

**1. Applicant's Name:** [REDACTED]

a. **Application Date:** 7 February 2022, 19 February 2024

b. **Date Received:** 10 February 2022

c. **Counsel:** None

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

a. **Applicant Requests:** The current characterization of service for the period under review is general (under honorable conditions). The applicant requests to honorable conditions.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect the applicant Department of Veteran Affairs (VA) disability claim indicates character of service as honorable and would like the same to reflect on the applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty). The applicant's application indicates the applicant contends Post Traumatic Stress Disorder (PTSD) issues were related to the request.

c. **Board Type and Decision:** In a records review conducted on 05 November 2025, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, the circumstances surrounding the discharge (PTSD diagnoses), and post-service accomplishments. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to 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 **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

**3. DISCHARGE DETAILS:**

a. **Reason / Authority / Codes / Characterization:** Misconduct (Drug Abuse) / AR 635-200, Para 14-12C (2)/ JKK / General (Under Honorable Conditions)

b. **Date of Discharge:** 2 December 2011

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 3 November 2011

(2) **Basis for Separation:** The applicant tested positive for marijuana twice and was absent without leave (AWOL).

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

(4) **Legal Consultation Date:** 3 November 2021

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

(6) **Separation Decision Date / Characterization:** 8 November 2021 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment/Reenlistment Under Review:** 3 December 2009 / 3 years 21 weeks.

**b. Age at Enlistment / Education / GT Score:** 19 / HS Graduate / 108

**c. Highest Grade Achieved / MOS / Total Service:** E-4 / 74D1P, Chemical Operations Specialist / 4 years, 6 months, 16 days

**d. Prior Service / Characterizations:** AD, 17 May 2007-2 December 2009 (continued service) / Honorable

**e. Overseas Service / Combat Service:** SWA/Afghanistan (20 December 2008-17 December 2009).

**f. Awards and Decorations:** ARCOM, AAM-2, MUC, AGCM, NDSM, ACM-CS, GWTSM, NOPDR, ASR, OSR, NATOMDL, CAB, PRCHTBAD

**g. Performance Ratings:** NA

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

**(1)** Electronic Copy of Specimen Custody Document – Drug Testing, reflects the applicant tested positive for THC 84 (marijuana) during an Inspection Other (IO) urinalysis testing conducted on 15 July 2011.

**(2)** Developmental Counseling Forms, 3 August 2011, reflects the applicant was given an event-oriented counseling for positive UA. The Army Substance Abuse Program Office reported on 29 July 2011 the applicant tested positive for marijuana /THC. The applicant was flagged.

**(3)** CID Report of Investigation - Initial Final, 0728-2011-CID01646-46050-5L2D1/5L2D2 dated 9 August 2011, reflects an investigation established probable cause to believe the applicant committed the offense of Wrongful Use of a Controlled Substance when the applicant consumed marijuana and subsequently tested positive on a unit urinalysis inspection on 15 July 2011.

**(4)** Electronic Copy of Specimen Custody Document – Drug Testing, reflects the applicant tested positive for THC 84 (marijuana) during an Inspection Other (IO) urinalysis testing conducted on 23 August 2011.

**(5)** FG Record of Proceedings under Article 15, Uniform Code of Military Justice, 13 September 2011, for wrongfully use marijuana. (between 23 July 2011 and 23 August 2011). The punishment consisted of a reduction to E-2, forfeiture of \$1115.00 pay per month for two months, and extra duty for 45 days.

**(6)** Personnel Action forms reflect the applicant's duty status changed as follows: From Present for Duty (PDY) to Absent Without Leave (AWOL), effective date; 2 October 2011. From AWOL to PDY, effective date; 30 October 2011

i. **Lost Time / Mode of Return:** 29 days / Applicant returned on own ability.

j. **Behavioral Health Condition(s):** The following documents have been provided to the ARBA Medical Advisor, if applicable. See “**Board Discussion and Determination**” for Medical Advisor Details.

(1) **Applicant provided:** None

(2) **AMHRR provided:** None

5. **APPLICANT-PROVIDED EVIDENCE:** VA benefit letters

6. **POST SERVICE ACCOMPLISHMENTS:** Masters in social work

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. Office, Secretary of Defense memorandum (Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requests by Veterans Claiming Post Traumatic Stress Disorder), 3 September 2014, directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged UOTHC and who have been diagnosed with PTSD by a competent mental health professional representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

c. Office, Under Secretary of Defense memorandum (Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment), 25 August 2017 issued clarifying guidance for the Secretary of Defense Directive to DRBs and BCM/NRs when considering requests by Veterans for modification of their discharges due in whole or in part to mental health conditions, including PTSD; Traumatic Brain Injury; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

**d.** Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

**(1)** This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, DRBs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

**(2)** Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

**e.** 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.

**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 waivable and nonwaivable separations. Table 3-1, defines reentry eligibility (RE) codes:

- 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.
- 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.
- 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.

