

1. Applicant's Name: [REDACTED]**a. Application Date:** 10 September 2021**b. Date Received:** 13 September 2021**c. Counsel:** [REDACTED]**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:****a. Applicant's Requests and Issues:**

(1) The current characterization of service for the period under review is Under Other Than Honorable Conditions. The applicant requests a change to honorable, a change of their narrative reason for separation, separation code, and reentry code.

(2) The applicant, through counsel, seeks relief contending this request is made for reasons of propriety and equity. Although the applicant takes personal responsibility for their misconduct, it is respectfully submitted that their command made an error of discretion that has prejudiced them since their separation. Their military record demonstrates that they were an outstanding Soldier for the overwhelming majority of their Army service.

(3) They drafted a personal statement explaining they felt marginalized by their chain of command at Fort Hood because of their reduction in rank, and specifically because they are an African American. Their mental health quickly deteriorated and began to act out in a manner that they never previously had acted. In turn, their command spuriously initiated administrative separation proceedings without investigating why they had suddenly were unable to conform to military standards.

(4) They were the target of several unwelcomed homosexual advances by members of their leadership at Fort Hood. They went absence without leave (AWOL) because they simply needed a break before the situation escalated into a physical confrontation. They never reported these homosexual advances because they were deeply embarrassed by the situation.

(5) The applicant's discharge was inequitable and was not commensurate with the overall quality of their 8 years of faithful and honorable service as evidenced by their noncommissioned officer evaluation reports (NCOERs) and awards and decorations. Their record clearly demonstrate they served with honor and distinction until they arrived at Fort Hood. Their precipitous decline in military bearing does not make sense until one considers the negative impact of their new chain of command had on them was the catalyst for their misconduct. A simple investigation into the matter would have discovered they felt isolated and victimized because of racial prejudice and repeated unwanted homosexual advances from members of their command team.

(6) They have been inequitably stigmatized and harmed by their Under Other Than Honorable Conditions characterization of service, which has been recognized by various courts. Their discharge will continue to burden them and their family until it is corrected by the Board.

b. Board Type and Decision: In a records review conducted on 12 February 2025, and by a 5-0 vote, the board determined the discharge is inequitable based on the applicant's in service factors (length and quality of service) and the applicant's diagnoses of

Psychosis/Schizophrenia mitigating the applicant's misconduct – AWOL. Therefore, the board voted to grant relief in the form of an upgrade of the characterization of service to honorable and changed the separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF. The board determined the RE code was proper and equitable and voted not to change it.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Misconduct (AWOL) / Army Regulation 635-200, Paragraph 14-12c(1) / JKD / RE-4 / Under Other Than Honorable Conditions

b. Date of Discharge: 7 December 2020

c. Separation Facts: A review of the applicant's Army Military Human Resource Record (AMHRR) reflects their case separation file is void of multiple documents and only contains the Legal Review and the Separation Authority Memorandum.

(1) Date of Notification of Intent to Separate: NIF

(2) Basis for Separation: NIF

(3) Recommended Characterization: NIF

(4) Legal Consultation Date: NIF

(5) Administrative Elimination Board: The Legal Review states, on 16 September 2020, the applicant requested a conditional waiver of their right to an Administrative Separation Board contingent upon receiving an Honorable characterization of service discharge. The applicant's request was denied. The Administrative Separation Board found the applicant did absent themselves from their place of duty, this action did warrant separation, and recommended an Under Other Than Honorable Conditions characterization of service.

