

1. Applicant's Name: [REDACTED]**a. Application Date:** 21 September 2021**b. Date Received:** 11 January 2022**c. Counsel:** [REDACTED]**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 an upgrade to honorable.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect:

- Administrative mistakes were made which violated regulations
- Applicant's mental state made the applicant unable to fully appreciate the administrative discharge proceedings
- Applicant's mental state at the time of his alleged "unsatisfactory performance" was greatly influenced by Post-Traumatic Stress Disorder (PTSD) caused by the applicant's roommate suicide
- The timeline of events leading to applicant's discharge is evidenced the process was not fair
- Applicant's commander stated a rehabilitative transfer occurred, which is false
- Applicant's conduct while in the Army was honorable
- The quality of his post-service accomplishments and record are consistent with the applicant's lifelong honorable, law-abiding behavior

c. Board Type and Decision: In a records review conducted on 5 February 2026, and by a 3-0 vote, the Board granted an upgrade to Honorable as the majority of the misconduct in the file was medically mitigated; however, the narrative reason/SPD code was not changed. Using liberal consideration, and the fact that the unmitigated misconduct was not of such an egregious nature that it should be associated with the applicant any longer, the Board decided unanimously for the overall upgrade to Honorable. 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: Unsatisfactory Performance / AR 635-200, Chapter 13 / JHJ / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 20 February 2014

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 10 January 2014

(2) Basis for Separation: The applicant was informed of the following reasons: The applicant's performance to date had been unsatisfactory, and potential for advancement is unlikely. On 6 March 2013, the applicant was counseled for missing an accountability formation and failing the Brigade Fire Support Certification. On 21 March 2013, the applicant was counseled for failing the written portion of the Fire Support Team certification. On 6 September 2013, the applicant failed to report for the XVIII Airborne Corps run. On 29 October 2013, the applicant was counseled for leaving the applicant's place of duty. On 31 October 2013, the applicant disobeyed a lawful order by possessing contraband in the barracks. These incidents demonstrate the applicant failed to correct deficiencies despite numerous attempts at rehabilitation.

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

(4) Legal Consultation Date: 14 January 2014

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 31 January 2014 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment Under Review: 31 July 2012 / 3 years, 22 weeks

b. Age at Enlistment / Education / GT Score: 17 / HS Graduate / 94

c. Highest Grade Achieved / MOS / Total Service: E-3 / 13F1O, Fire Support Specialist / 1 year, 6 months, 20 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: None

f. Awards and Decorations: NDSM, GWOTSM, ASR

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) Enlisted Record Brief (ERB), 21 February 2014, reflects the applicant was flagged for Involuntary Separation or Discharge (Field Initiated) (BA), effective 10 January 2014, and was ineligible for reenlistment due to pending separation. The Assignment Eligibility Availability code (9V) reflects the applicant was temporarily ineligible for reassignments due to pending separation.

(2) Orders 038-0265, issued 7 February 2014, shows the applicant was to be separated on 13 February 2014.

i. Lost Time / Mode of Return: None

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 Listed:** None

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; personnel records (55 pages); (2) letters of recommendation; VA medical records (334 pages); resume.

6. POST SERVICE ACCOMPLISHMENTS: Counsel states post-service accomplishments and record are consistent with the applicant's lifelong honorable, law-abiding behavior.

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 consider 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) 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 waiverable and non-waiverable 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 waiverable. Eligibility: Ineligible unless a waiver is granted.

g. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) 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.

(a) Paragraph 3-7a states 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) Paragraph 3-7b states 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 13 contains the policy and outlines the procedures for separating individuals for unsatisfactory performance, and provides, in pertinent part, commanders will separate a member under this Chapter when, in the commander's judgment, the member will not develop sufficiently to participate satisfactorily in further training and/or become a satisfactory Soldier. Paragraph 13-8 stipulates the service of Soldiers separated because of unsatisfactory performance will be characterized as honorable or under honorable conditions as warranted by their military records.

(3) 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

h. 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 "JHJ" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 13, unsatisfactory performance.

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's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 13, by reason of Unsatisfactory Performance, with a characterization of service of general (under honorable conditions).

c. The applicant's counsel contends administrative mistakes were made which violated regulations. The AMHRR does not indicate or provide evidence of arbitrary or capricious actions by the command.

d. The applicant's counsel contends the applicant's mental state made the applicant unable to fully appreciate the administrative discharge proceedings. The applicant's AMHRR includes no documentation of a PTSD diagnosis. The AMHRR does not reflect if the applicant underwent a mental status evaluation (MSE).

e. The applicant's counsel contends the applicant's mental state at the time of his alleged "unsatisfactory performance" was greatly influenced by PTSD caused by the applicant's roommate suicide. The applicant provided two third-party letters from immersion counseling and a medical advisor, which supports the applicant's contention. The applicant's AMHRR includes no documentation of a PTSD diagnosis. The AMHRR does not reflect if the applicant underwent a mental status evaluation (MSE).

f. The applicant's counsel contends the timeline of events leading to applicant's discharge is evidenced the process was not fair. The AMHRR does not indicate or provide evidence of arbitrary or capricious actions by the command.

