

1. Applicant's Name: [REDACTED]**a. Application Date:** 27 January 2021**b. Date Received:** 2 February 2021**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:****a. Applicant's Requests and Issues:**

(1) The current characterization of service for the period is Under Other Than Honorable Conditions. The applicant requests an upgrade of their U.S. Army Reserve (USAR) character of service to General (Under Honorable Conditions) or Honorable.

(2) The applicant seeks relief contending they are requesting an upgrade for undiagnosed Post Traumatic Stress Disorder (PTSD), currently rated at 80-percent disability.

b. Board Type and Decision: In a records review conducted on 7 May 2025, the board by unanimous 5-0 vote determined that the applicant's characterization of service was inequitable. This decision was based on mitigating factors including the applicant's documented PTSD and TBI, as well as in-service considerations such as length of service, quality of performance, and combat experience. These factors were found to outweigh the basis for separation, which involved the use of illegal drugs. As a result, the board granted relief by upgrading the characterization of service to Honorable and changed to the separation authority to AR 135-178, paragraph 11-1d. Please see Section 10 of this document for more detail regarding the Board's decision.

3. DISCHARGE DETAILS:**a. Reason / Authority / Codes / Characterization:** NIF/ AR 135-178**b. Date of Discharge:** 12 January 2015

c. Separation Facts: The applicant's case separation file is void from their Army Military Human Resource Record (AMHRR). On 9 November 2021 the Army Review Boards Agency requested the applicant provide their discharge packet (case separation files), as of this date there has been no response.

4. SERVICE DETAILS:**a. Date / Period of Enlistment:** 26 November 2013 / NIF (USAR)**b. Age at Enlistment / Education / GT Score:** 23 / HS Diploma / NIF

c. Highest Grade Achieved / MOS / Total Service: E-3 / 35N1O, Signals Intelligence Analyst / 6 years, 5 months, 16 days

d. Prior Service / Characterizations: NA**e. Overseas Service / Combat Service:** SWA / Afghanistan (20091025 – 20100819)

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f. Awards and Decorations: ACM-CS, NATOMDL, ARCOM, NDSM, GWTSM, ASR, OSR, AFRM-M

g. Performance Ratings: None

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was released from active duty and transferred to their USAR unit on 10 November 2010. Item 18 (Remarks) reflects the applicant's service in Afghanistan 25 October 2009 – 19 August 2010.

(2) A Headquarters, 63rd Regional Support Command Orders 14-005-0053, dated 5 January 2015, reflects the applicant was reduced in rank/grade from private first class/E-3 to private/E-1, effective 5 January 2015 and was discharged from the USAR on 12 January 2015 with a type of discharge of Under Other Than Honorable Conditions. The Authority is shown as Army Regulation 135-178, paragraph 12-1d [Abuse of Illegal Drugs or Alcohol].

(3) A review of the applicant's Soldier Management Services – WEB Portal (SMS WEB) Major Personnel Actions reflects the applicant's involuntary discharge for Misconduct (Serious Offense – Drug Abuse).

i. Lost Time / Mode of Return: NIF

j. Behavioral Health Condition(s):

(1) **Applicant provided:** On 9 November 2021 the Army Review Boards Agency requested the applicant provide their medical documents to support their mental health issue (PTSD), as of this date there has been no response.

(2) **AMHRR Listed:** None

5. APPLICANT-PROVIDED EVIDENCE: None provided with application.

6. POST SERVICE ACCOMPLISHMENTS: None provided with application.

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

a. Title 10, U.S. Code, Section 1553, (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 U.S. Code, Section 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 (DoD) 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) 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; Title 10 U.S. Code; Section 1553, DoD Directive 1332.41, and DoD Instruction 1332.28.

d. Army Regulation 135-178 (Enlisted Administrative Separations), 13 April 2007, set policies, standards, and procedures to ensure the readiness and competency of the U.S. Army while providing for the orderly administrative separation of ARNG of the United States and USAR enlisted Soldiers for a variety of reasons.

(1) An honorable characterization 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. When a Soldier is discharged before expiration of the service obligation for a

reason for which an honorable characterization is discretionary, the following considerations apply, to include –

(a) An honorable characterization may be awarded when disqualifying entries in the Soldier's military record are outweighed by subsequent honorable and faithful service over a greater period of time during the current term of service.

(b) It is a pattern of behavior and not an isolated instance which should be considered the governing factor in determining the character of service.

