

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 1 February 2021**b. Date Received:** 19 February 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.

(1) The applicant seeks relief contending, they were never offered help during this time, was ensured they would be able to use their G.I. Bill, however, they cannot do so with a General (Under Honorable Conditions) characterization of service. The applicant was a well decorated Soldier with no negative counseling statements.

(2) They provided a self-authored statement in support of their separation proceedings, which indicates they were remorseful for having made a severe mistake and took full responsibility for their actions and accepted their punishment. The applicant stated they were capable of completing their Army career without further incident. Prior to the events leading to their Article 15, the applicant was under a lot of stress and made a bad decision in an effort to cover up how they were feeling. The applicant recognize that they have a problem with alcohol and a problem dealing with stressors in a healthy manner. They are currently receiving treatment for both issues. The applicant has been a significant asset to their unit and have provided multiple character letters. They were asking for an opportunity to prove themselves to the commander and the U.S. Army. They are a dedicated Soldier and worthy of a second chance.

**b. Board Type and Decision:** In a records review conducted on 19 July 2024, and by a 5-0 vote, the Board determined the discharge is inequitable based on the Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse. 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, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN, and the reentry code to RE-3.

**3. DISCHARGE DETAILS:**

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

**b. Date of Discharge:** 14 April 2011**c. Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 23 March 2011

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

**(3) Recommended Characterization:** General (Under Honorable Conditions)

**(4) Legal Consultation Date:** 29 March 2011

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

**(6) Separation Decision Date / Characterization:** 14 April 2011 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 5 November 2007 / 3 years, 35 weeks

**b. Age at Enlistment / Education / GT Score:** 27 / Some College / 112

**c. Highest Grade Achieved / MOS / Total Service:** E-4 / 35M10 Human Intelligence Collector / 3 years, 5 months, 10 days

**d. Prior Service / Characterizations:** None

**e. Overseas Service / Combat Service:** SWA / Iraq (10 October 2009 – 17 July 2010)

**f. Awards and Decorations:** ARCOM, MUC, AGCM, NDSM, GWOTSM, ICM-CS, ASR, OSR

**g. Performance Ratings:** NA

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

**(1)** On 5 November 2007, the applicant enlisted in the Regular Army for 3 years and 35 weeks as a PV2. The Enlisted Record Brief provides the applicant promoted up to SPC (5 November 2009), served nine months in Iraq, in support of Operation Iraqi Freedom (10 October 2009 – 17 July 2010), and has been awarded the Army Commendation Medal, an Iraq Campaign Medal with campaign star, and the Army Good Conduct Medal. On 28 February and 15 March 2011, they were flagged, Suspend Favorable Personnel Actions (FLAG), for adverse action (AA) and field-initiated involuntary separation (BA).

**(2)** On 24 February 2011, the Army Substance Abuse Program (ASAP) Manager, notified the command of the applicant having tested positive for cocaine and provided the required actions IAW AR 600-85, such as notifying local CID, refer the Soldier to Behavioral Health for evaluation/assessment within five duty days; initiating their FLAG; and to comply with regulatory guidance AR 635-200 Chapters 9 or 14.

**(a)** On 1 March 2011, an Army Criminal Investigation Division (CID) final report, provides SSG reported the applicant's positive test results for wrongful cocaine use, which established probable cause when they submitted a urine sample for which subsequently tested positive. The applicant admitted to having consumed cocaine during their interview.

(b) On 11 March 2011, the applicant accepted nonjudicial punishment (NJP) for wrongful use of cocaine on or about 11 January – 9 February 2011, in violation of Article 112a, UCMJ. Their punishment imposed a reduction to PVT; forfeiture of \$733.00 per month for two months; extra duty for 45 days; restriction for 45 days; oral reprimand. They did not appeal.

(3) On the same day, the applicant completed their medical assessment and history for their separation examination at Connor Troop Medical Clinic (CTMC), Fort Drum, NY, which provides the following:

(a) Their assessment provides the applicant's overall health is worse since their last physical; has had illnesses or injuries lasting for longer than three days; they are taking medication(s); they do have dental problem(s); and they do intend to seek Veterans Affairs (VA) disability.

(b) On their history, block 29 lists the following explanations of "yes" answers:

- 10a, h, i: in country
- 11a, d, f: in country (mission oriented)
- 12b: left foot pain and hip issues; 12c: playing professional football; 12f, 12h: left foot pain; 12j, m: ACL replacements; 12n: multiple broken bones
- 13a, b: stomach ulcers; 13f: in country
- 14b: loss about 35 pounds since returning from deployment
- 15a: when [they] stand up quickly; 15c: multiple concussions; 15g: sports injuries
- 17a: currently being treated for anxiety; 17d: taking Ambien; 17f: situational dependent
- 20: Yes on 6th for a UTI and throwing up
- 22: 1997 and 1998, ACL surgery; 2009 plantar fasciitis and bone spur removal

(c) On their history, block 30a provides the examiner's notes: All issues discussed. Two ongoing issues are left foot pain and anxiety. SM to continue counseling and Klonopin. In the process of trying to refer SM to WRAMC for surgical evaluation of [their] left foot.

