

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 15 March 2021**b. Date Received:** 12 April 2021**c. Counsel:** [REDACTED]**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 a narrative reason change. The applicant did not properly annotate the enclosed application requesting a possible discharge upgrade. The Army Discharge Review Board considered the applicant for a possible upgrade as instructed in pertinent part by Department of Defense Instruction 1332.28, which stipulates a request for review from an applicant without an honorable discharge shall be treated as a request for a change to an honorable discharge unless the applicant requests a specific change to another character of discharge.

**b.** The applicant seeks relief contending, in effect, to have psychotic breaks. From a young child, the applicant grew up in a household with drug addicts and abuse, and had a profound feeling of being alone. As a child the applicant heard voices but it was not as bad as it is now. The applicant is scared sometimes because the applicant sees and hears things, and experiences things that cannot be real; some mentally and others physically. The applicant drank every day and started using drugs that were introduced by other Soldiers.

**(1)** When the applicant went home on leave, the applicant spent money trying to keep the applicant's parent and sibling from stealing or being used by people who sold drugs. The applicant's family sold the applicant drugs and eventually the applicant was broke and gave up trying to get back to base. The applicant was arrested for running a red light and possession of marijuana and was returned to the Army. The applicant was placed on suicide watch and was diagnosed with schizophrenia paranoid type.

**(2)** The applicant was informed in October 2020 that the applicant was service connected by the VA in 2017 with a 100 percent rating, totally and permanently. Through an administrative decision, the VA determined the applicant's service was dishonorable for VA purposes and denied the applicant all VA benefits regardless of the general under honorable discharge. The applicant would like the character of service upgraded to obtain medical help and benefits the applicant should be entitled to. The applicant wants to go to school and do something for the applicant's children and not be a loser who could not keep family together or take the pressure of life.

**c. Board Type and Decision:** In a records review conducted on 5 March 2025, and by a 5-0 vote, the Board determined that the discharge was improper based on the applicant's Bipolar Disorder, Paranoid Schizophrenia, Major Depressive Disorder (MDD), and PTSD diagnoses mitigating the applicant's AWOL and someone in BH improperly found the applicant fit for duty. The records show the proper procedures were not followed in this case. Accordingly, the Board voted to grant relief in the form of an upgrade of the characterization of service to honorable, the narrative reason for separation to Secretarial Authority, with a corresponding separation code of JFF. The Board voted and determined the reentry eligibility

(RE) code was proper and equitable due to applicant's BH diagnosis warranting consideration prior to reentry of military service.

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

*(Board member names available upon request)*

**3. DISCHARGE DETAILS:**

**a. Reason / Authority / Codes / Characterization:** Misconduct (Desertion) / AR 635-200, Chapter 14-12c (1) / JKF / RE-4 / General (Under Honorable Conditions)

**b. Date of Discharge:** 14 November 2012

**c. Separation Facts:**

**(1) Date of Notification of Intent to Separate:** 26 October 2012

**(2) Basis for Separation:** The applicant was informed of the following reasons: The applicant was absent without leave (AWOL) from 18 January 2006 to 3 June 2009 and from 22 June 2009 to 1 June 2012.

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

**(4) Legal Consultation Date:** On 26 October 2012, the applicant waived legal counsel.

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

**(6) Separation Decision Date / Characterization:** 26 October 2012 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 30 December 2004 / 3 years and 16 weeks

**b. Age at Enlistment / Education / GT Score:** 17 / High School Graduate / 100

**c. Highest Grade Achieved / MOS / Total Service:** E-3 / 13B10, Cannon Crewmember / 1 year, 6 months, and 21 days

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

**e. Overseas Service / Combat Service:** None

**f. Awards and Decorations:** NDSM, GWOTSM, and ASR

**g. Performance Ratings:** NA

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

**(1)** Two Personnel Action forms, shows the applicant's duty status changed as follows:

- From "Present for Duty (PDY)" to "AWOL," effective 18 January 2006; and
- From "AWOL" to "Dropped From Rolls (DFR)," effective 16 February 2006

(2) Charge Sheet, 16 February 2006, shows the applicant was charged with violation of the Uniform Code of Military Justice (UCMJ), Article 86, for being AWOL from the unit on or about 18 January 2006 until on or about 16 February 2006.

(3) Deserter/Absentee Wanted by the Armed Forces, 16 February 2006, shows the applicant was declared a deserter on 17 February 2006.

(4) Report of Return of Absentee, shows the applicant was apprehended by civil authorities on 29 May 2006 and returned to military control.

(5) Two Personnel Action forms, shows the applicant's duty status changed as follows:

- From "PDY" to "AWOL," effective 29 May 2006; and
- From "AWOL" to "DFR," effective 30 May 2006

(6) Deserter/Absentee Wanted by the Armed Forces, 21 June 2006, shows the applicant was declared a deserter on 30 May 2006.