(c) Unless otherwise ineligible, a Soldier may receive an honorable characterization of service if he or she has, during his or her current enlistment, or any extension thereof, received a personal decoration.

(2) A General discharge is if a Soldier's service has been honest and faithful, it is appropriate to characterize that service as under honorable conditions. Characterization of service as general (under honorable conditions) is warranted when significant negative aspect of the Soldier's conduct or performance of duty outweighs positive aspects of the Soldier's military record.

(3) A Under Other Than Honorable Conditions Discharge, service may but is not required to be characterized as under other than honorable conditions only when discharge is for misconduct, fraudulent entry, homosexual conduct, unsatisfactory participation, or security reasons. The Adjutant General will direct reduction in grade to private/E-1 when the Soldier is discharged under other than honorable conditions.

(4) Paragraph 12-1 (Basis) stated a Soldier may be discharged for misconduct when it is determined that the Soldier is unqualified for further military service by reason of one or more of the following circumstances to include subparagraph 12-1d (Abuse of Illegal Drugs or Alcohol). Illegal drug use is serious misconduct. Discharge action normally will be based upon commission of a serious offense. However, relevant facts may mitigate the nature of the offense. Therefore, a single drug offense may be combined with one or more disciplinary infractions or incidents or other misconduct.

e. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) prescribes policies and standards to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. It prescribes the policies, procedures, authority for separation of Soldiers, and the general provisions governing the separation of Soldiers before Expiration Term of Service or fulfillment of active duty obligation to meet the needs of the Army and its Soldiers. Chapter 15 (Secretarial Plenary Authority) 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.

8. SUMMARY OF FACT(S):

a. The Army Discharge Review Board considers applications for upgrade as instructed by DOD Instruction 1332.28.

b. A review of the available evidence provides an administrative irregularity in the proper retention of records, specifically the AMHRR is void of the case files for approved separation. However, their discharge order reflects they were discharged from the USAR with a type of discharge of Under Other Than Honorable Conditions and the Authority is shown as Army Regulation 135-178, paragraph 12-1d [Abuse of Illegal Drugs or Alcohol]. They completed 6 years, 5 months, and 16 days of USAR service; however, their reenlistment contract is not in evidence to determine their service obligation.

c. The applicant's AMHRR does not reflect documentation of a diagnosis of PTSD, nor did the applicant provide evidence of a diagnosis of PTSD, during their military service.

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 diagnosis: PTSD.

(2) Did the condition exist, or experience occur during military service? **Yes.** Combat Trauma.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that if the basis is agreed to be drug use as documented in personnel and medical records, the service and connected trauma occurring prior to the misconduct and nexus between substance use trauma would mitigate the misconduct.

(4) Does the condition or experience outweigh the discharge? **Yes.** The Board concurred with the opinion of the Board's Medical Advisor, a voting member. As a result, the ADRB applied liberal consideration and found that the applicant's PTSD outweighed the applicant's misconduct (Abuse of illegal drugs) for the aforementioned reason.

b. Response to Contention(s): The applicant contends they are requesting an upgrade for undiagnosed PTSD, currently rated at 80-percent disability. The Board considered this contention during proceedings and acknowledged that the Department of Veterans Affairs (VA) and the Army Review Boards Agency (ARBA) use different criteria when evaluating benefit eligibility and discharge characterization, respectively. Nonetheless, in this case, the Board considered the Medical Advisor's opinion that the applicant's PTSD mitigated the misconduct involving illegal drug use and determined that relief was justified.

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c. The Board determined that the characterization of service was inequitable, citing mitigating factors including PTSD, TBI, and notable in-service contributions such as length of service, combat experience, and overall performance which outweighed the basis for separation due to drug abuse. As a result, the Board voted to grant relief by upgrading the characterization of service to Honorable and revising the separation authority to AR 135-178, paragraph 11-1d.

d. Rationale for Decision:

(1) The board voted to change the applicant's characterization of service to Honorable because the applicant's PTSD, TBI and in-service factors (length, quality, combat) mitigated the basis for separation (Abuse of illegal drugs). Thus, the prior characterization is no longer appropriate.

(2) As there were no Reasons/SPD Codes/RE-codes listed on the applicant's discharge paperwork, due to being in the Army Reserve, no upgrade actions are required for these items.

10. BOARD ACTION DIRECTED:

- a. Issue a New Separation Order: Yes
- b. Change Characterization to: Honorable
- c. Change Authority to: AR 135-178, Chapter 11-1d

Authenticating Official:

3/13/2026

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