(d) They completed their medical examination and was disqualified for service, with the disqualifying diagnosis listed as Plantar Fasciitis and Anxiety. The provider noted, "SM had plantar fasciotomy left foot in 2009. Has not had a good outcome. [The applicant] was seen for another surgery but surgeon was not comfortable with procedure. SM has been experiencing anxiety lately, due to [their] chapter, controlled with counseling and Clonazepam." The provider also noted, "Still going to attempt to send Soldier to WRAMC for surgical evaluation."

(4) On 23 March 2011, the company commander notified the applicant of their intent to initiate separation proceedings under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse), for wrongful use of cocaine. They recommended a General (Under Honorable Conditions) characterization of service. The applicant acknowledged receipt of their separation notice.

(a) On 29 March 2011, the applicant elected to consult with defense counsel and elected to submit a statement on their behalf. Defense counsel acknowledged counseling the applicant on their separation, the rights available to them, and the effects of a General (Under Honorable Conditions) characterization of service.

(b) On 4 April 2011, the battalion commander concurred with the company commander and noted, "Soldier willfully ingested cocaine. This conduct is unacceptable in the Army and [their] formation. SM will lose TS/SGI clearance and will be unable to perform as an intel Soldier. [Their] actions have cost the Army thousands of dollars for willful misconduct."

(c) On 6 April 2011, the separation approval authority approved the discharge, with a General (Under Honorable Conditions) characterization of service.

(5) On 7 April 2011, their separation orders were issued. A DD Form 214 reflects the applicant was discharged the 14 April 2011, with 3 years, 5 months, 23 days of total service. The applicant has not completed their first full term of service.

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

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

(1) **Applicant provided:** Although the applicant indicated "PTSD" on their application, supporting documentation was not provided.

(2) **AMHRR Listed:** On 17 March 2011, the applicant completed their mental status examination with Behavioral Health (CTMC), with the provider indicating an occupational problem, Adjustment Disorder, and left foot pain as their diagnoses. They were fit for full duty, including deployment; their cognition, behavior, and perceptions were normal, with occasional impulsivity; they could understand and participate in administrative proceedings, could appreciate the difference between right and wrong, and met medical retention requirements for psychological conditions. The provider noted command is strongly encouraged to ensure that SM initiates and follows through with ASAP treatment. It is possible that with both adequate treatment and motivation on SM's behalf, that [they] could be rehabilitated and ultimately be an asset to the Army.

**5. APPLICANT-PROVIDED EVIDENCE:** DD Form 293 (Application for the Review of Discharge); Human Intelligence Collector Course Diploma; Army Commendation Medal; Some College Credits from Community College of Philadelphia; Army Good Conduct Medal

a. Eleven character statements from their leadership, colleagues the applicant deployed with and worked with at their unit, contends the following:

(1) The applicant was called upon to make decisions way above their responsibility level (CW2);

(2) Their professionalism, expertise, and maturity were impressive... [the applicant's] initiative, maturity, and attention to detail made [them] that valuable to the Battalion Task Force...recognized for [their] incredible contributions...stood out well above [their] peers...the manner in which [the applicant] solved problems and handled administrative task further demonstrated [their] initiative and pride in completing every

specific and implied task to the best of [their] ability (LTC);

(3) They volunteered to spend countless days at FOB Zafar Aniyah assisting with special programs that without [their] knowledge and expertise would not have happened...following the death of SPC [redacted], the applicant assisted the battalion with interrogations and detainee processing, which was vital in gaining information and developing the intelligence picture following the death (CPT);

(4) While deployed as the NCOIC of the S2X, [the applicant] and the brigade medical planner worked together on multiple occasions, to get Iraqi civilians access to health care from civilian non-governmental organizations, when US Forces and ISF could not assist them. [Their] passion for helping the Iraqi people led [them] to work together to collect and distribute shoes to the children of the Mad 'in (CPT).

(5) While deployed in support of OIF, the brigade targeting officer provides they worked in the BCT SCIF as the BCT Targeting Analyst, involved in tracking and facilitating the capture of High Value Targets (HVT) within Baghdad and the surrounding districts, the applicant provided the majority of Human Intelligence (HUMINT) in support of their section throughout the deployment. When the OIC went on emergency leave, the applicant was the acting OIC and NCOIC...kept the BCT HUMINT section running and produced all required daily products. [The applicant] was the glue that held their section together. Without [their] hard work, there would have been a decline in the amount of HUMINT produce...an asset and value added member of the team (CW3);