(6) Separation Decision Date / Characterization: 5 November 2020 / Under Other Than Honorable Conditions

4. SERVICE DETAILS:

a. Date / Period of Enlistment: The applicant extended the most recent enlistment by a period of 2 months on 21 November 2019, giving the applicant a new Expiration Term of Service of 11 February 2022.

b. Age at Enlistment / Education / GT Score: 25 / Associate's Degree / 104

c. Highest Grade Achieved / MOS / Total Service: E-6 / 36B2O, Financial Management Technician / 8 years, 1 month, 16 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: Korea / None

f. Awards and Decorations: ARCOM-2, AAM-5, AGCM-2, NDSM, GWTSM, KDSM, NCOPDR-2, ASR, OSR, MOVSM

g. Performance Ratings: NA

- 1 July 2016 – 8 March 2017 / Qualified
- 9 March 2017 – 23 April 2018 / Highly Qualified
- 24 April 2018 – 10 December 2018 / Highly Qualified
- 11 December 2018 – 2 July 2019 / Not Qualified
- 3 July 2019 – 13 December 2019 / Qualified

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Forms 2627 (Record of Proceedings under Article 15, Uniform Code of Military Justice (UCMJ), dated 26 June 2019, reflects the applicant received nonjudicial punishment for, between on or about 17 December 2018 and 17 January 2019, wrongfully used marijuana, in violation of Article 112a (Wrongful use, possession etc., of controlled substance), UCMJ. Their punishment consisted of a reduction in rank/grade from staff sergeant/E-6 to sergeant/E-5, forfeiture of \$1,500.00 pay for two months, and extra duty for 45 days. The applicant elected not to appeal.

(2) A DA Form 2166-9-1 (NCO Evaluation Report) covering the period 11 December 2018 through 2 July 2019, reflects in –

- Part I(i) (Reason for Submission) – Relief for Cause
- Part II(d2) Rated NCO's Signature) – no signature
- Part IV(b) (Character) – the applicant's rater checked "DID NOT MEET STANDARD" and commented
 - "rated NCO failed to meet or maintain the required Army Standard and organization goals
 - failed to display integrity in [applicant's] actions
 - multiple infractions of Army regulations and policies resulted in removal from leadership position"
- Part IV(f) (Leads) – the applicant's rater checked " DID NOT MEET STANDARD" and commented "was relieved from leadership position due to positive urinalysis"
- Part IV(g) (Develops) – the applicant's rater checked " DID NOT MEET STANDARD" and commented "inappropriate conduct adversely affected morale and discipline among subordinates"
- Part IV(h) (Achieve) – the applicant's rater checked " DID NOT MEET STANDARD" and commented "demonstrated little concern for the security and accountability of sensitive items during transfer of property to another NCO"
- Rater Overall Performance – the applicant's rater commented "tested positive for [Tetrahydrocannabinol] THC while place in a leadership position; NCO was removed from leadership position"
- Part V (Senior Rater Overall Potential) – the applicant's senior rater rated the applicant's potential as "NOT QUALIFIED" and commented –
 - "Rated NCO unavailable for signature
 - I relieved [Applicant] for violating the fidelity and trust of the organization by intentionally hiding drug samples and testing positive for the use of marijuana multiple times while serving as the unit prevention officer
 - Do not promote, do not send to schools

(3) Two DA Forms 4187 (Personnel Action) dated 30 June 2020 and 5 July 2020, reflects the applicant's unit changed their duty status from present for duty to AWOL effective 0630 hours 29 June 2020 and from AWOL to present for duty effective 1648 hours on 5 July 2020.

(4) A DA Form 4856 (Developmental Counseling Form) dated 7 July 2020, reflects the applicant received event-oriented counseling by their detachment sergeant for failure to report and absent without leave. The Key Points of Discussion reflects the applicant reported to their squad leader that "someone at your girlfriend's workplace tested positive for COVID-19" and that the applicant had "been feeling feverish." The squad leader continues with the timeline that led to the applicant status being changed to absence without leave on 30 June 2020 and present for duty on 5 July 2020. The applicant agreed with the information and signed the form.

