

1. Applicant's Name: [REDACTED]

a. **Application Date:** 11 December 2021

b. **Date Received:** 11 December 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 general (under honorable conditions). The applicant requests upgrade to honorable and change the reason for separation.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect the applicant suffered with Post-Traumatic Stress Disorder (PTSD) as a direct result of three (3) deployments that was subsequently, a direct result of the reason for discharge. At the time, neither the applicant nor the applicant's chain of command possessed adequate knowledge of PTSD. The applicant experienced noticeable changes, particularly with symptoms of depression and anger, but lacked awareness of PTSD and likely would have denied its presence. The applicant completed three (3) deployments and has since been diagnosed with Combat PTSD. The applicant continues to manage this mental health condition with support from the Department of Veterans Affairs (VA).

c. **Board Type and Decision:** In a records review conducted on 23 October 2025, and by a 3-0 vote. The Board voted to grant relief by upgrading the characterization of service to Honorable and revising the narrative reason for separation with a code of JKN. The Board further concluded that the existing reenry code was appropriate and equitable and therefore elected not to modify it. 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:** Patterns of Misconduct / AR 635-200, Para 14-12B / JKA / General (Under Honorable Conditions) / RE-3

b. **Date of Discharge:** 13 May 2010

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 15 December 2009

(2) **Basis for Separation:** The applicant was informed of the following reasons: On or about 24 July 2009 the applicant received a Field Grade Article 15 for failing to go at the time prescribed to his appointed place of duty on three occasions, between on or about 28 June 2009 and 6 July 2009. On or about 26 May 2009, the applicant received a Field Grade Article 15 for AWOL, between on or about 2 May 2009 and 5 May 2009. On or about 10 July 2008, the applicant received a Summarized Article 15 for making a false official statement and using disrespectful language towards a Noncommissioned Officer. On or about 17 November 2009, the applicant received a Company Grade Article 15 for previous overindulgence and was incapacitated to perform his duties properly on or about 21 October 2009.

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

(4) Legal Consultation Date: 6 January 2010

(5) Administrative Separation Board: On 9 April 2010, the administrative board found the allegation in the notice of separation was supported by the preponderance the evidence and recommended the applicant be discharged prior to the expiration of the term of service with a general (under honorable conditions) characterization of service.

(6) Separation Decision Date / Characterization: 30 April 2010 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Enlistment/Reenlistment Under Review: 8 February 2006 / 5 years

b. Age at Enlistment / Education / GT Score: 26 / HS Graduate / 97

c. Highest Grade Achieved / MOS / Total Service: E-5 / 42A10 Human Resources Specialist / 9 years, 2 months, 14 days

d. Prior Service / Characterizations: RA, 26 February 2001- 7 February 2006 / Honorable

e. Overseas Service / Combat Service: SWA / Kuwait-Iraq / 1 March 2003 – 1 February 2004 / Afghanistan / 19 March 2005 – 21 March 2006 / Iraq / 23 October 2007 -17 January 2009

f. Awards and Decorations: ARCOM, AAM x 3, AGCM x 2, NDSM, KCMBSS, ACM-CS, ICM-CS, GWTSM, OSR x 3, NATOMDL, CAB, DRV/MECH

g. Performance Ratings: 1 September 2008 – 1 January 2008 / Fully Capable

h. Disciplinary Action(s) / Evidentiary Record:

(1) FG Record of Proceedings under Article 15, Uniform Code of Military Justice, [19 May 2009, indicates the applicant was absent without leave (AWOL) between 2 and 5 May 2009. The imposed punishment included a reduction to E-4, forfeiture of \$1,109.00 pay per month for one month (suspended), along with 45 days of extra duty and oral reprimand.

(2) FG Record of Proceedings under Article 15, Uniform Code of Military Justice, 17 July 2009, indicates the applicant failed to go at the time prescribed to his appointed place of duty on three occasions, between 28 June 2009 and 6 July 2009. The imposed punishment included a reduction to E-3, forfeiture of \$930 pay per month for one month (suspended), to be automatically remitted if not vacated before 24 October 2009 along with 45 days of extra duty and restriction.

(3) FG Record of Proceedings under Article 15, Uniform Code of Military Justice, 6 November 09, indicates the applicant was found overindulgence and was incapacitated to perform the applicant's duties properly on or about 21 October 2009. The imposed punishment included a reduction to E-2, forfeiture of \$366.00 pay per month for one month, along with 14 days of extra duty.

i. Lost Time / Mode of Return: 3 days (AWOL, 2 May 2009 - 5 May 2009) / Returned to Military Control

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: VA Disability Rating Decision, 23 May 2022, provides the applicant received a 100 percent disability for PTSD

(2) AMHRR provided: None

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293, VA Disability Rating Decision

6. POST SERVICE ACCOMPLISHMENTS: None

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), 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.

(c) An under other-than-honorable-conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court martial based on certain circumstances or patterns of behavior or acts or omissions that constitute a significant departure from the conduct expected of Soldiers in the Army.

(d) A Bad Conduct discharge will only be given to a Soldier pursuant to an approved sentence of general or special court-martial. Enlisted service members and officers with less than six years of service are eligible for a Bad Conduct Discharge. Behaviors such as drug abuse, assault, theft, insubordination, and other actions that violate military law may be punished with a BCD.