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

**(1)** Chapter 3, Section II provides the authorized types of characterization of service or description of separation. It states:

**(a)** 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.

**(b)** 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.

**(2)** 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. Paragraph 14-12c, states 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.

**(3)** Paragraph 14-12c(2) terms abuse of illegal drugs as serious misconduct. It continues; however, by recognizing relevant facts may mitigate the nature of the offense. Therefore, a single drug abuse offense may be combined with one or more minor disciplinary infractions or incidents of other misconduct and processed for separation under paragraph 14-12a or 14-12b as appropriate

**(4)** 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. If Secretarial Authority is granted normally correct the record to show the following:

- Separation Authority: Army Regulation 635-200, Chapter 15
- Separation Code: JFF
- Reenlistment Code: RE1
- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

**(5)** 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 "JKK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, Misconduct (Drug Abuse).

**8. SUMMARY OF FACT(S):** Standard of Review. 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 applicant contends the VA determined the applicant's character of service as honorable and would like the same to reflect on the applicant's DD Form 214. The criteria used by the VA in determining whether a former servicemember is eligible for benefits differ from those used by the Army when determining a member's discharge. The applicant's AMHRR reflects the applicant tested positive for (marijuana) during a unit IO UA. The applicant received an Article 15 for wrongfully use marijuana (between 23 July 2011 and 23 August 2011). Additionally, the applicant was also AWOL from 2 October 2011 to 30 October 2011.

c. The applicant's application indicates the applicant contends Post Traumatic Stress Disorder (PTSD) issues were related to the request. The applicant's AMHRR is void of a mental status evaluation. The applicant provided a VA benefit letter that summarize service-connected disability evaluated at 100 percent and verification of the applicant's honorable service.

**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: Cannabis Abuse, Adjustment Disorder, PTSD

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found in-service documentation of BH treatment and ASAP enrollment. The applicant deployed to Afghanistan from Dec 2008 to Dec 2009.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that there is a mitigating BH condition. DoD records showed the applicant is 100% service connected by the VA for PTSD. Avoidant behavior, such as going AWOL, can be a natural sequela to mental health conditions associated with exposure to traumatic and stressful events. Additionally, substance use is a common self-medicating strategy for avoiding uncomfortable emotions and memories related to trauma exposure, and substance use can also be a natural sequela to mental health conditions associated with exposure to traumatic and stressful events. Given the nexus between the applicant's misconduct related to substance use and being AWOL and their BH condition, there is sufficient evidence for mitigation.

(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 PTSD outweighed the drug abuse and AWOL basis for separation.

b. Prior Decisions Cited: NA – Applies to Personal Appearances only.

**c. Response to Contention(s):**

(1) The applicant contends VA disability claim indicates character of service as honorable and would like the same to reflect on the applicant's DD Form 214. The ADRB is not bound by the U.S. Department of Veterans Affairs (VA) decisions. There is no law or regulation which requires that an unfavorable discharge must be upgraded based solely on the Board determination that there was a condition or experience that existed during the applicant's time in service. The Board must also articulate the nexus between that condition or experience and the basis for separation. Then, the Board must determine that the condition or experience outweighed the basis for separation. The criteria used by the VA in determining whether a former service member is eligible for benefits are different than that used by the ARBA when determining a member's discharge characterization.

(2) The applicant contends Post Traumatic Stress Disorder (PTSD) issues were related to the request. The Board liberally considered this contention and determined that it was valid due to the applicant's Post Traumatic Stress Disorder outweighing the applicant's AWOL and drug abuse offenses. Therefore, a discharge upgrade is warranted.

**d. The Board determined:** 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, Quality) and concurred that the applicant's quality of service and post service accomplishments outweighed the misconduct basis for separation. 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.

**e. Rationale for Decision:**

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the Board's statutory independence. The Board determines the relative weight of the action that was the basis for the discharge and whether it supports relief or not. In reaching its determination, the Board considers the application, available records and any supporting documents included with the application.

(2) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Post Traumatic Stress Disorder outweighed the applicant's misconduct of drug abuse and AWOL. Thus, the prior characterization is no longer appropriate.

(3) 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.

(4) 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**

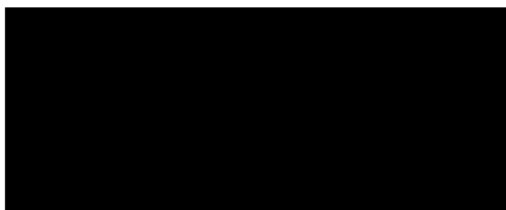
**AR20220000016**

**10. BOARD ACTION DIRECTED:**

- a. Issue a New DD-214 / Separation Order: 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, paragraph 14-12a

**Authenticating Official:**

3/22/2026



**Legend:**

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

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