

1. Applicant's Name: [REDACTED]**a. Application Date:** 27 September 2021**b. Date Received:** 27 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 honorable conditions (general). The applicant requests an upgrade to honorable and a narrative reason change.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect, the applicant had hernia repair surgery while assigned as a Ranger in the 75th Ranger Regiment. A friend of the applicant that was in the applicant's squad committed suicide. The applicant struggled mentally and physically after the events occurred. The applicant decided to purchase some testosterone to improve physical performance after the surgery. After the applicant was punished for steroid use, the applicant's entire leadership told the applicant the applicant would be released from the 75th Ranger Regiment and returned to the regular Army to get another chance in a different unit. The applicant was betrayed, and the applicant's leadership lied to the applicant.

c. Board Type and Decision: In a records review conducted on 14 November 2025, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, and post-service accomplishments. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN, and the reentry code to RE-3. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Misconduct (Drug Abuse) / AR 635-200, Paragraph 14-12c (2) / JKK / RE-4 / General (Under Honorable Conditions)

b. Date of Discharge: 15 December 2016

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 24 October 2016

(2) Basis for Separation: The applicant was informed of the following reasons: Between on or about 29 March 2016 and 2 June 2016, the applicant wrongfully used steroids.

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

(4) Legal Consultation Date: 25 October 2016

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 28 November 2016 / General
(Under Honorable Conditions)

4. SERVICE DETAILS:

- a. Date / Period of Enlistment Under Review:** 4 August 2014 / 3 years and 42 weeks
- b. Age at Enlistment / Education / GT Score:** 18 / HS Graduate / 109
- c. Highest Grade Achieved / MOS / Total Service:** E-3 / 35G1P, Geospatial Intelligence Imagery Analyst / 2 years, 4 months, 12 days
- d. Prior Service / Characterizations:** None
- e. Overseas Service / Combat Service:** None
- f. Awards and Decorations:** AAM, NDSM, GWOTSM, ASR
- g. Performance Ratings:** NA
- h. Disciplinary Action(s) / Evidentiary Record:**
 - a.** Law Enforcement Report, 22 July 2016, reflects the applicant purchased Testosterone Cypionax, an anabolic steroid, which was intercepted by the B_T_ Embassy. The applicant was interviewed and admitted the applicant purchased Nolvadex (Tamoxifen) but denied purchasing Testosterone Cypionax. Additionally, the applicant admitted the use of anabolic steroids.
 - b.** Background Check – Specimen Data, certified on 4 August 2016, reflects the applicant tested positive for Steroids on 2 June 2016. The Forensic Toxicology Drug Testing Laboratory confirmed the positive.
 - c.** Commander's Report, 31 October 2016, reflects the applicant received a Field Grade Article 15 on 18 August 2016. The punishment included reduction to PVT/E-1, forfeiture of \$782 for two months, extra duty for 45 days, and restriction for 45 days. (DA Form 2627 is not in the applicant's AMHRR)
 - d.** DA Form 3822 (Report of Mental Status Evaluation), 13 September 2016, reflects the applicant was command directed for a behavioral health evaluation. The applicant was screened for Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury. These conditions were either not present or if present, did not meet AR 40-501 (Standards of Medical Fitness) criteria for a medical evaluation board. The Behavioral Health Provider stated there was no evidence of behavioral health difficulties that required disposition through medical channels. The applicant was able to distinguish right from wrong and had the mental capacity to understand and participate in administrative/board proceedings. The applicant was psychiatrically cleared for any action deemed appropriate and lawful by the Command.
- 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 provided: NA

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293, Personal Statement, Buddy Statement, and DD Form 214.

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 (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

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

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

d. Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. However, the guidance applies to more than

clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

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

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

e. Army Regulation 15-180 (Army Discharge Review Board), dated 25 September 2019, sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

f. Army Regulation 601-210, Regular Army, and Reserve Components Enlistment Program, governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waivable and nonwaivable separations. Table 3-1, defines reentry eligibility (RE) codes:

- RE-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.
- RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waivable. Eligibility: Ineligible unless a waiver is granted.
- RE-4 Applies to: Person separated from last period of service with a nonwaivable disqualification. This includes anyone with a DA imposed bar to reenlistment in effect at time of separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

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

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

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

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

(2) Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. A discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record. Paragraph 14-12c (2) terms abuse of illegal drugs as serious misconduct. Paragraph 14-12c, states a Soldier is subject to action per this section for commission of a serious military or civilian offense, if the specific circumstances of the offense warrant separation and a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial. Commanders will process for separation all Soldiers who are identified as illegal drug abusers, tested positive for illegal drugs a second time during their career, or involved in two serious incidents of alcohol-related misconduct within a 12-month period.

(3) Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes) provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identifies the SPD code of "JKK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, Misconduct (Drug Abuse).

