

1. Applicant's Name: [REDACTED]

a. **Application Date:** 21 May 2021

b. **Date Received:** 7 June 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 general (under honorable conditions). The applicant requests an upgrade to honorable.

b. The applicant seeks relief contending, in effect, the applicant's general discharge is incorrect. The applicant was an exemplary Soldier and knew everything about the applicant's work, even before the applicant's sleepwalking problem which was caused by PTSD. The applicant has known people who left the Army with medical conditions similar to the applicant and received honorable discharges. The discharge the applicant received is affecting the applicant's daily living. The applicant received an 80 percent disability rating from the Department of Veterans Affairs.

c. **Board Type and Decision:** In a records review conducted on 19 March 2025, and by a 5-0 vote, the Board determined that the discharge was inequitable based on the applicant's condition of sleepwalking which was of sufficient severity to interfere with his ability to function in the military. The Board also determined the discharge was inequitable because the chain of command could have recommended an Honorable Discharge to the Imposing Authority because the applicant was not separated for misconduct; the applicant was discharged for a medical condition that was not severe enough to warrant an MEB but the condition did interfere with the ability to perform duty. 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 not to change the reentry code.

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

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** Condition, Not a Disability / AR 635-200, Chapter 5-17 / JFV / RE-3 / General (Under Honorable Conditions)

b. **Date of Discharge:** 23 April 2020

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 17 March 2020

(2) **Basis for Separation:** The applicant was informed of the following reasons: The applicant was diagnosed as having a mental disorder that interfered with the applicant's assignment or the applicant's performance of duty. The referenced disorder is not deemed severe enough to warrant medical evaluation board proceedings. The applicant had not been amenable to behavioral health treatment and it was unlikely that the applicant would respond to efforts of rehabilitation.

(3) **Recommended Characterization:** Honorable

(4) Legal Consultation Date: On 18 March 2020, the applicant waived legal counsel.

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 6 April 2020 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 20 March 2018 / 4 years

b. Age at Enlistment / Education / GT Score: 20 / Associate Degree / 114

c. Highest Grade Achieved / MOS / Total Service: E-3 / 13J10, Fire Control Specialist / 2 years, 1 month, and 4 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: None

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

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) On 26 July 2019, the applicant was flagged for involuntary separation/field initiated (BA), effective 22 July 2019.

(2) Madigan Army Medical Center, Memorandum for Record, subject: Office of the Surgeon General Requirements for Administrative Separation of Soldiers for Behavioral Health under Chapter 5-17 for Applicant, 17 October 2019, states the applicant's medical record revealed no evidence that the applicant had a behavioral health condition that would support the initiation of a medical board.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided:

(a) Madigan Army Medical Center document, 22 July 2019, shows diagnoses for mild snoring, sleep onset insomnia, mild sleep fragmentation, obesity, and parasomnias (sleep-walking).

(b) Department of Veterans Affairs Service-Connected Disability Compensation Letter, 21 May 2021, shows the applicant was rated 80 percent disabled.

(2) AMHRR Listed: Report of Mental Status Evaluation, 17 October 2019, shows the had been screened for PTSD and depression which had positive results. Although the screening was positive, a clinical interview indicated the applicant did not meet the criteria for PTSD or

depression. The applicant was diagnosed with adjustment disorder with mixed anxiety and depressed mood, acute.

The ARBA's medical advisor reviewed DoD and VA medical records and not solely those documents listed in 4j(1) and (2) above.

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293; Associates Degree Certificate; Medical Document; and two VA letters.

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 5 provides for the basic separation of enlisted personnel for the convenience of the government.

(4) Paragraph 5-1 states a Soldier being separated under this paragraph will be awarded a characterization of service of honorable, general (under honorable conditions), or an uncharacterized description of service if in entry-level status. A general (under honorable conditions) discharge is normally inappropriate for individuals separated under the provisions of paragraph 5-14 (previously paragraph 5-17) unless properly notified of the specific factors in the service that warrant such characterization.

(5) Paragraph 5-14 (previously paragraph 5-17) specifically provides that a Soldier may be separated for other physical or mental conditions not amounting to a disability, which interferes with assignment to or performance of duty and requires that the diagnosis be so severe that the Soldier's ability to function in the military environment is significantly impaired.

