

1. Applicant's Name: [REDACTED]

a. Application Date: 7 December 2020

b. Date Received: 16 February 2021

c. Counsel: None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

a. Applicant's Requests and Issues: The current characterization of service for the period under review is Under Other than Honorable Conditions. The applicant requests an upgrade to General characterization of service.

b. The applicant seeks relief contending, at the time of their discharge, they were being seen by a mental health provider, receiving treatment for posttraumatic stress disorder (PTSD), and seeking help for themselves. They were on antidepressants and was not themselves. They had not felt like themselves for a long time. The applicant has included letters from their family, their provider, as well as character letters from their peers and past noncommissioned officers (NCOs).

(1) They understand that the charges being brought against them are very serious and career ending. It continuously tears at their very soul, knowing the mistake made. It not only has affected them, but the lives of their spouse and their four children. They provided all of their NCOERs and awards to provide an idea of what kind of Soldier they have been in the last 15 years of their career, such as they were the Distinguished Honor Graduate and received the coveted Colonel Decius Wadsworth Award of Scholarship. They were also selected to attend DSS, in which the Army selects only the top five percent in an MOS to attend this most prestigious school. In their MOS there are just over 200 SFCs.

(2) The applicant has been very dedicated and served with honor throughout their career. There is no greater feeling than to know that they have done something to keep a nation free. They love the Army, their job, the units they have supported, and the Soldiers the applicant has had the opportunity to serve with, lead, and train. It has been a great experience and an honor to serve these great United States of America for the last 15 years and they would not trade it for anything. They request the opportunity to continue to do great things in their civilian life, by approving their request for a Chapter 10, with a General discharge.

c. Board Type and Decision: In a records review conducted on 19 July 2024, and by a 5-0 vote, the Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, partially outweighing the applicant's domestic violence offenses. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to General. The Board determined the narrative reason/SPD code and RE code were proper and equitable and voted not to change them.

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: 28 February 2006

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 under provision of AR 635-200, Chapter 10, In Lieu of Trial by Court-Martial.

(3) Recommended Characterization: NIF

(4) Legal Consultation Date: 25 January 2006

(5) Administrative Separation Board: None

(6) Separation Decision Date / Characterization: 08 February 2006 / Under Other than Honorable Conditions

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 27 September 2001 / Indefinite

b. Age at Enlistment / Education / GT Score: 30 / NIF / NIF

c. Highest Grade Achieved / MOS / Total Service: E-7 / 63A10 ABRAM TNK
SYS MNT / 16 years, 2 months

d. Prior Service / Characterizations: RA / (03 January 1997 – 26 September 2001) HON

Concurrent Service

e. Overseas Service / Combat Service:

- Bosnia / None (26 September 2000 – 26 March 2001)
- SWA / Iraq (7 April 2003 – 6 April 2004)

f. Awards and Decorations:

- Army Commendation Medal (Second Award)
- Army Achievement Medal (Fourth Award)
- Army Good Conduct Medal (Third Award)
- National Defense Service Medal (Second Award)
- Korea Defense Service Medal
- Noncommissioned Officer Professional Development Ribbon (Third Award)
- Army Service Ribbon
- Overseas Service Ribbon (Second Award)
- NATO Medal
- Drill Sergeant Identification Badge
- Driver and Mechanic Badge-Mechanic

g. Performance Ratings:

- SGT (May 1997 – September 1997) / Fully Capable
- SGT/SSG (October 1997 – September 2002) / Among the Best
- SSG (October 2002 – September 2003) / Fully Capable
- SSG (October 2003 – May 2004) / Among the Best
- SFC (June 2004 – March 2005) / Fully Capable
- SFC (April 2005 – February 2006) / Marginal

h. Disciplinary Action(s) / Evidentiary Record:

(1) On 27 September 2001, the applicant enlisted in the Regular Army indefinitely as an SSG. On 1 December 2004, they promoted to SFC.

(2) Special Court-Martial Order Number 71, provides the applicant was charged for assaulting spouse in the face with a closed fist and striking [redacted] in the head with a closed fist, and by choking in the head with a closed fist, pushing in (Article 128); for a false official statement (Article 134); and disobeyed a lawful order from a superior commissioned officer (Article 90, UCMJ). The charges were terminated on 20 January 2006, as the applicant requested discharged pursuant to the provisions of AR 635-200, Chapter 10.

