

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 8 April 2021**b. Date Received:** 8 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 Under Other than Honorable Conditions. The applicant requests an upgrade to Honorable.

(1) The applicant seeks relief contending, they served for three years without any major write-ups and was promoted before their time in service had matured. After graduating Primary Leadership Development Course (PLDC), the applicant did not decide to disregard any further advancement and conduct themselves in such a way that their only reward would be dismissal from the military, which does not make logical sense. In referencing their military records, they enlisted as a PVT (E-1), promoted to SPC (E-4) within 14 months, following the completion of their tour in Camp Casey, Korea.

(2) The applicant contends, the upgrade would be in the interest of justice because had it not been for what the applicant felt was an attack against their person, on the basis of how those appointed over them were feeling, they would still be serving their country within the branch that honestly saved their life. It was the actions of a misunderstanding by one NCO, who was dealing with personal issues with another NCO and taking them out on the applicant. Prior to their discharge, both of the NCO's approached the applicant and not only apologized for the misjudgment but explained that it was their fault and non-conforming of an NCO but by that time, it was nothing they could do to reverse the mistake.

**b. 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 (Adjustment Disorder and PTSD diagnoses). 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:** Pattern of Misconduct / AR 635-200, Chapter 14-12B / JKA / RE-3 / General (Under Honorable Conditions)

**b. Date of Discharge:** 5 June 2006**c. Separation Facts:**

**(1) Date of Notification of Intent to Separate:** 16 May 2006

**(2) Basis for Separation:** Derelict in the performance of their duty in falling asleep while on guard duty at Forward Operating Base (FOB) Prosperity, Baghdad, Iraq; was disrespectful in language towards a noncommissioned officer on two occasions; was disrespectful to a superior commissioned officer

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

**(4) Legal Consultation Date:** 22 May 2006

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

**(6) Separation Decision Date / Characterization:** 23 May 2006 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 21 October 2004 / 5 years

**b. Age at Enlistment / Education / GT Score:** 24 / Job Corps Certificate / 88

**c. Highest Grade Achieved / MOS / Total Service:** E-4 / 92G10 Food Service Operations / 3 years, 8 months, 7 days

**d. Prior Service / Characterizations:** RA (29 October 2002 – 20 October 2004) / Honorable

**e. Overseas Service / Combat Service:** 1 year, 3 months, 25 days

**(1)** Korea / None / 1 year (23 April 2003 – 22 April 2004)

**(2)** SWA / Iraq / 3 months and 25 days (4 December 2005 – 28 March 2006)

**f. Awards and Decorations:** AAM [although, this is missing from the DD Form 214], AGCM, NDSM, ICM, GWOTSM, KDSM, NCO-PDR, ASR, OSR

**g. Performance Ratings:** NA

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

**(1)** On 21 October 2004, the applicant completed their first reenlistment for 5 years as a SPC (E-4), with 2 years and 2 days of prior active service. The Enlisted Record Brief provides the applicant deployed to Iraq in support of Operation Iraqi Freedom (OIF) for 3 months and 25 days. On 22 January and 10 April 2006, they were flagged, Suspend Favorable Personnel Actions (FLAG), for adverse action (AA) and field-initiated involuntary separation (BA).

**(2)** Although this was given in their previous enlistment, on 17 February 2004, the applicant was awarded the Army Achievement Medal for one year of overseas service in Korea (23 April 2003 – 22 April 2004). The DD Form 214 (Certificate of

Release or Discharge from Active Duty) does not reflect this recognition.

(3) On 4 August 2005, at or near Fort Hood, TX, the applicant accepted nonjudicial punishment (NJP) in violation of Article, 91 UCMJ, for having been disrespectful in language toward SGT, a noncommissioned officer, then known by the applicant to be a noncommissioned officer, who was in execution of [their] office, by saying to [them] "I'm tired of you f\*\*\*ing with me," or words to that effect on 12 July 2005. The applicant elected to appeal and submit additional matters [not included in the separation package], and the appeal was denied. The punishment imposed a reduction to PFC (E-3); forfeiture of \$395.00 pay, suspended to be automatically remitted if not vacated on or before 4 November 2005; extra duty for 14 days; and restriction for 14 days to the limits of Fort Hood, TX.

(4) On 29 October 2005, at or near Fort Hood, TX, the applicant accepted NJP in violation of four specifications of Article 91, UCMJ, on or about 3 October 2005. They did not appeal. The punishment imposed a reduction to PVT (E-1); forfeiture of \$617.00 pay per month for two months; extra duty for 45 days; and restriction for 45 days.

