They are one of their strongest and most honorable friends.

e. Special Agent N. has known the applicant for nearly 4 years, having met while they served in the Army. They became friends outside of work and the applicant has always been honest, trustworthy, and reliable. They proved supportive through divorce, relationship issues, and struggles during training. They have never seen the applicant behave in any way that would jeopardize their military career. The applicant has learned from their mistake and was devastated, requesting for leniency on their behalf.

**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 (Active Duty Enlisted Administrative Separations), 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)** 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.

**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 14-12c (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.** 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. 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.

(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. 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.

(2) 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.

(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.

**h.** Manual for Courts-Martial (2019 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. Article 112a (wrongful use of a schedule I controlled substance, psilocybin) states in the subparagraph, the maximum punishment consists of a bad conduct discharge, forfeiture of all pay and allowances, and confinement for five years.

**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 an upgrade to Honorable. A review of the records provides there was an administrative irregularity in the proper retention of official military records, specifically, the referral to ASAP [a two-part mandatory clinical assessment, required within 4 days of the first positive urinalysis], a charge sheet, investigation report(s), and the separation package.

**b.** The available evidence provides the applicant completed their first reenlistment as a SGT in the RA with 5 years, 2 months, and 21 days of total prior service. They promoted to SSG, deployed to Ukraine for nearly five months, and served for 1 year, 3 months, and 12 days this period, prior to having been flagged for adverse action and field-initiated involuntary separation. The applicant received nonjudicial punishment for having wrongfully used psilocybin and as a result, was demoted to SGT. Notwithstanding the missing records, their separation orders were issued and the applicant was separated under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse), with a General (Under Honorable Conditions) characterization of service.

**(1)** There is no evidence of the required separation mental status and medical examinations for this type of separation. The applicant provided a VA Rating Decision, indicating, in effect, they were awarded a 70% service-connected disability for PTSD and other hallucinogen use disorder.

**(2)** The applicant served 1 year, 5 months, and 26 days of their 4 year 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.

#### 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: Post Traumatic Stress Disorder (PTSD) (70% Service Connected).

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

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

(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 Post Traumatic Stress Disorder outweighed the wrongful use of psilocybin basis for separation for the aforementioned reasons.

b. Response to Contention(s): The applicant seeks relief contending, they were suffering from undiagnosed Post Traumatic Stress Disorder (PTSD) and Depression, brought on during their service and operational deployment to Ukraine. The applicant had one suicide attempt during their service and was allowed to continue to serve. In order to self-medicate, the applicant took psilocybin mushrooms off duty hours to try and save themselves. When confronted, they told the truth and was then discharged for this incident alone, after serving Honorably their entire career. The applicant has been justifiably diagnosed and receiving service-connected compensation for PTSD and other hallucinogen use disorder, severe, [through the Veterans Affairs (VA)]. The Board considered this contention during proceedings and voted to upgrade the applicant's discharge based on the applicant's Post Traumatic Stress Disorder fully outweighing the

applicant's wrongful use of psilocybin basis for separation.

(1) Ms. J. has known the applicant a short while and witnessed some of the most inspiring acts of kindness, generosity, and honesty...empathetic nature allows [the applicant] to recognize what [their] peers, community, and friends need. [Their] capacity to create connections...testament to [the applicant's] broad-mindedness, acceptance, and genuine care...able to receive feedback with an open mind, active listening, and an unchanging desire to learn and grow...positive influence on the people [they] surrounds [themselves] with.

(2) Mr. R. has known the applicant for over a decade and can count on [them] for anything. Even though [the applicant] is one of the brightest energies they have ever been around...they suffer from internal struggles and is the last person to reach out and ask for help when needed. They revere the applicant as one of the most inspirational people in character and charisma. Although they may have been in trouble, the applicant does not deserve more hardships in their life, as any punishment received will not compare to the internal battle [the applicant] is dealing with.

(3) WO1 G. has known the applicant for nearly 30 years and has seen the applicant live through character defining moments, from victorious amongst their peers to humbled by death of those the applicant held near. Having known the applicant's character, WO1 knows the applicant possess a force of will and a deep and boundless compassion. With confidence as a Soldier and a leader of Soldiers, the takes loss without the applicant, ending with this quote, "Do not judge a man by his worst moments, or his best, but judge him by the sum of the moments in between."

(4) Mr. B. served with the applicant and they became friends, contending the applicant is the first they call when they are in need. The applicant's character is held in the highest regard...their sound and well-grounded personality is renowned and appreciated by many. They are one of their strongest and most honorable friends.

(5) Special Agent N. has known the applicant for nearly 4 years, having met while they served in the Army. They became friends outside of work and the applicant has always been honest, trustworthy, and reliable. They proved supportive through divorce, relationship issues, and struggles during training. They have never seen the applicant behave in any way that would jeopardize their military career. The applicant has learned from their mistake and was devastated, requesting for leniency on their behalf.

c. The Board determined the discharge is inequitable based on the circumstances surrounding the discharge (Post Traumatic Stress Disorder), which outweighed the applicant's wrongful use of psilocybin. Therefore, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable and directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), and the separation code to JKN. The Board determined the RE Code was proper and equitable 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 Post Traumatic Stress Disorder mitigated the

**ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE****AR20210009110**

applicant's misconduct of wrongful use of psilocybin. Thus, the prior characterization is no longer appropriate.

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

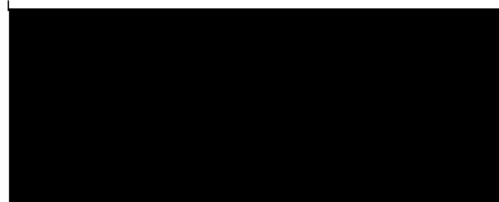
(3) The RE code will not change due to the applicant's medical condition.

**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

**Authenticating Official:**

10/10/2024

**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