

1. Applicant's Name: [REDACTED]

a. **Application Date:** 3 September 2021

b. **Date Received:** 13 September 2021

c. **Counsel:** None

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

a. **Applicant Requests:** The current characterization of service for the period under review is under other than honorable conditions. The applicant requests an upgrade to honorable.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect, the chapter packet incorrectly stated the applicant did not have a PTSD diagnosis. The applicant reports having medical documentation, including a MEDCOM Form 774, which confirms a PTSD diagnosis. The applicant feels the discharge was improper and believes PTSD symptoms contributed to the mistakes leading to separation.

c. **Board Type and Decision:** In a records review conducted on 19 February 2026, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's Depression, Anxiety, Panic Disorder, PTSD mitigated the applicant's drug offenses and AWOL, FTRs, and disrespect and the totality of the applicant's service record including length and quality of service, to include combat service, outweighing the applicant's alteration of a physical profile and false official statement which followed. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** Misconduct (Serious Offense) / AR 635-200, Chapter 14-12c / JKQ / RE-3 / Under Other Than Honorable Conditions

b. **Date of Discharge:** 25 April 2014

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 6 March 2014

(2) **Basis for Separation:** The applicant was informed of the following reasons: The applicant failed to report to a 1330 neurology appointment on or about 13 July 2013. The applicant failed to report to a mental health appointment on or about 8 August 2013 and failed to report to a second mental health appointment on or about 15 August 2013. The applicant failed to report to first formation on or about 19 August 2013. The applicant absented self from the unit on or about 27 September 2013 and remained absent until on or about 13 January 2014. The applicant used disrespectful language toward Sergeant A.F.S on or about 29 September 2013. The applicant failed to obey a lawful general order, paragraph 4(q), 82d Airborne Division Regulation 190-2, by wrongfully possessing drug paraphernalia, including a burnt metal can and a plastic syringe, on or about 19 August 2013. The applicant made a false official statement to Sergeant A.F.S. regarding a physical

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profile on or about 5 September 2013. The applicant willfully and unlawfully altered a physical profile by changing the response next to the two-mile run in block 6 of DA Form 3349 on or about 29 August 2013.

(3) Recommended Characterization: Under Other Than Honorable Conditions

(4) Legal Consultation Date: 5 March 2014

Administrative Separation Board: On 5 March 2014, the applicant unconditionally waived consideration by the administrative separation board.

(5) Separation Decision Date / Characterization: March 2014 (The date is present but illegible) / Under Other Than Honorable Conditions

4. SERVICE DETAILS:

a. Date / Period of Reenlistment Under Review: 6 August 2009 / 2 years (The applicant voluntarily extended to 3 years and 1 month on 21 December 2010)

b. Age at Enlistment / Education / GT Score: 23 / GED / 94

c. Highest Grade Achieved / MOS / Total Service: E-5 / 11B2P, Infantryman / 7 years, 8 months, 13 days

d. Prior Service / Characterizations: RA, 26 April 2006 – 5 August 2009 / HD

e. Overseas Service / Combat Service: SWA / Iraq (26 November 2006 – 17 February 2008); (22 May 2011 – 20 December 2011)

f. Awards and Decorations: ACM-2CS, ARCOM-2, AAM-2, AGCM-2, NDSM, GWOTSM, AFSM, ICM-CS, NCOPDR, ASR, NATOMDL, CIB

g. Performance Ratings: 1 November 2011 – 10 July 2012 / Successful
11 July 2012 – 10 July 2013 / Successful

h. Disciplinary Action(s) / Evidentiary Record:

(1) Five Personnel Action forms indicate the applicant's duty status changed as follows:

From Present for Duty (PDY) to Absent Without Leave (AWOL), effective 27 September 2013.

From AWOL to Dropped From Rolls (DFR), effective 1 October 2013;

From Dropped From Rolls (DFR) to Present for Duty (PDY), effective 13 January 2014;

From Present for Duty (PDY) to Hospital (HOS), effective 13 January 2014

From Hospital to Present for Duty, effective 14 January 2014

(2) Department of the Army memorandum, subject Letter of Intent, 17 September 2013, reflects the commander's intent to separate the applicant under Chapter 14-12c was because of drug paraphernalia found in the applicant's barrack's room.

i. Lost Time / Mode of Return: 3 months, 17 days, (AWOL, 27 September 2013 – 13 January 2014) / NIF

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: Medical Record Primary Care Screening form, 25 July 2013, reflects in the provider assessment section the applicant tested positive for depression and PTSD. The applicant scored a 12 on the PHQ-9 and a 26 on the PCL test. The applicant was diagnosed with PTSD and depression and referred to a behavioral health specialist.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; Medical Record Primary Care Screening form.

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

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

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

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

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

sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

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

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

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

e. Army Regulation 15-180 (Army Discharge Review Board), 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 nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes:

- RE-1 Applies to: Person completing their 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 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed.