(5) A DA Form 4856 (Developmental Counseling Form) dated 13 July 2020, reflects the applicant received event-oriented counseling from their company commander for failure to report. The Key Points of Discussion states the applicant is being counseled based on their failure to report at 1530 hours on 13 July 2020. It was reported that the applicant left the isolation barracks without notice. The applicant reported to the Charge of Quarters (CQ) in place that they had to take their pregnant spouse to the emergency room due to complications. The applicant failed to inform any of their leadership that they were married, had a baby on the way, and that the intended to leave the isolation barracks. When the applicant's squad leader contacted the applicant to get the details, the applicant was unable to provide the name of the hospital or the full name of their spouse. The applicant's signature is not on the form.

(6) A DA Form 4856 (Developmental Counseling Form) dated 7 July 2020, reflects the applicant received event-oriented counseling from their company commander for failure to report and absent without leave. The Key Points of Discussion the company commander states due to the events that have lead up to the applicant's AWOL status and the consistency in their lack of ability to adhere to accountability requirements to the unit and direct order given to them by the company commander and medical personnel in regard to their given diagnosis of COVID-19. The company commander is recommending the applicant for a field grade Article 15 and initiating separation packet. The applicant agreed with the information and remarked "I have evidence to show that I was not intentionally AWOL but stranded in an austere environment without communication or transportation." The applicant signed the form on 14 July 2020.

(7) A DA Forms 2627 (Record of Proceedings under Article 15, UCMJ, dated 3 August 2020, reflects the applicant received nonjudicial punishment for, on or about 28 June 2020, having received three orders from an NCO, "to call the [Corona Virus] COVID hotline, or the Tricare nurse advises line to let them know your symptoms," "to return to the barracks," and "to give him your current status and whereabouts and to return to the unit or email or text a quarters slip," or words to that effect, orders which was their duty to obey, willfully disobey, in violation of Article 91 (Willfully Disobeying NCO), UCMJ. For, without authority, absent themselves from their place of duty on 29 June 2020 and did remain so absent until on or about 5 July 2020, in violation of Article 86, UCMJ. Two occurrences of, without authority, went from their place of duty on 11 July 2020, and 13 July 2020, in violation of Article 86, UCMJ. For on or about 13 July 2020, with the intent to deceive, made an official statement, to wit: "that you had to take your pregnant [spouse] to the emergency room due to complications," or words to that effect, which statement was totally false, and was then known to be so false, in violation of Article 107, (False Official Statements), UCMJ. Their punishment consisted of a reduction in rank/grade from sergeant/E-5 to specialist/E-4, forfeiture of \$1,373.00 pay for two months, and extra duty and restriction for 45 days.

(8) A memorandum, Headquarters, 1st Cavalry Division, subject: Legal Review of Administrative Separation Board, [Applicant], dated 28 October 2020, reflects the Administrative Law Attorney states they have reviewed the record of the applicant's Administrative Separation Board and found it legally sufficient. The Facts reflects, on 25 September 2020, an administrative separation action to separate the applicant in accordance with Army Regulation 635-200, paragraph 14-12c, Commission of a Serious Offense was initiated. On 16 September 2020 the applicant requested a conditional waiver of their rights to an administrative hearing contingent upon receiving an honorable characterization of service. Their request for a conditional waiver was denied. The Administrative Separation Board found by a preponderance of the evidence that the applicant did absent themselves from their place of duty and did warrant separation. The board recommended the applicant receive an Under Other Than Honorable Conditions characterization of service. The Administrative Law Attorney recommended approval of the board's findings and recommendations.

(9) A memorandum, Headquarters, 1st Cavalry Division, subject: Separation under the Provision of Army Regulation 635-200, chapter 14-12c, Commission of a Serious Offense – [Applicant], dated 5 November 2020, the separation authority has carefully considered the separation packet of the applicant and reviewed the recommendations of the chain of command and the administrative separation board, that the applicant be separated from the Army prior to the expiration of their current term of service. After careful consideration of all relevant matters, the separation authority approved the findings and recommendations of the Administrative Separation Board. The separation authority directed the applicant be separated from the U.S. Army and be furnished an Under Other Than Honorable Conditions characterization of service. The applicant completed the separation history and physical examination on 30 July 2020 [note: the medical documents are not in evidence for review.]. The applicant will be reduced to the lowest enlisted grade.