(e) A Dishonorable discharge is the most severe type of discharge and will be given to a Soldier pursuant only to an approved sentence of general or special court-martial. The appellate review must be completed and affirmed sentence ordered duly executed. Behaviors such as fraud, desertion, treason, espionage, sexual Assault, and murder and other actions may be punished with a dishonorable discharge.

(f) Paragraph 3-9 states a separation will be described as entry-level with service uncharacterized if processing is initiated while a Soldier is in entry-level status. Unless the DCS, G-1, on a case-by-case basis, determines that characterization of service as honorable is clearly warranted by the presence of unusual circumstances involving personal conduct and performance of duty. This characterization is authorized when the Soldier is separated by reason of selected changes in service obligation, convenience of the Government, and Secretarial plenary authority. A Soldier is in an entry-level status (ELS) if the Soldier has not completed more than 180 days of creditable continuous active duty prior to the initiation of separation action

(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 14-12b, addresses a pattern of misconduct consisting of either discreditable involvement with civilian or military authorities or discreditable conduct and conduct prejudicial to good order and discipline

including conduct violating the accepted standards of personal conduct found in the Uniform Code of Military Justice, Army Regulations, the civilian law and time-honored customs and traditions of the Army.

(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

(4) 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 "JKA" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14 12b, Pattern of Misconduct.

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 separated under the provisions of AR 635-200, Chapter 14-12b, with a general (under honorable conditions), due to Pattern of Misconduct.

c. The applicant contends the applicant suffered with PTSD as a direct result of three (3) deployments that subsequently, was a direct result of the reason for discharge. The applicant's AMHRR is void of a PTSD diagnosis. The AMHRR is also void of a Report of Mental Status Examination. The applicant provided VA Disability Rating Decision, 23 May 2022, which indicates the applicant received a 100 percent disability rating for PTSD.

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. The applicant

was diagnosed in service with an Adjustment Disorder, insomnia, and Alcohol Dependence. He was diagnosed by the VA with service-connected PTSD related to combat.

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found evidence that the applicant was diagnosed in service with an Adjustment Disorder, insomnia, and Alcohol Dependence. He was diagnosed by the VA with service-connected PTSD related to combat.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Partial.** The Board's Medical Advisor applied liberal consideration and opined that there is evidence of a partially mitigating mental health condition. The applicant was diagnosed while on active service with an Adjustment Disorder, insomnia, and Alcohol Dependence. After his discharge, he was diagnosed by the VA with service-connected PTSD related to combat. Given the nexus between PTSD and self-medicating with alcohol, avoidant, and erratic behavior, the applicant's incident of going AWOL, being drunk on duty, repeated failures to report to his place of duty, and disrespectful language toward an NCO, which led to the applicant's separation are mitigated. However, the applicant's misconduct of making a false official statement is not a natural sequelae of his diagnosed mental health conditions, and this incident of misconduct is not mitigatable.

(4) Does the condition or experience outweigh the discharge? **No.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board determined that the available evidence did not support a conclusion that the applicant's conditions outweighed the medically unmitigated list offenses.

b. Prior Decisions Cited: NA – Applies to Personal Appearances only.

c. Response to Contention(s): The applicant contends the applicant suffered with PTSD as a direct result of three (3) deployments that was subsequently, a direct result of the reason for discharge. The Board considered this contention and in agreement with the medical opined that there is evidence of a partially mitigating mental health condition. The applicant was diagnosed while on active service with an Adjustment Disorder, insomnia, and Alcohol Dependence. After his discharge, he was diagnosed by the VA with service-connected PTSD related to combat. Given the nexus between PTSD and self-medicating with alcohol, avoidant, and erratic behavior, the applicant's incident of going AWOL, being drunk on duty, repeated failures to report to his place of duty, and disrespectful language toward an NCO, which led to the applicant's separation are mitigated. Therefore, a discharge upgrade is warranted.

d. The Board determined the discharge is inequitable based on the applicant's PTSD that outweighed the applicant's illegal substance abuse. Therefore, the Board voted to grant relief in the form of an upgrade to the characterization of service to Honorable and directed the issue of a new DD Form 214 changing the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), and the separation code to JKN. The Board determined the RE Code was proper and equitable and voted not to change it.

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.

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(2) The Board voted to change to grant relief in the form of an upgrade to the characterization of service to Honorable and directed the issue of a new DD Form 214. The Board voted to change the applicant's discharge narrative separation to Misconduct (Minor Infractions), and the separation code to JKN.

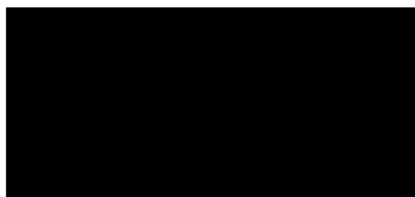
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. **Issue a New DD-214 / Separation Order:** Yes
- b. **Change Characterization to:** Honorable Discharge
- c. **Change Reason / SPD code to:** JKN
- d. **Change RE Code to:** No Change
- e. **Change Authority to:** AR 635-200, paragraph 14-12a

Authenticating Official:

11/6/2025

**Legend:**

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