(a) Specification 1: They were disrespectful in language toward SFC, a senior noncommissioned officer, then known by [the applicant] to be a senior noncommissioned officer, who was then in the execution of [their] office, by saying to [them] "that is fucked-up dude, you singled me out, f\*\*\* you," or words to that effect.

(b) Specification 2: The applicant was disrespectful in language toward SFC, a senior noncommissioned officer, then known by [the applicant] to be a senior noncommissioned officer, who was then in the execution of [their] office, by saying to [them] "f\*\*\* this dude, I am gone, I [am not] going to listen to this s\*\*\*," or words to that effect.

(c) Specification 3: They were disrespectful in deportment to SFC, a senior noncommissioned officer, then known by [the applicant] to be a senior noncommissioned officer, who was then in the execution of [their] office, by walking away while [SFC] was talking to [the applicant].

(d) Specification 4: The applicant received a lawful order from SFC, a senior noncommissioned officer, then known by you to be a senior noncommissioned officer, to "at ease," or words to that effect, an order which it was [the applicant's] duty to obey, willfully disobeyed the same.

(5) On 22 January 2006, the platoon sergeant counseled the applicant for their failure to stay awake while on duty as door guard at the palace building at FOB Prosperity, which was a direct violation of the FOB's Standard Operation Procedures (SOP) and Article 134, UCMJ. The applicant disagreed and provided the following remarks: "[They were] not trying to justify that what [they] did was right but [they] tried everything in [their] power to stay awake i.e., push-ups, sit-ups, walking around, smoking, coffee [illegible] everything and still [fell] asleep. How is it possible to punish a Soldier if [they are] giving [their] all[?] Could this have been prevented, yes, but SFC did not want to pull guard to provide the Soldier time [off] to break the monotony of constant [12-hour] guard duty."

(6) On 18 February 2006, at or near Baghdad, Iraq, the applicant accepted NJP in violation of Article 92, UCMJ, for knowing of their duties, on or about 22 January 2006, and was derelict in the performance of those duties in that [the applicant]

negligently failed to stay awake during guard duty, as it was [their] duty to do. The applicant elected to appeal and submit additional matters [not included in the separation package], and the appeal was denied. The punishment imposed reduction to PVT (E-1); forfeiture of \$637.00 of pay per month for two months; extra duty for 45 days; and restriction to the limits of FOB Union for 45 days.

(7) On 11 April 2006, the section chief counseled the applicant for having been told by MAJ S. to correct a deficiency to their uniform, when MAJ told them to pull their trousers up and wear them properly. The applicant responded to them in a disrespectful manner "my trousers are up" and continued by stating "[They do not] like folks [cursing] at [them]," on 5 April 2006. During the exchange with MAJ, the applicant stated that they wanted to see the Division IG (Inspector General) and EO (Equal Opportunity), which MAJ immediately escorted the applicant to IG. Following IG, the applicant declined to see the Division EO. The applicant disagreed with the counseling and further noted, "The information on this counseling is incorrect. It does not have on here how Major S. came up to [the applicant] using inappropriate language and [they] did not respond disrespectful. [They] just said "[They don't appreciate [MAJ] cursing at [them] sir!"

(8) On 16 May 2006, the company commander notified the applicant of their intent to initiate separation proceedings under the provisions of AR 635-200, Chapter 14-12b, Pattern of Misconduct, for their having been derelict in the performance of their duty in falling asleep while on guard duty at FOB Prosperity, Baghdad, Iraq, on or about 22 January 2006; they were disrespectful in language towards a noncommissioned officer on 3 and 12 July 2005; and they were disrespectful to a superior commissioned officer on 5 April 2006. They recommended a General (Under Honorable Conditions) characterization of service. The applicant acknowledged receipt of their separation notice.

(a) On 22 May 2006, with the support of trial defense counsel, the applicant requested to conditionally waive their right to an administrative separation board, contingent upon them receiving a characterization of service no less favorable than a General (Under Honorable Conditions). Although the applicant elected to submit a statement on their behalf, the record is void of such document(s). Defense counsel counseled them on the possible effects of their separation and rights available to them.

(b) On 23 May 2006, the separation approval authority approved the discharge, with a General (Under Honorable Conditions) characterization of service.

(9) On 30 May 2006, their separation orders were issued. A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 5 June 2006, with 3 years, 10 months, and 25 days of total service. The applicant provided their physical signature and has completed their first full term of service.

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

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

(1) **Applicant provided:** None

(2) **AMHRR Listed:** None

**5. APPLICANT-PROVIDED EVIDENCE:** ACTS Online Application

**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.

(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 "JKA" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12B, Pattern of Misconduct.