(10) On 7 December 2020, the applicant was discharged accordingly, the DD Form 214 (Certificate of Release or Discharge from Active Duty) provides they completed 8 years, 1 month, and 16 days of net active service this period and completed their first full term of service. Their DD Form 214 (Certificate of Release or Discharge from Active Duty) shows in:

- item 4a (Grade, Rate or Rank) – Private
- item 4b (Pay Grade) – E-1
- item 12f (Effective Date of Pay Grade) – 5 November 2020
- item 24 (Character of Service) – Under Other Than Honorable Conditions
- item 25 (Separation Authority) – Army Regulation 635-200, Paragraph 14-12c(1)
- item 26 (Separation Code) – JKD
- item 27 (Reentry Code) – 4
- item 28 (Narrative Reason for Separation) – Misconduct (AWOL)
- item 29 (Dates of Time Lost During this Period) – 29 June 2020 – 4 July 2020

(11) An Enlisted Record Brief dated 8 December 2020 reflects the applicant's marital status as "Single" with no dependents.

i. **Lost Time / Mode of Return:** 6 days / NIF

j. **Behavioral Health Condition(s):** None

5. APPLICANT-PROVIDED EVIDENCE:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)

- Counsel's Brief in Support of Application for Discharge Upgrade, with excerpts of the applicant's AMHRR

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the application.

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

a. Title 10, U.S. Code, Section 1553, (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, Title 10 U.S. Code, Section 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 (DoD) 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; Title 10 U.S. Code; Section 1553 and DoD Directive 1332.41 and DoD Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), dated 19 December 2016, set policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

(1) An Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

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

(3) A Under Other Than Honorable Conditions Discharge is an administrative separation from the Service under conditions other than honorable. It may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court-martial.

(4) Chapter 14 (Separation for Misconduct) established policy and prescribed procedures for separating members for misconduct. 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 (Commission of a Service Offense), stated 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. An absentee returned to military control from a status of AWOL or desertion may be separated for commission of a serious offense.

(5) Chapter 15 (Secretarial Plenary Authority), currently in effect, 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 "JKD" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 14-12c(1), Misconduct (AWOL).

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 DoD Instruction 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes:

(1) RE-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.

(2) RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

(3) RE-4 Applies to: Person separated from last period of service with a nonwaiverable disqualification. This includes anyone with a DA imposed bar to reenlistment in effect at time of separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

g. Manual for Courts-Martial, United States (2019 Edition) stated, military law consists of the statutes governing the military establishment and regulations issued thereunder, the constitutional powers of the President and regulations issued thereunder, and the inherent authority of military commanders. Military law includes jurisdiction exercised by courts-martial and the jurisdiction exercised by commanders with respect to nonjudicial punishment. The purpose of military law is to promote justice, to assist in maintaining good order and discipline in the Armed Forces. Appendix 12 (Maximum Punishment Chart) Manual for Courts-Martial shows the maximum punishments include punitive discharge for violating the following Article 86 (AWOL).

8. SUMMARY OF FACT(S):

a. The Army Discharge Review Board considers applications for upgrade as instructed by DoD Instruction 1332.28.

b. A review of the applicant's Army Military Human Resource Record (AMHRR) reflects the applicant received a Relief for Cause NCOER for multiple infractions of Army regulations and intentionally hiding drug samples and testing positive for the use of marijuana multiple times; received nonjudicial punishment under the provisions of Article 15, UCMJ, on two occasions for multiple acts of misconduct, to include a period of AWOL from 29 June 2020 until on or about 5 July 2020; and was involuntarily separated from the Army. The DD Form 214 provides the applicant was discharged with a character of service of Under Other Than Honorable Conditions, for misconduct, (AWOL). They completed 8 years, 1 month, and 16 days of net active service this period; however, they did not complete their 3-year contractual reenlistment obligation.

c. Chapter 14 establishes policy and prescribes procedures for separation members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, commission of a serious offense and convictions by civil authorities. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. A discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record.

d. Published DoD 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: Psychosis/Schizophrenia.