g. The applicant's counsel contends the applicant's commander stated a rehabilitative transfer occurred, which is false. Army Regulation 635-200, paragraph 1-17d(2), entitled counseling and rehabilitative requirements, states the separation authority may waive the rehabilitative requirements in circumstances where common sense and sound judgment indicate such a transfer will serve no useful purpose or produce a quality Soldier.

h. The applicant's counsel contends the applicant's conduct while in the Army was honorable. The Board evaluated the applicant's service accomplishments and overall quality of service in accordance with DODI 1332.28.

i. The applicant's counsel contends the quality of his post-service accomplishments and record are consistent with the applicant's lifelong honorable, law-abiding behavior. The Army Discharge Review Board has the authority to consider post-service factors when reviewing discharge recharacterization requests. However, no law or regulation permits upgrading an unfavorable discharge solely due to time passed or good conduct in civilian life. The Board evaluates each case individually to determine whether post-service achievements indicate previous in-service misconduct was an anomaly rather than a reflection of the applicant's overall character.

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, Major Depressive Disorder.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board found that the applicant is service connected by the VA for Major Depressive Disorder and PTSD which establishes that the conditions existed during military service.

(3) Does the condition or experience excuse or mitigate the discharge? **Partial.** The Board applied liberal consideration and opined that there is evidence of BH conditions that provide partial mitigation for the basis of separation. The applicant is 70% service connected by the VA for Major Depressive Disorder and PTSD associated with witnessing his roommate's suicide in March 2013. Given the nexus between PTSD, Major Depressive Disorder, and avoidance, the FTRs and leaving the place of duty are mitigated. Given that exposure to trauma can impact concentration and motivation, failing the Brigade Fire Support Certification in the same month that the index trauma occurred suggests that the applicant's PTSD more likely than

not contributed to the failed certification. The nature of the contraband that the applicant possessed in the barracks is unknown. Therefore, the board's BH Advisor is unable to determine if the applicant's PTSD or Major Depressive Disorder contributed to the possession of the contraband. Accordingly, possessing contraband in the barracks is not mitigated.

(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 condition or experience outweighed/did not outweigh the basis of separation.

b. Prior Decisions Cited: **N/A**

c. Response to Contention(s):

(1) Applicant's mental state made the applicant unable to fully appreciate the administrative discharge proceedings. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD and Major Depressive Disorder outweighing the applicant's leaving the place of duty is partially mitigated.

(2) Applicant's mental state at the time of his alleged "unsatisfactory performance" was greatly influenced by PTSD caused by the applicant's roommate suicide. The Board considered this contention during proceedings, but ultimately did not address the contention due to an upgrade being granted based on the applicant's PTSD and Major Depressive Disorder outweighing the applicant's leaving the place of duty is partially mitigated.

(3) The timeline of events leading to applicant's discharge is evidenced the process was not fair and administrative mistakes were made which violated regulations. The Board considered this contention but determined that the contention is not a matter upon which the Army Discharge Review Board grants a change in discharge. The issue raises no matter of fact, law, procedure, or discretion related to the discharge process, nor is it associated with the discharge when it was issued.

(4) Applicant's commander stated a rehabilitative transfer occurred, which is false. The Board considered this contention non-persuasive during its deliberations because the applicant's characterization was upgraded because of his BH diagnoses of PTSD and Major Depressive Disorder partially mitigated his misconduct of leaving his duty station.

(5) Applicant's conduct while in the Army was honorable. The Board recognizes and appreciates the applicant's willingness to serve and considered this contention during board proceedings along with the totality of the applicant's service record.

d. The Board determined in a records review conducted on 5 February 2026, and by a 3-0 vote, the Board granted the request upon finding the separation was inequitable. The Board determined the discharge is inequitable based on the applicant's circumstances surrounding the discharge (Major Depressive Disorder and PTSD diagnoses). Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable. The SPD and RE-Code were not changed due the misconduct of possessing contraband in the barracks.

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) During Board deliberations, the medical advisor opined, there is evidence of BH conditions that provides partial mitigation for the basis of separation. The applicant is 100% service connected to include 70% service connected by the VA for Major Depressive Disorder and PTSD associated with witnessing his roommate's suicide in March 2013. Given the nexus between PTSD, Major Depressive Disorder, and avoidance, the FTRs and leaving the place of duty are mitigated. Given that exposure to trauma can impact concentration and motivation, failing the Brigade Fire Support Certification in the same month that the index trauma occurred suggests that the applicant's PTSD more likely than not contributed to the failed certification. While the applicant didn't have length, quality, combat or post, it was determined after a review of all available documents in the file that the discharge should be upgraded based on the medical advisor's opine. After discussing the lone misconduct not mitigated—possessing contraband in the barracks—the Board, in a unanimous vote, agreed to upgrade to Honorable with no change to the narrative reason/SPD code due to the weight of the BH conditions suffered by the applicant.

(3) The Board voted not to change the applicant's reason for discharge or accompanying SPD code under the same pretexts, and the reason the applicant was discharged was both proper and equitable.

(4) 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: No Change**
- d. Change RE Code to: No Change**
- e. Change Authority to: No Change**

Authenticating Official:

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20220000465



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