

1. Applicant's Name: [REDACTED]**a. Application Date:** 26 March 2021**b. Date Received:** 29 March 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 Under Other than Honorable Conditions. The applicant requests an upgrade to Honorable, a narrative reason change, and changes to their separation and reentry codes.

b. The applicant seeks relief contending, change in discharge in order for the applicant to receive compensation for Schizophrenia, which developed while they were in Basic Training. It would be the right and Honorable thing to do because these kind of cases makes the Army look bad. Their discharge was unfair, unjust, and inhumane.

c. Board Type and Decision: In a records review conducted on 9 August 2024, and by a 5-0 vote, the Board determined the discharge is inequitable based on the circumstances surrounding the discharge (Schizophrenia-disorganized type diagnosis). Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed 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. The Board determined the reentry code is proper and equitable and voted not to change it.

Please see Section 9 of this document for more detail regarding the Board's decision.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: In Lieu of Trial by Court-Martial / AR 635-200, Chapter 10 / KFS / RE-4 / Under Other than Honorable Conditions

b. Date of Discharge: 19 February 2014

c. Separation Facts:

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

(2) Basis for Separation: Pursuant to the applicant's request for voluntary discharge provision of AR 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

(3) Recommended Characterization: NIF

(4) Legal Consultation Date: 5 February 2014

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 11 February 2014 / Under Other than Honorable Conditions

4. SERVICE DETAILS:

- a. Date / Period of Enlistment:** 13 November 2013 / 3 years, 28 weeks
- b. Age at Enlistment / Education / GT Score:** 19 / High School Diploma / 89
- c. Highest Grade Achieved / MOS / Total Service:** E-1 (PVT) / None / None
- d. Prior Service / Characterizations:** None
- e. Overseas Service / Combat Service:** None

f. Awards and Decorations: None listed on the DD Form 214; however, the ERB lists the NDSM.

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) On 13 November 2013, the applicant enlisted in the Regular Army (RA) for 3 years and 28 weeks as a PVT (E-1). The Enlisted Record Brief provides on 28 January 2014, the applicant was flagged, Suspend Favorable Personnel Actions (FLAG), for adverse action (AA).

(2) On 29 January 2014, the platoon sergeant counseled the applicant for testing positive for marijuana during a company urinalysis upon returning from victory block leave (VBL).

(3) On 4 February 2014, the applicant was placed in pre-trial confinement in violation of Articles 90, 91, 112a, 121, 128, and 134, UCMJ, which were not as a result of nonjudicial punishment or court-martial. There is no indication of how long they remained in confinement.

(4) On 5 February 2014, the applicant was charged with the following Articles, UCMJ, at Fort Jackson, SC, which were preferred for court-martial.

(a) Article 89, UCMJ: On or about 4 February 2014, the applicant behaved themselves with disrespect toward CPT (Chaplain) E. H., their superior commissioned officer, then known by the applicant to be their superior commissioned officer, by saying to CPT "f*** you," or words to that effect.

(b) Article 90: Willfully disobeyed a lawful command from LTC J. K., their superior commissioned officer, then known by the applicant to be their superior commissioned officer, to return to their unit and continue training, or words to that effect.

(c) Article 91, specification 1: They was disrespectful in language and deportment toward 1SG J. B., a noncommissioned officer, then known by the applicant to be a noncommissioned officer, who was then in the execution of their office, by calling 1SG a "b****," or words to that effect.

(d) Article 91, specification 2: They were disrespectful in language and deportment toward SGM W. T., a noncommissioned officer, then known by the applicant

to be a noncommissioned officer, who was then in the execution of their office, by saying to CSM "f*** you," or words to that effect, and by calling CSM a "b****," or words to that effect.

(e) Article 112a: On or about 19 December 2013 – 3 January 2014, the applicant wrongfully used marijuana.

(f) Article 121: On or about 30 January 2014, the applicant did steal a Chevy eight-passenger van, military property, of a value of more than \$500, the property of the U.S. government.

(g) Article 128: On or about 4 February 2014, they assaulted a military police officer, who was then known by the applicant to be a person having and in the execution of military law enforcement duties, by swinging their fists at the officer in an effort to strike the officer.

(h) Article 134: The applicant wrongfully communicated to LTC a threat to injure them by telling LTC that they would "send LTC home to [their spouse] bloody," or words to that effect, and that said conduct was to the prejudice of good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(i) Five sworn statements provide further details to the facts and circumstances surrounding the misconduct on 4 February 2014.