(6) The applicant served as an important member of 2BCT's S2X section, performing numerous critical tasks while supporting the intelligence mission during OIF, conducting numerous meetings with prominent local Iraqi civilians in order to ascertain enemy posture in and around FOB Hammer...assisted on patrols in vicinity of the Karadah Peninsula, helping to disrupt operations in that area...motivated peers and subordinates, volunteered for a wide variety of responsibilities...fine and upright Soldier (MSG);

(7) Their platoon sergeant while deployed contends, the applicant never had an incident or been in any trouble under their supervision...always willing to learn and accept responsibility...elected to attend the Soldier of the Month board...one of their greatest assets and would not hesitate to recommend them for retention or promotion (SGT);

(8) While deployed SPC worked with the applicant in the 2BCT S2 shop, providing the applicant worked long hours and gave up [their] personal time to make sure the mission was accomplished...co-founder of Operation Littlefoot, a project designed to provide shoes for Iraqi children who had none...in addition to performing their daily duties. The applicant was a critical asset to the shop and provided guidance and mentorship to the junior enlisted Soldiers within the larger shop. They went on several missions and was able to foster key partnerships with the Iraqi people in their area of operations.

**6. POST SERVICE ACCOMPLISHMENTS:** None submitted with this application.

**7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):**

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge

Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

**b.** Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

**(1)** Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

**(2)** Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct.

Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. Army Regulation 15-180 (Army Discharge Review Board), dated 25 September 2019, sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

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

(1) An Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

(2) A General discharge is a separation from the Army under honorable conditions and is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.

(3) An Under other-than-honorable-conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or instead 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 14c (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 waivable and nonwaivable 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 waivable. Eligibility: Ineligible unless a waiver is granted.

**(3)** RE-4 Applies to: Person separated from last period of service with a nonwaivable 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.

**(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.

**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. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. A review of the available evidence provides the applicant enlisted in the Regular Army as a PV2, promoted to SPC, served nine months in Iraq, and served for 3 years, 3 months, and 23 days of service prior to their misconduct. Seven months post redeployment, they were flagged, for adverse action and field-initiated involuntary separation, for wrongfully using cocaine. Their nonjudicial punishment imposed a reduction to PVT. The applicant was involuntary separated under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse) and recommended for a General (Under Honorable Conditions) characterization of service. They elected and consulted with defense counsel and elected to submit a statement on their behalf.

(1) The applicant completed both a medical and mental status evaluation, which provided the applicant was disqualified for service medically due to plantar fasciitis and anxiety. Their mental status evaluation indicated they was diagnosed with Anxiety, controlled with counseling and Clonazepam; recommended continued care with the VA after separation.

(2) They served 3 years, 36 weeks and 3 days of their 3 year, 35 week 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: PTSD.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found VA service connection establishes PTSD began during 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 BH condition, PTSD. As there is an association between PTSD and self medication with illicit drugs and/or alcohol, there is a nexus between diagnosis of PTSD and the wrongful use of cocaine. [Note-Diagnosis of Adjustment DO with anxiety is subsumed under diagnosis of PTSD.

(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 Post Traumatic Stress Disorder outweighed the applicant's illegal substance abuse.

**b. Response to Contention(s):**

(1) The applicant contends, they were remorseful for having made a severe mistake and took full responsibility for their actions and accepted their punishment. The applicant stated they were capable of completing their Army career without further incident. Prior to the events leading to their Article 15, the applicant was under a lot of stress and made a bad decision in an effort to cover up how they were feeling. The applicant recognize that they have a problem with alcohol and a problem dealing with stressors in a healthy manner. They was currently receiving treatment for both issues. The Board liberally considered this contention and determined that the applicant's Post Traumatic Stress Disorder outweighed the applicant's illegal substance abuse.

(2) The applicant seeks relief contending, they were never offered help during this time, was ensured they would be able to use their G.I. Bill, however, they cannot do so with a General (Under Honorable Conditions) characterization of service. The applicant was a well decorated Soldier with no negative counseling statements. The Board considered this contention and determined that eligibility for Veteran's benefits, to include educational benefits under the Post-9/11 or Montgomery GI Bill, healthcare or VA loans, do not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local office of the Department of Veterans Affairs for further assistance.

**c.** The Board determined the discharge is inequitable based on the Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse. 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, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN, and the reentry code to RE-3.

**ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE****AR20210009240****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 outweighed the applicant's illegal substance abuse. 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.

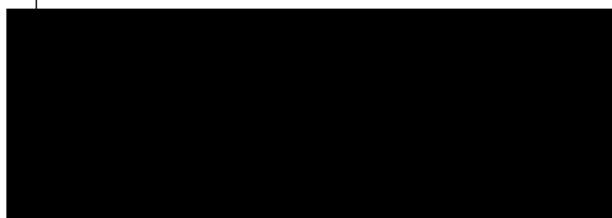
(3) The RE code will change to RE-3.

**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:** RE-3
- e. Change Authority to:** AR 635-200

**Authenticating Official:**

7/2/2025



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