(7) Charge Sheet, 21 June 2006, shows the applicant was charged with violation of the UCMJ, Article 86, for being AWOL from the unit on or about 30 May 2006 and remained absent.

(8) Report of Return of Absentee, 29 May 2009, shows the applicant was apprehended by civil authorities on 25 April 2009 and returned to military control.

(9) Three Personnel Action forms, shows the applicant's duty status changed as follows:

- From "DFR to PDY," effective 3 June 2009
- From "PDY," to "AWOL," effective 22 June 2009;
- From "AWOL" to "DFR," effective 21 July 2009; and

(10) Deserter/Absentee Wanted by the Armed Forces, 2 November 2010, shows the applicant was declared a deserter on 21 July 2009.

(11) Charge Sheet, 4 November 2010, shows the applicant was charged with violation of the UCMJ, Article 86, for being:

- AWOL from the unit on or about 21 June 2006 and remained absent in desertion until the applicant was apprehended on or about 25 April 2009; and
- on or about 22 June 2009, without authority and intent remained away permanently

(12) Report of Return of Absentee, 12 May 2011, shows the applicant was apprehended by civil authorities on 12 May 2011 and returned to military control.

(13) Deserter/Absentee Wanted by the Armed Forces, 8 June 2011, shows the applicant was AWOL on 15 May 2011 and declared a deserter on 16 May 2011.

(14) Report of Return of Absentee, 17 May 2012, shows the applicant was apprehended by civil authorities on 17 May 2012 and returned to military control.

(15) Personnel Action form, 5 June 2012, shows the applicant's duty status changed from DFR to PDY, effective 1 June 2012.

(16) The applicant's sworn statement, 15 June 2012, states the applicant requested to be discharged from the Army, but the unit said they were unable to help the applicant because they were going to the field and would deal with the applicant upon return. The applicant left the unit because the applicant's legal process was not moving fast enough and the applicant and spouse had financial problems that needed attention. The applicant has had a drug and alcohol dependency problem for 5 years.

(17) FG Article 15, 17 October 2012, for being:

(a) AWOL from the unit on or about 22 June 2009 and remained absent until on or about 1 June 2012.

(b) AWOL from the unit on or about 18 January 2006 and remained absent until on or about 3 June 2009.

(c) The punishment consisted of a reduction from E-3 to E-1; forfeiture of \$745.00 pay per month for 2 months (suspended); and extra duty and restriction for 45 days.

(d) The applicant's Enlisted Record Brief, 5 November 2012, shows the applicant was flagged for involuntary separation/field initiated (BA), effective 20 July 2012 and adverse action (AA), effective 30 June 2012; and was ineligible for reenlistment due to pending separation (9V). The applicant was reduced from E-3 to E-1 effective 23 October 2012.

i. **Lost Time / Mode of Return:** 6 years, 1 month, and 29 days

- AWOL, 18 January 2006 - 29 May 2006 / Apprehended by Civil Authorities and Returned to Military Control (RMC)
- AWOL, 29 May 2006 - 24 April 2009 / Apprehended by Civil Authorities and RMC
- AWOL, 22 June 2009 - 11 May 2012 / Apprehended by Civil Authorities and RMC
- AWOL, 15 May 2012 - 16 May 2012 / Apprehended by Civil Authorities and RMC

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

(1) **Applicant provided:** Standard Form Chronological Record of Medical Care (Chronological Record of Medical Care), 16 July 2012, DD Form 2808 (Report of Medical Examination), 16 July 2012, and DD Form 2807-1 (Report of Medical History), 11 July 2012, and VA medical documents.

(2) **AMHRR Listed:** Report of Mental Status Evaluation, 11 October 2012.

*The ARBA's medical advisor reviewed DoD and VA medical records and not solely those documents listed in 4j(1) above.*

**5. APPLICANT-PROVIDED EVIDENCE:** DD Form 293; DD Form 214; VA Claims Intake; Chronological Record of Medical Care; Report of Medical Examination; Report of Medical History; VA Administrative Decision; C&P Examination; VA Summary of Benefits; and VA Service-Connected Disabilities Letter.

**6. POST SERVICE ACCOMPLISHMENTS:** None submitted with the 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), 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) 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)** 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.

**(4)** Paragraph 14-3 prescribes 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.

**(5)** Paragraph 14-12c(1) allows for an absentee returned to military control from a status of absent without leave or desertion to be separated for commission of a serious offense.

**(6)** 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 (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 (Certificate of Release or Discharge from Active Duty). It identifies the SPD code of "JKF" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c(1), misconduct (desertion).

**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 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.

**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 a narrative reason change and will be considered for a discharge upgrade. The applicant's AMHRR, the issues, and documents submitted with the application were carefully reviewed.