(3) On 25 January 2006, 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. Although understanding they may be discharged Under Other than Honorable Conditions, the applicant requested a General (Under Honorable Conditions) characterization of service and elected to submit 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 26, 27, and 30 January 2006, the chain of command concurred on approving the applicant's Chapter 10 voluntary discharge request. The company and brigade commanders recommended Under Other than Honorable Conditions, while the battalion commander recommended General (Under Honorable Conditions).

(c) Although undated, the staff judge advocate recommended the request be approved, with a characterization of service of Under Other than Honorable Conditions.

(d) On 8 February 2006, the appropriate separation authority approved their voluntary discharge request and characterized their service as Under Other than Honorable Conditions, with a reduction to the lowest enlisted grade.

(4) On 13 February 2006, the applicant was issued separation orders. A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 28 February 2006, with 15 years, 9 months, and 5 days of total service and completed their first full term of service.

(5) On 14 March 2006, the applicant's special court martial proceedings were terminated, as the applicant was approved for discharge under the provisions of AR

635-200, Chapter 10, In Lieu of Trial by Court-Martial.

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

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

(1) Applicant provided: Although the applicant indicated Posttraumatic Stress Disorder (PTSD) on their application, no supporting documentation was provided, which was requested by the Case Management Division (CMD) on 3 September 2021.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE:

- DD Form 293 (Application for the Review of Discharge)
- Self-Authored Statement
- DD Form 214 (Certificate of Release or Discharge from Active Duty)
- Chapter 10, Involuntary Request Support Statement
- Command Recommendation for Chapter 10 Involuntary Separation Request
- Five School Evaluation Reports
- Ten Noncommissioned Officer Evaluation Reports (NCOERs)
- Various Certificates and Awards
- Special Court-Martial Order Number 71 (Terminated)
- Nine Character Statements

a. In an undated letter, the applicant's spouse contends they have been married for 16 years and both have been married to the military at the same time. They were a very young couple right out of high school, when the applicant became a spouse, parent, and a Soldier. Having a young family is not easy in the military and the applicant and the spouse made a mistake. The spouse said "we" because they both are at fault and all the blame cannot be placed on the applicant. The couple had a domestic dispute and it was never meant to get as big as it did. The spouse wishes they could take it all back and most do not think about the consequences incidents like this can bring. The spouse requests their plea be taking into consideration but more so, that the applicant has served their country with pride, honor, respect, has always devoted themselves to what they loves and that is the United States Army. This was the first mistake of this kind; consider the applicant's punishment based on all their years of hard work, dedication, and sacrifices for the last 15 years of the applicant's life. The applicant is not perfect but is a righteous person, with a lot of virtues and faults like any other human being. Please do not allow all these years of hard work destroy the applicant's life. Since the applicant's military career is over, consider the Chapter 10, if they can not continue their military career. The couple has been taking the proper steps for this not to happen ever again. They have a large family and starting over again will not be easy; consider making the transition easier for the applicant to continue to provide for their family and to continue to feel proud for all the years the applicant served their country.

b. The applicant's children, the eldest in high school in the JROTC program at Fort Knox [at the time], wrote statements contending a General (Under Honorable Conditions) due to their parent's love of the Army and dedicating 15 years of their life to this country and the Army's seven values; the applicant is learning from what they did wrong.

this service member with a General discharge, in view of the Soldier's remorse for their actions, as displayed throughout their counseling with the Family Advocacy Program. It is requested that this be considered when making your decision in this case.

f. The same day, SFC contends a General (Under Honorable Conditions) be considered, because throughout the applicant's career, they have exemplified nothing but the utmost traditional values and characteristics of a leader. They truly deserve a second chance, if possible, to continue their career. Having known them for four years, the applicant confided in them about how terrible they felt about the mistake made. The applicant is a family person, a good spouse, and parent. They serve the community as an assistance coach for their son's Little League football team and they love to help people. They are a professional Soldier with a desire to lead and inspire Soldiers to perform. The applicant led by example throughout their entire military career as a maintenance supervisor. Their dedication and ability to adapt to any environment and take charge allowed the applicant to deploy to Iraq with twelve Soldiers and return with all twelve. The applicant was currently doing something they loved to do which was training Soldiers, as a Drill Sergeant. They would be honored to serve with the applicant anywhere, at any time. They are confident that the applicant will demonstrate professionalism in whatever the decision is. They request for the board to give the applicant the opportunity to have a life after the military by granting the Chapter 10 with a General (Under Honorable Conditions) characterization of service.

