

1. Applicant's Name: [REDACTED]

a. **Application Date:** 31 August 2021

b. **Date Received:** 7 September 2021

c. **Counsel:** None

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 general (under honorable conditions). The applicant in effect, requests reconsideration of their request for an upgrade to honorable previously denied in Army Discharge Review Board Docket Number AR20090009732, dated 12 March 2010.

(2) The applicant seeks relief contending their discharge was inequitable because during their deployment they suffered from a Traumatic Brain Injury (TBI) as well as on set of Post Traumatic Stress Disorder (PTSD). They were not diagnosed or treated for either until after being discharged from the Army. Having both of these conditions going untreated drastically impaired their ability to think, act clearly, and make sound decisions. They are certain that these conditions contributed to their actions leading to them getting discharged. Prior to these injuries they had no such issues.

(3) During the last year of their service, they spiraled down in depression, paranoia, and made erratic decisions. They take ownership for these mistakes; however, they do believe it they would have sought medical intervention for both their TBI and PTSD they would have had possessed the tools to think more clearly.

(4) A year after being discharged from the Army, they finally broke down and sought help from the local Department of Veterans Affairs (VA) hospital. They were officially diagnosed and placed on a medical treatment plan and they can honestly say that this saved their life. Over the last 13 years they have been a productive member of society and raised their family to do the same.

b. Board Type and Decision: In a records review conducted on 6 August 2025, and by a 3-2 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, and the circumstances surrounding the discharge (PTSD diagnosis). 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, 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 Section 9 of this document for more detail regarding the Board's decision.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Misconduct, (Absence Without Leave (AWOL)) / Army Regulation 635-200, Paragraph 14-12C(1) / JKD / RE-3 / General (Under Honorable Conditions)

b. Date of Discharge: 18 August 2008

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 12 May 2008

(2) Basis for Separation: absent without leave from 1 September 2007 until 3 December 2007.

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

(4) Legal Consultation Date: 21 June 2008

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 31 July 2008 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment: 7 October 2004 / 4 years, 18 weeks

b. Age at Enlistment / Education / GT Score: 17 / Test-Based Equivalent Diploma / 110

c. Highest Grade Achieved / MOS / Total Service: E-4 / 11C1O, Indirect Fire Infantryman / 3 years, 6 months, 7 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: SWA / Iraq (8 April 2007 – 3 December 2007)

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

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) A memorandum, Headquarters, I Corps and Fort Lewis, subject: Reprimand, dated 17 November 2005, reflects the applicant was reprimanded in writing for, on or about 29 October 2005, apprehended by military law enforcement official on Fort Lewis, WA, for suspicion of driving under the influence of alcohol. A breathalyzer test was administered and resulted in a finding of 0.102 grams of alcohol per 210 liters of breath while they were under 21 years old.

(2) A memorandum, Headquarters, I Corps and Fort Lewis, subject: Reprimand, dated 5 April 2006, reflects the commanding general considered the circumstances surrounding this reprimand concerning the applicant, the applicant's statement, and the recommendations of the applicant's chain of command. They directed the general officer memorandum of reprimand (GOMOR) be filed permanently in their Army Military Human Resource Record (AMHRR).

(3) A DD Form 458 (Charge Sheet) dated 14 October 2007, reflects a charge was preferred against the applicant for violation of Article 85 (Desertion), Uniform Code of Military Justice (UCMJ). The applicant did or about 1 October 2007, without authority and with intent to remain therefore permanently absent themselves from their unit to wit: Headquarters and

Headquarters Company, 4th Battalion, 9th Infantry Regiment, Camp Taji, Iraq, and did so remain absent.

(4) Three DA Forms 4187 (Personnel Action) dated 3 October 2007 through 3 December 2007, reflects that applicant's commander, Headquarters, 4th Battalion, 9th Regiment, Camp Taji, Iraq, reported their duty status change from Present for Duty to AWOL effective 1 September 2007; from AWOL to Dropped From Rolls effective 1 October 2007; and from Dropped From Rolls to Present for Duty effective 3 December 2007.