**b.** The applicant's DD Form 214 shows the applicant served 1 year, 6 months, and 21 days. The applicant was AWOL for 6 years, 1 month, and 29 days. The applicant's DD Form 214 shows the applicant was discharged on 14 November 2012 under the provisions of AR 635-200, Chapter 14, paragraph 14-12c(1), by reason of Misconduct (Desertion), with a characterization of service of general (under honorable conditions).

**c.** The applicant requests the narrative reason for the discharge to be changed. The applicant was separated under the provisions of Chapter 14, paragraph 14-12c(1), AR 635-200 with a general (under honorable conditions) discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "Misconduct (Desertion)," and the separation code is "JKF." Army Regulation 635-8 (Separation Processing and Documents), governs preparation of the DD Form 214, and dictates entry of the narrative reason for separation, entered in block 28 and separation code, entered in block 26 of the form, will be exactly as listed in tables 2-2 or 2-3 of AR 635-5-1 (SPD Codes). The regulation stipulates no deviation is authorized. There is no provision for any other reason to be entered under this regulation.

**d.** The applicant contends, in effect, to having psychotic breaks as a young child through adulthood which affected military service. The applicant was placed on suicide watch and was diagnosed with schizophrenia paranoid type. The applicant provided medical and VA documents for review, however the following medical documents listed on their application was not provided: Private Medical Evidence Cherry Health and Progress Notes, Battle Creek VA Medical Center. The Military Review Boards representative emailed and left a voice message for the applicant between 17 December 2024, and 3 and 15 January 2025 requesting evidence to support a 100 percent disability rating but received no response from the applicant. Counsel provided updated email and mailing address for the applicant.

**e.** The applicant contends an upgrade would allow medical and educational benefits. Eligibility for veteran's benefits to include educational benefits under the Post-9/11 or Montgomery GI Bill does 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.

f. 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: Bipolar Disorder, Paranoid Schizophrenia, Major Depressive Disorder (MDD), PTSD, and substance disorders.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant's Bipolar Disorder, Paranoid Schizophrenia, MDD, and substance disorders occurred 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 given the applicant had active psychotic symptoms, including paranoia and command hallucinations, that often lead to escape, hiding, and overall isolation and avoidance, the Bipolar Disorder and Paranoid Schizophrenia mitigate the multiple AWOLs basis for separation.

(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 Bipolar Disorder and Paranoid Schizophrenia diagnoses outweighed the multiple AWOLs basis for separation.

b. Response to Contention(s):

(1) The applicant contends, in effect, to have psychotic breaks as a young child through adulthood which affected military service. The applicant was placed on suicide watch and was diagnosed with schizophrenia paranoid type.

The Board determined that this contention was valid and voted to upgrade the characterization of service due to Bipolar Disorder and Paranoid Schizophrenia mitigating the applicant's multiple AWOLs basis for separation.

(2) The applicant contends an upgrade would allow medical and educational benefits. 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 that the discharge was improper based on the applicant's Bipolar Disorder, Paranoid Schizophrenia, Major Depressive Disorder (MDD), and PTSD diagnoses mitigating the applicant's multiple AWOL. Additionally, someone in BH improperly found the applicant fit for duty. The records show the proper procedures were not followed in this case. Accordingly, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable, the narrative reason for separation to Secretarial Authority, with a



corresponding separation code of JFF. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to applicant's BH diagnosis warranting consideration prior to reentry of military service. However, the applicant may request a personal appearance hearing to address further issues before the Board. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

**d. Rationale for Decision:**

(1) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Bipolar Disorder, Paranoid Schizophrenia, Major Depressive Disorder (MDD), and PTSD diagnoses mitigated the applicant's multiple AWOL. Additionally, someone in BH improperly found the applicant fit for duty. Thus, the prior characterization is no longer appropriate.

(2) The Board voted to change the reason for discharge to Secretarial Authority under the same rationale, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JFF.

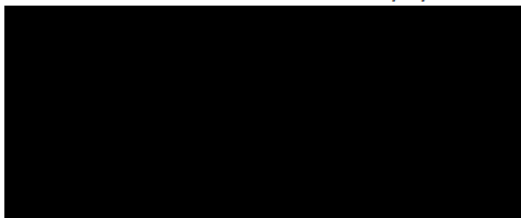
(3) The RE code will not change due to the applicant's BH diagnoses warranting consideration prior to reentry of military service.

**10. BOARD ACTION DIRECTED:**

- a. Issue a New DD-214: Yes**
- b. Change Characterization to: Honorable**
- c. Change Reason / SPD Code to: Secretarial Authority / JFF**
- d. Change RE Code to: No Change**
- e. Change Authority to: AR 635-200, Chapter 15**

**Authenticating Official:**

4/15/2025



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