(5) The same day, after consulting with counsel, the applicant voluntarily requested discharge for the good of the service in lieu of trial by court-martial under the provisions of Army Regulations 635-200, Chapter 10, discharge in lieu of trial by court-martial. In their request, they affirmed no one had subjected them to coercion, counsel advised them of the implications of their request, and the applicant further acknowledged they were guilty of the charge against them or a lesser one, understanding they may be discharged Under Other than Honorable Conditions, characterization of service and did not indicate whether they were submitting a statement on their behalf.

(a) Defense counsel endorsed their voluntary discharge request, acknowledging the applicant was counseled on the possible effects of an Under Other than Honorable Conditions characterization of service.

(b) On 6 February 2014, the company commander and brigade commander recommended approval of the applicant's voluntary discharge request, with an Under Other than Honorable Conditions characterization of service. Due to the battalion commander's involvement in the applicant's charges, they were disqualified from forwarding recommendations for their separation or acting as a summary court-martial convening authority.

(c) On 11 February 2014, the separation approval authority approved their voluntary discharge request with an Under Other than Honorable Conditions characterization of service. Their charges were dismissed without prejudice.

(6) On 19 February 2014, their separation orders were issued and A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharge accordingly the same day, with 5 months and 1 day of total service. The

applicant provided their electronic signature and has not completed their first full term of service.

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

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

(1) Applicant provided:

(a) On 15 September 2021 and 18 April 2022, two Veterans Affairs (VA) Rating Decisions provides they granted the applicant service connection for treatment purposes only under 38 USC, Chapter 17 for Schizophrenia and Tinnitus.

(b) On 10 May 2022, the Clinical Coordinator of East Alabama Mental Health Center, AL, provides the applicant has been treated at their facility since May 2013 through the present, with individual therapy, psychiatric services, and crisis stabilization to treat Schizophrenia. Currently, the applicant is prescribed the following medications: Invega Sustenna 117mg IM every 4 weeks and Benztropine 1mg twice a day. The applicant has been compliant with their medication and all other treatment recommendations and it is recommended they continue treatment in order to maintain their stability.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE: Application for Correction of Military Record; Application for the Review of Discharge; Veterans Affairs (VA) Letters; Two VA Rating Decisions; Physician's Letter

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 10, Discharge in Lieu of Trial by Court Martial is applicable to members who committed an offense or offenses for which the authorized punishment included a bad conduct or dishonorable discharge could submit a request for discharge for the good of the service. The request could be submitted at any time after the charges had been preferred. Although an honorable or general was authorized, an under other than honorable conditions discharge was considered appropriate, unless the record was so meritorious it would warrant an honorable. After receiving legal counseling, the soldier may elect to submit a request for discharge in lieu of trial by court-martial. The soldier will sign a written request, certifying that they have been counseled, understands their rights, and may receive a discharge under other than honorable conditions. The following will accompany the request for discharge:

- A copy of the court-martial Charge Sheet (DD Form 458)
- Report of medical examination and mental status evaluation, if conducted
- A complete copy of all reports of investigation
- Any statement, documents, or other matter considered by the commanding officer in making their recommendation, including any information presented for consideration by the soldier or consulting counsel.
- A statement of any reasonable ground for belief that the soldier is, or was at the time of misconduct, mentally defective, deranged, or abnormal. When appropriate, evaluation by a psychiatrist will be included.

(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 "KFS" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

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. 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 (2012 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.

(1) Article 86 (absence without leave) states in subparagraph being absence without leave for more than 3 days but not more than 30 days, the maximum punishment consists of confinement for 6 months and forfeiture of two-thirds pay per month for 6 months.

(2) Article 89 (disrespect towards a superior commissioned officer) states in subparagraph disrespect towards a superior commissioned officer, the maximum punishment consists of a bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(3) Article 90 (willfully disobeying a superior commissioned officer) states in subparagraph the maximum punishment consists of a dishonorable discharge, forfeiture of all pay and allowances, and confinement for 10 years.

(4) Article 91 (willfully disobeying a noncommissioned officer) states in subparagraph the maximum punishment consists of bad conduct discharge, forfeiture of all pay and allowances, and confinement for 1 year.

(5) Article 112a (wrongful use, possession, etc., of controlled substances) states in subparagraph the maximum punishment consists of dishonorable discharge, forfeiture of all pay and allowances and confinement for 5 years.

(6) Article 128 (assault upon a military policeman, in execution of office) states in subparagraph the maximum punishment consists of dishonorable discharge, forfeiture of all pay and allowances and confinement for 3 years.

(7) Article 134 (wrongfully communicating a threat to a superior commissioned officer) states in subparagraph the maximum punishment consists of confinement for 3 months and forfeiture of two-thirds pay per month for 3 months.