8. SUMMARY OF FACT(S): Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

a. The applicant requests an upgrade to honorable and a narrative reason change. The applicant's AMHRR, the issues, and documents submitted with the application were carefully reviewed.

b. The applicant requests a narrative reason change. The applicant was separated under the provisions of AR 635-200, Chapter 14-12c(2), with a General (Under Honorable Conditions) discharge and a RE code of "4." The narrative reason specified by Army Regulations for a discharge under this chapter is "Misconduct (Drug Abuse)" and the separation code is "JKK." AR 635-8, Separation Documents governs the preparation of the DD Form 214 and dictates the entry of the narrative reason for separation, entered in block 28 and separation code, entered in block 26 of the form, will be as listed in table 2-2 or 2-3 of AR 635-5-1, Separation Program Designator (SPD) Codes. The regulation stipulates no deviation is authorized. There is no provision for any other reason or SPD code to be entered under this regulation.

c. The applicant contends the applicant had to undergo hernia repair surgery and decided to purchase testosterone to further improve physical performance after the surgery. There is no evidence in the AMHRR the applicant ever sought assistance before committing the misconduct, which led to the separation action under review.

d. The applicant contends after the suicide of the applicant's friend, the applicant never had mental clarity. The applicant's AMHRR is void of a mental health diagnosis. The applicant underwent a MSE on 13 September 2016, which reflects the applicant was command directed for a behavioral health evaluation. The applicant was screened for PTSD and TBI. These conditions were either not present or if present, did not meet AR 40-501 (Standards of Medical Fitness) criteria for a medical evaluation board. The Behavioral Health Provider stated there was no evidence of behavioral health difficulties that required disposition through medical channels. The applicant was able to distinguish right from wrong and had the mental capacity to understand and participate in administrative/board proceedings. The applicant was psychiatrically cleared for any action deemed appropriate and lawful by the Command.

e. The applicant contends the applicant was betrayed and lied to by the applicant's leadership. The applicant's entire leadership told the applicant that the applicant would be released from the 75th Ranger Regiment and returned to the regular Army to get another chance in a different unit. The evidence reflects, the applicant's immediate and intermediate commander's recommended the applicant be retained and rehabilitatively transferred to another unit. However, the separation authority is not bound by the recommendations of the chain of command. On 28 November 2016, the separation authority reviewed the separation packet and directed the applicant be separated from the Army prior to the expiration of the applicant's current term of service, with a General (Under Honorable Conditions) characterization of service.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **No.** The Board's Medical Advisor reviewed DoD and VA medical records and found no mitigating BH diagnoses on the applicant. The applicant provided no documents or testimony of a condition or experience, that, when applying liberal consideration, could have excused or mitigated a discharge.

(2) Did the condition exist, or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A**

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Prior Decisions Cited: NA

c. Response to Contention(s):

(1) The applicant contends the applicant had to undergo hernia repair surgery and decided to purchase testosterone to further improve physical performance after the surgery. The Board considered this contention during deliberation.

(2) The applicant contends after the suicide of the applicant's friend, the applicant never had mental clarity. The Board did not find any evidence of a BH condition, but did consider the circumstances surrounding the drug use in their deliberations.

(3) The applicant contends the applicant was betrayed and lied to by the applicant's leadership. The applicant's entire leadership told the applicant that the applicant would be released from the 75th Ranger Regiment and returned to the regular Army to get another chance in a different unit. The Board did not find any capricious or improper actions by the chain of command, thus did not consider this during deliberations.

d. The Board determined: The Board carefully considered the applicant's request, supporting documents, evidence in the records, a medical review, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement, record of service, the frequency and nature of misconduct, and the reason for separation. The Board found sufficient evidence of in-service mitigating factors (Length, Quality) and concurred that, although there are no BH mitigating conditions, the applicant's service record mitigates the misconduct basis for separation. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was inequitable and warranted an upgrade.

e. Rationale for Decision:

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

(2) The Board voted to change the applicant's characterization of service to Honorable because the applicant's length and quality of service outweighed the applicant's misconduct of drug abuse. 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 change to RE-3.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

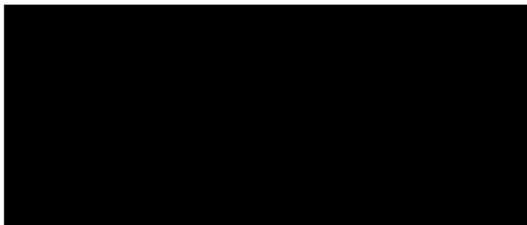
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10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order: Yes
- b. Change Characterization to: Honorable
- c. Change Reason / SPD code to: Misconduct (Minor Infractions)/JKN
- d. Change RE Code to: RE-3
- e. Change Authority to: No Change

Authenticating Official:

2/27/2026



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
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