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. Manual for Courts-Martial (2005 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 91 (contempt, disrespect toward other noncommissioned or officer) states in the subparagraph, the maximum punishment consists of a dishonorable discharge, forfeiture of two-thirds pay and allowances, and confinement for three months.

(2) Article 91 (contempt, disrespect toward a superior noncommissioned officer) states in the subparagraph, the maximum punishment consists of a dishonorable

discharge, forfeiture of all pay and allowances, and confinement for six months.

(3) Article 92 (failure to obey a lawful general order) states in the subparagraph, the maximum punishment consists of a dishonorable discharge, forfeiture of all pay and allowances, and confinement for two years.

**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. The available evidence provides the applicant reenlisted in the Regular Army as a SPC, with 2 years and 3 days of prior active service. They served in Korea for one year and deployed in support of OIF, to Iraq for nearly four months. The applicant served for 15 months prior to being flagged for adverse action and field-initiated involuntary separation thereafter.

(1) They received nonjudicial punishment three times within six months for disrespectful language towards a NCO; four specifications of disrespectful language and deportment towards a senior NCO; additionally, failing to obey a lawful order given by said senior NCO; and for having been derelict in the performance of their duties, by falling asleep during guard duty. As a result, their punishments imposed a reduction to PFC and PVT, was required to forfeit pay, and was placed on restriction each occurrence. Separation proceedings were initiated under the provisions of AR 635-200, Chapter 14-12B, Pattern of Misconduct.

(2) The applicant requested and approved for a conditional waiver, which characterized their service as General (Under Honorable Conditions). They were counseled by trial defense counsel on the possible effects of their separation and rights available to them. Although the applicant elected to submit a statement on their behalf, the record is void of any such document(s).

(3) Moreover, the record is void of a medical examination and/or mental status evaluation, although it is a requirement under the provisions of Chapter 14 separations.

(4) They served 1 year, 7 months, and 15 days of their 5-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: Adjustment DO with depressed mood/anxiety and depressed mood/disturbance of emotions. VA: PTSD (70%SC).

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found that Adjustment DO was diagnosed during service. PTSD service connection 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 the applicant has a mitigating BH condition, PTSD. As there is an association between PTSD, insomnia, irritability and difficulty with authority figures, there is a nexus between his diagnosis of PTSD, his falling asleep on guard duty, and his disrespectfulness towards NCOs and superior officers. [Note-various diagnoses of Adjustment DO are 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 condition or experience outweighed the listed basis for separation for the aforementioned reasons.

b. Prior Decisions Cited: None

c. Response to Contentions:

(1) The applicant seeks relief contending, they served for three years without any major write-ups and was promoted before their time in service had matured. After graduating Primary Leadership Development Course (PLDC), the applicant did not decide to disregard any further advancement and conduct themselves in such a way that their only reward would be dismissal from the military, which does not make logical sense. In referencing their military records, they enlisted as a PVT (E-1), promoted to SPC (E-4) within 14 months, following the completion of their tour in Camp Casey, Korea.

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 PTSD fully outweighing the applicant's basis for separation.

(2) The applicant contends, the upgrade would be in the interest of justice because had it not been for what the applicant felt was an attack against their person, on the basis of how those appointed over them were feeling, they would still be serving their country within the branch that honestly saved their life. It was the actions of a misunderstanding by one NCO, who was dealing with personal issues with another

NCO and taking them out on the applicant. Prior to their discharge, both of the NCOs approached the applicant and not only apologized for the misjudgment but explained that it was their fault and non-conforming of an NCO but by that time, it was nothing they could do to reverse the mistake.

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 PTSD fully outweighing the applicant's basis for separation.

**d.** The Board determined the discharge is inequitable based on the circumstances surrounding the discharge (Adjustment Disorder and PTSD diagnoses). 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.

**e. Rationale for Decision:**

**(1)** 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 found sufficient evidence of in-service mitigating factors (Length, Combat) and concurred with the conclusion of the medical advising official that the applicant's (PTSD) does mitigate 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**

**AR20210011678**

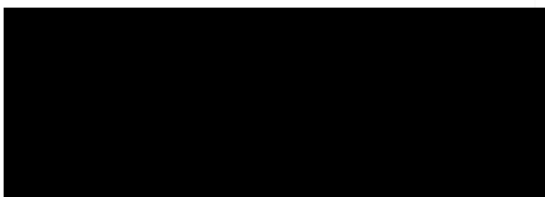
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

**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:**

6/26/2025



**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  
UOTH – Under Other Than  
Honorable Conditions  
VA – Department of Veterans  
Affairs