g. On 23 January 2006, 1SG provides they have known the applicant since December 1998, during their time as the battalion master sergeant. The applicant displayed every Soldier skill needed in their everyday job performance and was chosen for shop foreman over five other NCOs. 1SG pleaded for the applicant to be allowed the opportunity to succeed in their civilian life, by approving their Chapter 10 request with a General (Under Honorable Conditions).

2. POST SERVICE ACCOMPLISHMENTS: None submitted with this application.

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

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

b. Multiple Department of Defense Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal

Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

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

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

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

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

(1) An Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable

conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

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

(3) An Under other-than-honorable-conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or 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

c. On 18 January 2006, Sergeant Major provides the applicant has their unequivocal vote of confidence as a professional and competent noncommissioned officer who has served the Army honorable for fifteen years. The applicant was recognized by the Joint Chief of staff for their outstanding duty performance while deployed in Bosnia. SGM has worked with the applicant for the last eight months [at the time] and they hit the ground running in this highly visible, fast paced operation as a drill sergeant. The applicant has exceeded in all expectation, ensuring that all Soldiers graduate in a timely manner. The applicant's professional demeanor allows them to interact with senior officers and civilian executives with confidence. They truly cared about the Soldiers, their education, and their work. They have received accolades from staff for their professionalism, dedication, and talent. The applicant is truly liked and respected by their peers and subordinates and the battalion is fortunate to have them on the team. The applicant made a mistake in their career and has taken all of the steps to rectify the situation. They have served faithfully since the incident. It is the Army's duty to recognize their achievements and ensure them the opportunity for continued success in the civilian community.

d. On 20 January 2006, Command Sergeant Major (CSM) provides they have known the applicant for seven years, having served as their battalion CSM from April 1999 – May 2001. The applicant was the shop foreman for Charlie Company and their performance of duty was impeccable and beyond reproach. Because of their sound leadership, drive and initiative, they were chosen to perform shop foreman duties as a sergeant, which is normally held by staff sergeant. The applicant excelled while deployed to Bosnia, which earned them a coin of excellence from chairman of Joint Chiefs of Staff (General). The applicant excelled in several NTC and JRTC rotations. During NTC rotation (00-03), they received the coveted Observer/Controller Maintenance Award. They was a positive role model on and off duty, which their Soldiers emulated. The applicant's superb duty performance continued as they served admirably as a Drill Sergeant until November 2005. They distinguished themselves as an honor graduate of their Ordnance ANCOC class and received the Colonel Decius Wadsworth Award for scholarship.

e. CPT, Chief, Social Work Service/Family Advocacy Program, provides in a character letter, the applicant first came to Behavioral Health in September and November 2005, when the applicant and their family became involved with FAP for allegedly assaulting the spouse, and a neighbor residing across the street from the couple. The case was presented to the Case Review Committee, which unsubstantiated the case as evidence did not support a substantiation of the case. The applicant has made a sincere effort to resolve their family problems. The court-martial charges was for this reason and the applicant sought help from BH, kept all of their appointments, has been on time, and is attentive to homework assignments. The applicant has attended an Anger Management Group in an effort to develop a new repertoire of coping skills. They are a very dedicated parent and their concern for their family is long standing.

(1) It has become apparent during the therapeutic relationship between the applicant and their treatment provider, that they are very proud of being a part of the United States Army. It is with great sadness that the applicant shared the news of the recent turn of events, with their treatment provider, Licensed Clinical Social Worker. It is hoped that their service to the Army, which includes fifteen years and several deployments, may serve as mitigating factors when considering disciplinary measures.

(2) Request that the decision to lose the services of this devoted service member be reconsidered. If not possible, then request a Chapter 10 be approved for

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.

4. 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.