(5) A memorandum, 4th Battalion, 9th Regiment, Rear Detachment, subject: Soldier Returned from AWOL Status, dated 8 January 2008, reflects the commander stated the applicant went AWOL from their unit and was gone approximately three months; there, they were Dropped From Rolls. The applicant's return to the unit was voluntary; there were not arrested and/or returned by a law enforcement agency.

(6) A Medical Command Form 699-R (Mental Status Evaluation) dated 9 January 2008, reflects the psychologist states the applicant has the mental capacity to understand and participate in the proceedings, meets retention requirements and was mentally responsible. The Soldier is cleared for any administrative actions deemed appropriate by command.

(7) A DD Form 2808 (Report of Medical Evaluation) dated 23 January 2008 reflects the examining physician marked "Normal" for all items examined, except for item 37 (Identifying Body Marks, Scars, Tattoos); the applicant is qualified for service.

- item 74b (Physical Profile) reflects for "S" (Psychiatric which concerns personality, emotional stability, and psychiatric diseases), a physical profile designator of "1," which indicates an individual is considered to possess a high level of medical fitness
- item 76 (Significant or Disqualifying Defects) reflects hearing loss, with a profile serial of "2" which indicates an individual possesses some medical condition or physical defect that may require some activity limitations
- item 77 (Summary of Defects and Diagnosis) - reflects, relates history of asthma since early childhood, prescribed an inhaler at age 10 or 11, relates history of recurrent bilateral knee pain, headaches, sleep problems, and depression at times.

(8) A DD Form 458 (Charge Sheet) dated 19 February 2008, reflects a charge was preferred against the applicant for violation of Article 85 (Desertion), UCMJ. The applicant did or about 1 October 2007, without authority and with intent to remain therefore permanently absent themselves from their unit to wit: Headquarters and Headquarters Company, 4th Battalion, 9th Infantry Regiment, Camp Taji, Iraq, and did so remain absent until on or about 3 December 2007.

(9) A DD Form 616 (Report of Return of Absentee) dated 7 March 2008, reflects the applicant's absence began on 1 September 2007, they surrendered to military authorities on 7 December 2007, and was transferred to the 4th Brigade, 2nd Division (Stryker Brigade Combat Team), Fort Lewis, WA.

(10) A DD Form 2329 (Record of Trial by Summary Court-Martial) dated 10 March 2008, reflects at the trial proceedings held on 10 March 2008, was found guilty of the charges preferred against them. Their punishment consisted of a reduction in rank/grade from specialist/E-4 to private/E-1, forfeiture of \$500.00, and to be confined for 30 days. On 25 March 2008, the convening authority approved the adjudged sentence.

(11) A memorandum, Rear Detachment, 4th Battalion, 9th Infantry Regiment, 4th Brigade (Stryker Brigade Combat Team)(Rear)(Provisional), 2nd Infantry Division, subject: Separation under Army Regulation 635-200, Chapter 14, dated 12 May 2008, the applicant's company commander notified the applicant of their intent to separate them under the provisions of Army Regulation 635-200, Paragraph 14-12c, Commission of a Serious Offense with a recommended characterization of service of general (under honorable conditions) for, absent without leave from 1 September 2007 until 3 December 2007. On the same day the applicant acknowledged receipt of the proposed action initiated against them.

(12) Two DA Forms 4187 (Personnel Actions) dated 5 June 2008 and 17 June 2008 reflects the applicant's unit changed their duty status from Present for Duty to AWOL effective 5 June 2008 and from AWOL to Present for Duty effective 17 June 2008.

(13) On 21 June 2008, the applicant completed their election of rights, signing they had been advised by their consulting counsel of the basis for the contemplated action to separate them for Commission of a Serious Offense, and its effects; of their rights available to them and of the effect of any action taken by them in waiving their rights. They requested consulting counsel and elected not to submit statements on their behalf. They understand that they may expect to encounter substantial prejudice in civilian life if a general (under honorable conditions) discharge is issued to them.