(a) Paragraph 14-3, prescribes 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.

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 "JKQ" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c, misconduct (serious offense).

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 was recommended for separation under chapter 14-12c because the applicant failed to report to a 1330 neurology appointment on or about 13 July 2013. The applicant failed to report to a mental health appointment on or about 8 August 2013 and failed to report to a second mental health appointment on or about 15 August 2013. The applicant failed to report to first formation on or about 19 August 2013. The applicant absented self from the unit on or about 27 September 2013 and remained absent until on or about 13 January 2014. The applicant used disrespectful language toward Sergeant A.F.S on or about 29 September 2013. The applicant failed to obey a lawful general order, paragraph 4(q), 82d Airborne Division Regulation 190-2, by wrongfully possessing drug paraphernalia, including a burnt metal can and a plastic syringe, on or about 19 August 2013. The applicant made a false official statement to Sergeant A.F.S. regarding a physical profile on or about 5 September 2013. The applicant willfully and unlawfully altered a physical profile by changing the response next to the two-mile run in block 6 of DA Form 3349 on or about 29 August 2013. The applicant was separated with an under other than honorable conditions character of service.

c. The applicant feels the discharge was improper and believes PTSD symptoms contributed to the mistakes leading to separation. The applicant provided a third-party letter from their spouse, which described the applicant's change in behavior after returning from combat and supported the applicant's contention. The applicant's AMHRR includes no documentation of a PTSD diagnosis.

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: Adjustment Disorder, Anxiety Disorder NOS, Panic Disorder, Depression. Additionally, the applicant asserts PTSD, which may be sufficient evidence to establish the existence of a condition that could mitigate or excuse the discharge.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found that the applicant was diagnosed in service with an Adjustment Disorder, Anxiety Disorder NOS, Panic Disorder, and Depression. The applicant also self-asserts PTSD, and the medical record supports that the applicant experienced combat-related PTSD symptoms during military service.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Partial.** The Board's Medical Advisor applied liberal consideration and opined that the applicant was diagnosed in service with an Adjustment Disorder, Anxiety Disorder NOS, Panic Disorder, and Depression. The applicant also self-asserts PTSD, and the medical record supports that the applicant experienced combat-related PTSD symptoms during military service. Given the nexus between Depression, Anxiety, Panic Disorder, PTSD, avoidance, and using substances for self-medication, the FTRs, AWOL, and possessing drug paraphernalia are mitigated. Given the nexus between PTSD and difficulty with authority, the use of disrespectful language is mitigated. Altering a physical profile and making a false official statement regarding the physical profile are not mitigated by the applicant's Adjustment Disorder, Depression, Anxiety, Panic Disorder, or PTSD since none of these conditions interfered with the ability to understand that this willful misconduct was wrong.

(4) Does the condition or experience outweigh the discharge? **No.** Despite the Board's application of liberal consideration, the Board considered the opinion of the Board's Medical Advisor, a voting member, that the available evidence did not support a conclusion that the applicant's Depression, Anxiety, Panic Disorder, PTSD outweighed the unmitigated profile alteration and lying about it for the aforementioned reason(s).

b. Prior Decisions Cited: N/A

c. Response to Contention(s): The applicant feels the discharge was improper and believes PTSD symptoms contributed to the mistakes leading to separation. The Board considered this contention and determined relief was warranted based on the applicant's Depression, Anxiety, Panic Disorder, PTSD mitigated the applicant's drug offenses and AWOL, FTRs, and disrespect and the totality of the applicant's service record including length and quality of service, to include combat service, outweighing the applicant's alteration of a physical profile and false official statement which followed.

d. The Board determined the discharge is inequitable based on the applicant's Depression, Anxiety, Panic Disorder, PTSD mitigated the applicant's drug offenses and AWOL, FTRs, and disrespect and the totality of the applicant's service record including length and quality of service, to include combat service, outweighing the applicant's alteration of a physical profile and false official statement which followed.

e. Rationale for Decision:

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

(2) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Depression, Anxiety, Panic Disorder, PTSD mitigated the applicant's drug offenses and AWOL, FTRs, and disrespect and the totality of the applicant's service record including length and quality of service, to include combat service, outweighing the applicant's alteration of a physical profile and false official statement which followed. Thus, the prior characterization is no longer appropriate.

(3) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JKN.

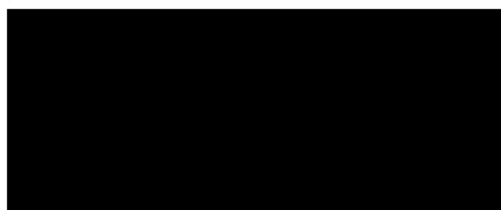
(4) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

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, paragraph 14-12a**

Authenticating Official:

2/25/2026



Legend:

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

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

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

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