(2) Did the condition exist, or experience occur during military service? **Yes.** Started experiencing symptoms of psychosis in-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 in acknowledging the applicant received a Schizophrenic diagnosis within a few months post-service and considering the timeframe for developing full psychosis/Schizophrenia, it is more likely than not the applicant was experiencing symptoms while in-service. Given the nature of psychosis and related symptoms, it is common for individuals to disappear, not be able to account for or lose track of time, struggle to follow through with directions especially multistep or requiring retention of information as the action is in the future versus in the immediate moment, be difficult in interpersonal interactions to include those in authority, use substances, and possibly make inaccurate statements.

(4) Does the condition or experience outweigh the discharge? **Yes.** Based on liberally considering all the evidence before the board, the ADRB determined that the mitigating BH conditions Psychosis/Schizophrenia outweighed the basis of separation – AWOL.

b. Response to Contention(s):

(1) The applicant contends this request is made for reasons of propriety and equity. The board considered the applicant's contention during deliberations. The board ultimately voted that relief was appropriate based on the applicant's medical diagnosis of psychosis/schizophrenia, as detailed in paragraph 9a (3-4) of this document.

(2) The applicant contends although the applicant takes personal responsibility for their misconduct, it is respectfully submitted that their command made an error of discretion that has prejudiced them since their separation. The board considered the applicant's contention in their deliberations.

(3) The applicant contends they drafted a personal statement explaining they felt marginalized by their chain of command at Fort Hood because of their reduction in rank, and specifically because they are an African American.

The board considered this contention in their deliberations.

(4) The applicant contends their mental health quickly deteriorated and began to act out in a manner that they never previously had acted. In turn, their command spuriously initiated administrative separation proceedings without investigating why they had suddenly been unable to conform to military standards.

The board considered this contention during deliberations.

(5) The applicant contends they were the target of several unwelcomed homosexual advances by members of their leadership at Fort Hood. They went absence without leave (AWOL) because they simply needed a break before the situation escalated into a physical confrontation. They never reported these homosexual advances because they were deeply embarrassed by the situation.

The board considered this contention and the totality of the applicant's service record during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's psychosis/schizophrenia outweighing the basis of separation – AWOL.

(6) The applicant contends their discharge was inequitable and was not commensurate with the overall quality of their 8 years of faithful and honorable service as evidenced by their noncommissioned officer evaluation reports (NCOERs) and awards and decorations.

The board considered this contention during deliberations.

(7) The applicant contends they have been inequitably stigmatized and harmed by their Under Other Than Honorable Conditions characterization of service, which has been recognized by various courts. Their discharge will continue to burden them and their family until it is corrected by the board.

The board considered this contention and the totality of the applicant's service record during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's in-service factors (length, quality) and psychosis/schizophrenia outweighing the basis of separation – AWOL.

c. The board determined the discharge is inequitable, considering the circumstances surrounding the discharge, including the mitigating diagnoses (Psychosis/Schizophrenia). As a result, the board voted to upgrade the characterization of service to honorable and change the separation authority to AR 635-200, Chapter 15. The narrative reason for separation will be updated to Secretarial Authority, along with an adjustment to the separation code to JFF. The reentry code will remain RE-4.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to honorable. The board concurred with the Agency BH Advisor's opine that the applicant has two mental health conditions (Psychosis/Schizophrenia) that fully mitigate the applicant's basis for separation (AWOL).

(2) The board voted to change the applicant's reason for discharge and the narrative reason for separation to Secretarial Authority, with a corresponding separation code of JFF.

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

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / 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:

3/3/2025



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