(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 "JFV" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 5-14 (previously Chapter 5-17), Condition, Not a Disability.

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.

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 AMHRR, the issues, and documents submitted with the application were carefully reviewed.

b. The applicant contends, in effect, the applicant's general discharge is incorrect. The applicant was an exemplary Soldier and knew everything about the applicant's work, even before the applicant's sleepwalking problem which was caused by PTSD. The applicant has known people who left the Army with medical conditions similar to the applicant and received honorable discharges. The applicant received an 80 percent disability rating from the Department of Veterans Affairs.

(1) The applicant provided Madigan Army Medical Center document, 22 July 2019, and Department of Veterans Affairs Service-Connected Disability Compensation Letter, 21 May 2021.

(2) The applicant's DD Form 214 shows the applicant served 2 years, 1 month, and 4 days. The applicant was discharged for having a mental disorder that interfered with the applicant's assignment or the applicant's performance of duty. The applicant was discharged on 23 April 2020 under the provisions of Chapter 5-17, AR 635-200, by reason of a condition, not a disability, with a general (under honorable conditions discharge).

(3) The AMHRR contains a Report of Mental Status Evaluation, 17 October 2019, which shows the applicant was diagnosed with adjustment disorder with mixed anxiety and depressed mood, acute.

(4) Analyst notes on 23 November 2021, the Command Management Division representative requested medical documents from the applicant to support the applicant's issue with PTSD and other mental health issues. On 6 November 2024, the Military Review Boards representative requested medical documents from the applicant to support the applicant's issue with PTSD. There has been no response from the applicant.

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.

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: PTSD (70%SC). [Note-diagnosis of Adjustment DO with mixed anxiety and depressed mood is subsumed under diagnosis of PTSD.]

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found VA 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, based on the available information, the applicant's condition of sleepwalking was of sufficient severity to interfere with his ability to function in the military.

(4) Does the condition or experience outweigh the discharge? **Yes.** The Board believed the discharge was inequitable because the chain of command could have separated the applicant for a medical condition, which is not misconduct. Additionally, the Board believed the applicant should have received an Honorable discharge and the applicant's General (Under Honorable Conditions) discharge was too harsh for a medical condition. The Board determined and concurred that a medical condition is not misconduct.

b. Prior Decisions Cited: None

c. Response to Contention: The applicant contends, in effect, the applicant's general discharge is incorrect. The applicant was an exemplary Soldier and knew everything about the applicant's work, even before the applicant's sleepwalking problem which was caused by PTSD. The applicant has known people who left the Army with medical conditions similar to the applicant and received honorable discharges. The applicant received an 80 percent disability rating from the Department of Veterans Affairs. The Board acknowledged this contention during proceedings and determined it was valid.

d. The Board determined that the discharge was inequitable based on the applicant's condition of sleepwalking which was of sufficient severity to interfere with his ability to function in the military. The Board also believed the discharge was inequitable because the chain of command could have recommended an Honorable discharge to the Imposing Authority because the applicant was not separated for misconduct. Therefore, the Board determined the characterization was too harsh. 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 not to change the reentry code.

e. Rationale for Decision:

(1) The Board determined the discharge is inequitable based on the applicant's condition of sleepwalking which was of sufficient severity to interfere with his ability to function in the military. The Board also determined the discharge was inequitable because the chain of command could have recommended an Honorable discharge to the Imposing Authority because the applicant was not separated for misconduct; the applicant was discharged for a medical condition. The Board believed the characterization was too harsh. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable, changed the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF. The Board voted and determined the reentry eligibility (RE) code was proper and equitable due to the applicant's medical diagnoses that warrant consideration prior to reentry of military service.

(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, as the current code is consistent with the procedural and substantive requirements of the regulation.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

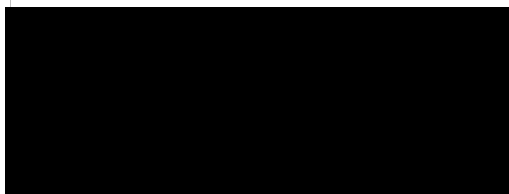
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10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order: 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:

5/9/2025



Legend:

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

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

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

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