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 narrative reason change, and changes to their separation and reentry codes. 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 records provides the applicant enlisted in the RA and served on continuous active duty for 97 days in an entry level status (ELS) at Fort Jackson prior to having been flagged for adverse action. The applicant was charged for having been disrespectful in language and deportment towards their chain of command to include 1SG, SGM, CPT (Chaplain), and the battalion commander; tested positive for marijuana; stole a government vehicle and military property, valuing more than \$500; attempted to strike a military police officer; and for threatening to cause bodily harm to the battalion commander. Charges were preferred. The same day, after having consulted with counsel, the applicant voluntarily requested to be discharged in lieu of trial by court-martial. In doing so, they would have waived the opportunity to appear before a court-martial and risk a felony conviction. The applicant received an Under Other than Honorable Conditions characterization of service.

(1) The record is void of a medical and/or mental status examination, although, not required for a voluntary discharge request, this can be requested by the Soldier. Two Veterans Affairs (VA) Rating Decisions provides they granted the applicant service connection for treatment purposes only under 38 USC, Chapter 17 for Schizophrenia and Tinnitus. The Clinical Coordinator provides the applicant has been treated at their facility since May 2013 through the present, with individual therapy, psychiatric services, and crisis stabilization to treat Schizophrenia. Currently, the applicant is prescribed the following medications: Invega Sustenna 117mg IM every 4 weeks and Benztropine 1mg twice a day. The applicant has been compliant with their medication and all other treatment recommendations and it is recommended they continue treatment in order to maintain their stability.

(2) They completed 3 months and 7 days of their 3 year-28 week contractual obligation.

c. Army Regulation 635-200 states Chapter 10 is a voluntary discharge request in-lieu of trial by court-martial. A discharge under other than honorable conditions normally is appropriate for a soldier who is discharge in lieu of trial by court-martial. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record during the current enlistment. For Soldiers who have completed entry-level status, characterization of service as honorable is not authorized unless the Soldier's record is otherwise so meritorious that any other characterization clearly would be improper.

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: Schizophrenia, disorganized type (0%SC).

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found VA service connection for Schizophrenia establishes nexus with active 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 that the applicant has a mitigating BH condition, Disorganized Schizophrenia. Schizophrenia often manifests when young people leave home whether to go to college or join the Army. In the applicant's case, his Schizophrenia began during BCT. Based on the natural history of Schizophrenia, disorganized type, the applicant's behaviors during BCT are consistent with early-onset disorganized Schizophrenia. Given the association of early-onset Schizophrenia with poor social skills, lack of impulse control for both verbal and physical actions, self-medication with illicit drugs, difficulty with authority figures and paranoia, there is a nexus between his diagnosis of Schizophrenia, his disrespectfulness towards superior NCOs and officers, his attempt to assault the MPs by swinging at them, his wrongful use of marijuana, his disobeying of lawful orders and his threat to injure a LTC. It is more likely than not that when the applicant engaged in this misconduct, he was hallucinating and experiencing extreme paranoid ideation.

(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 condition or experience outweighed the listed basis for separation for the aforementioned reasons.

b. Prior Decisions Cited: None

c. Response to Contentions: The applicant seeks relief contending, change in discharge in order for the applicant to receive compensation for Schizophrenia, which developed while they were in Basic Training. It would be the right and Honorable thing to do because these kind of cases makes the Army look bad. Their discharge was unfair, unjust, and inhumane.

The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's Schizophrenia fully outweighing the applicant's basis for separation.

(1) The Board determined the discharge is inequitable based on the circumstances surrounding the discharge (Schizophrenia-disorganized type diagnosis). Therefore, the Board voted to grant relief in the form of an upgrade of the

characterization of service to Honorable and changed 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, The Board determined the reentry code is 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 based on the following reasons. The Board carefully considered the applicant's request, supporting documents, evidence in the records, a medical review, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement, record of service, the frequency and nature of misconduct, and the reason for separation. The Board concurred with the conclusion of the medical advising official that the applicant's (Disorganized Schizophrenia) mitigates the applicant's misconduct. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was inequitable and warranted an upgrade but no change to the RE Code due to the applicant's BH condition.

(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.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20210010915

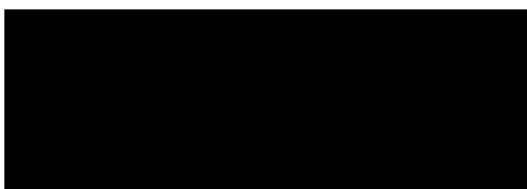
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

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

Authenticating Official:

6/25/2025



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