(14) A memorandum, Rear Detachment, 4th Battalion, 9th Infantry Regiment, 4th Brigade (Stryker Brigade Combat Team)(Rear)(Provisional), 2nd Infantry Division, subject: Separation under Army Regulation 635-200, Chapter 14, dated 21 June 2008, the applicant's company commander submitted a request to separate them prior to their expiration term of service.

(15) A memorandum, 4th Brigade (Stryker Brigade Combat Team)(Rear)(Provisional), 2nd Infantry Division, subject: Separation under Army Regulation 635-200, Chapter 14, dated 31 July 2008, the separation authority approved the recommendation for the separation of the applicant and directed the applicant's service be characterized as General (Under Honorable Conditions).

(16) On 18 August 2008, the applicant was discharged accordingly, their DD Form 214 (Certificate of Release or Discharge from Active Duty) provides they completed 3 years, 6 months, and 7 days of net active service this period. They did not complete their full 4-year, 18-week contractual enlistment obligation. The DD Form 214 shows in –

- item 4a (Grade, Rate or Rank) – Private
- item 4b (Pay Grade) – E-1
- item 12i (Effective Date of Pay Grade) – 10 March 2008
- item 24 (Characterization of Service) – General (Under Honorable Conditions)
- item 28 (Narrative Reason for Separation) – Misconduct (AWOL)
- item 29 (Dates of Time Lost During This Period) – 20070901 – 20071202;
20080311 – 20080402; 20080605 – 20080615

(17) A DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States) dated 1 May 2009 reflects that applicant's request for an upgrade of their character of service to honorable. The applicant states, they feel the punishment they received was unjust and unequal. There were several other individuals in their unit that had committed the same infractions, but they were the only one to be discharged. They explained that in the fall of 2008 [2007], they made the decision not to report back to their unit based upon the fact that their spouse was ill and they were in and out of the hospital. At the time their command was

aware of the situation and did not grant them sufficient enough time to care for their spouse. After their spouse regained their health they immediately returned to their unit for duty. They realize that being absent without leave was not the most effective way of going about the situation, they now know there were other options they could have pursued and they regret the choice they made.

(18) On 12 March 2010 the Army Discharge Review Board determined the applicant's discharge was both proper and equitable and voted to deny the applicant's request.

- there were no mitigating factors to merit an upgrade
- the discharge was appropriate because the quality of the applicant's service was not consistent with the Army's standards of acceptable personal conduct and performance of duty by military personnel
- by their misconduct, they diminished the quality of service below that meriting a fully honorable discharge
- the applicant provided no independent corroborating evidence demonstrating that either the command's actions were erroneous or that their service mitigated the misconduct or poor duty performance
- the method of which another Soldier's case was handled is not relevant as applicable regulations state each case must be decided on an individual basis considering the unique facts and circumstances of that particular case
- the applicant had other options besides committing the misconduct that resulted in the discharge

i. Lost Time / Mode of Return:

- 92 Days (1 September 2007 – 2 December 2007) / Surrendered to Military Authorities
- 11 March 2008 – 2 April 2008 / Released from Confinement
- 5 June 2008 – 15 June 2008 / NIF

j. Behavioral Health Condition(s):

(1) **Applicant provided:** VA Decision Letter, page 2, reflecting service connection for PTSD (also claimed as paranoia and nightmares) granted with an evaluation of 50-percent, with an effective date of 29 October 2009 and a VA Letter verifying their service-connected disability for PTSD at 70-percent.

(2) **AMHRR Listed:** None

5. APPLICANT-PROVIDED EVIDENCE:

- two DD Forms 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- two VA Letters
- 3rd Party Character Statement

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 6 June 2005, 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 absent without leave or desertion may be separated for commission of 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 (Absence Without Leave).

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 waivable and nonwaivable 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 waivable. Eligibility: Ineligible unless a waiver is granted.

(3) 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. Manual for Courts-Martial, United States (2008 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 Article 85 (Desertion) and Article 86 (Absence Without Leave).

h. Title 38, U.S. Code, Sections 1110 and 1131, permits the VA to award compensation for a medical condition which was incurred in or aggravated by active military service. The VA, however, is not required by law to determine medical unfitness for further military service. The VA, in accordance with its own policies and regulations, awards compensation solely on the basis that a medical condition exists and that said medical condition reduces or impairs the social or industrial adaptability of the individual concerned. Consequently, due to the two concepts involved, an individual's medical condition, although not considered medically unfitting for military service at the time of processing for separation, discharge, or retirement, may be sufficient to qualify the individual for VA benefits based on an evaluation by the agency.

8. SUMMARY OF FACT(S):

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

b. The available evidence reflects charges were preferred against the applicant in violation of Article 86 (AWOL) in that on or about 1 September 2007, absent themselves from their unit in Iraq and did so remain absent until on or about 3 December 2007. The applicant received notification of initiating action to separate for this period of absent without leave on 12 May 2008 and again goes absent without leave from 5 June 2008 through 17 June 2008. The DD Form 214 provides the applicant was discharged with a character of service of general (under honorable conditions) for misconduct, (AWOL). They completed 3 years, 6 months, and 7 days of net active service this period; however, they did not complete their 4-year, 18-week contractual enlistment 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. The applicant's AMHRR does not reflect documentation of a diagnosis of PTSD or TBI during their military service. The applicant provided VA Decision Letter, page 2, reflecting service connection for PTSD (also claimed as paranoia and nightmares) granted with an evaluation of 50-percent, with an effective date of 29 October 2009 and a VA Letter verifying their service-connected disability for PTSD at 70-percent.

e. 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 diagnosis: PTSD

(2) Did the condition exist, or experience occur during military service? **Yes.** Combat

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that given the trauma occurred prior and during the misconduct and nexus between trauma and avoidance, the basis is mitigated.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board determined that the applicant's condition or experience outweighed the listed basis for separation for the aforementioned reasons.

b. Prior Decisions Cited: None

c. Response to Contentions:

(1) The applicant contends their discharge was inequitable because during their deployment they suffered from a TBI, as well as on set of PTSD. They were not diagnosed or treated for either until after being discharged from the Army. The Board considered this contention and acknowledged the Medical Advisor's opine of the applicant's potentially mitigating diagnosis.

(2) The applicant contends having both of these conditions going untreated drastically impaired their ability to think, act clearly, and make sound decisions. They are certain that these conditions contributed to their actions leading to them getting discharged. Prior to these injuries they had no such issues

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 fully outweighing the applicant's AWOL basis for separation.

(3) The applicant contends during the last year of their service, they spiraled down in depression, paranoia, and made erratic decisions. They take ownership for these mistakes; however, they do believe if they would have sought medical intervention for both their TBI and PTSD they would have had possessed the tools to think more clearly.

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 fully outweighing the applicant's AWOL basis for separation.

(4) The applicant contends a year after being discharged from the Army, they finally broke down and sought help from the local VA hospital. They were officially diagnosed and placed on a medical treatment plan and they can honestly say that this saved their life.

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 fully outweighing the applicant's AWOL basis for separation.

(5) The applicant contends over the last 13 years they have been a productive member of society and raised their family to do the same.

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 fully outweighing the applicant's AWOL basis for separation.

d. The Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, and the circumstances surrounding the discharge (PTSD diagnosis). 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, 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.

e. Rationale for Decision:

(1) 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 with the conclusion of the medical advising official that given the trauma occurred prior and during the misconduct and nexus between trauma and avoidance, the basis is mitigated. The Board voted 3-2 that the applicant's totality of misconduct is outweighed by the service record and medical mitigation. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was inequitable.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE**AR20220000500**

(2) 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.

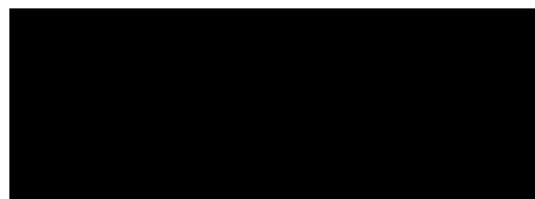
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214:** 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

Authenticating Official:

3/4/2026



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