(1) A review of the available evidence provides the applicant enlisted in the RA indefinitely as a SSG, having previously served for 12 years and 4 months of total prior service. They have served 18 months overseas in Iraq (one year) and Bosnia (six months), having been awarded with various awards and their Drill Sergeant Identification Badge. They served 15 years, 5 months, and 12 days of total prior to their misconduct. The applicant was charged for assaulting their spouse, striking them in the face with a closed fist; for unlawfully striking [redacted] in the head with a closed fist, choking them, and pushing them into a wall; for having made a false statement; and for willfully disobeying the same. Their charges were preferred to a Special-Court Martial to adjudge a bad discharge. As a result of the charges and after consulting with counsel, the applicant requested to be voluntarily discharged in lieu of trial by court-martial and submitted matters on their behalf.

(2) Their FAP counselor provided a statement on their behalf in reference to their BH treatment. A medical and mental health examination was not required for the voluntary discharge ILO trial by court-martial, however, could have been requested by the servicemember.

b. 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.

c. 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.

5. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor, a voting member, reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: PTSD (self-asserted).

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found applicant self-asserts PTSD occurred while in Army.

(3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that there are no mitigating BH conditions. However, under the Liberal Consideration guidelines, applicant's self-assertion of PTSD merits consideration by the board. That fact notwithstanding, PTSD would not mitigate any of his misconduct as PTSD does not affect one's ability to distinguish between right and wrong and act in accordance with the right.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the available evidence did not support a conclusion that the applicant's conditions outweighed the applicant's medically unmitigated Domestic Violence offense.

b. Response to Contention(s):

(1) The applicant seeks relief contending, at the time of their discharge, they were being seen by a mental health provider, receiving treatment for post traumatic stress disorder (PTSD), and seeking help for themselves. They were on antidepressants and was not themselves. They had not felt like themselves for a long time. The applicant has included letters from their family, their provider, as well as character letters from their peers and past noncommissioned officers (NCOs). The Board liberally considered this contention but determined that the available evidence did not support a conclusion that the applicant's conditions outweighed the applicant's medically unmitigated Domestic Violence offense.

(2) The applicant contends good service. The Board considered the totality of the applicant's 15 years of service, including tours in Bosnia and Iraq, and determined that the applicant's service record does partially outweigh the applicant's misconduct and warrants an upgrade to General characterization of service.

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c. The Board determined that the characterization of service was inequitable based on the applicant's length and quality of service, to include combat service, partially outweighing the applicant's domestic violence offenses. Accordingly, the Board voted to grant relief in the form of an upgrade to the characterization of service to General. The Board determined the narrative reason/SPD code and RE code were proper and equitable and voted not to change them.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to General because the applicant's length and quality of service, to include combat service, partially outweighed the applicant's domestic violence offenses. The applicant's General discharge is proper and equitable as the applicant's misconduct fell below that level of meritorious service warranted for an upgrade to Honorable discharge.

(2) The Board voted not to change the applicant's reason for discharge or accompanying SPD code due to the applicant's medically unmitigated misconduct, the reason the applicant was discharged was both proper and equitable.

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

6. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: Yes
- b. Change Characterization to: General
- c. Change Reason / SPD Code to: No Change
- d. Change RE Code to: No Change
- e. Change Authority to: AR 635-200

Authenticating Official:

4/3/2025



AWOL – Absent Without Leave
AMHRR – Army Military Human
Resource Record
BCD – Bad Conduct Discharge
BH – Behavioral Health
CG – Company Grade Article 15
CID – Criminal Investigation
Division
ELS – Entry Level Status
FG – Field Grade Article 15

GD – General Discharge
HS – High School
HD – Honorable Discharge
IADT – Initial Active Duty Training
MP – Military Police
MST – Military Sexual Trauma
N/A – Not applicable
NCO – Noncommissioned Officer
NIF – Not in File
NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
OBH (I) – Other Behavioral
Health (Issues)
OMPF – Official Military
Personnel File
PTSD – Post-Traumatic Stress
Disorder
RE – Re-entry
SCM – Summary Court Martial
SPCM – Special Court Martial

SPD – Separation Program
Designator
TBI – Traumatic Brain Injury
UNC – Uncharacterized
Discharge
UOTH – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs