

1. Applicant's Name: [REDACTED]**a. Application Date:** 4 December 2021**b. Date Received:** 7 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 an honorable characterization of service.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect, a drinking problem led to illegal substance use and eventual discharge from military service. Although enrolled in a rehabilitation program, deployment interrupted treatment, and the applicant believes support was withdrawn prematurely despite a strong service record. Diagnosed post-discharge with PTSD and later with PTSD and alcohol use disorder, the applicant has experienced binge drinking but is not alcohol dependent. Currently receiving care through the Department of Veterans Affairs, the applicant holds a 100% disability rating, is married with two children, and has maintained employment as a Health, Safety, and Environmental Representative at a major oil and gas company since 2011, while also pursuing higher education since 2015. The application notes PTSD is related to the applicant's discharge.

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 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. 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 / General (Under Honorable Conditions)

b. Date of Discharge: 23 March 2010

c. Separation Facts:

(1) **Date of Notification of Intent to Separate:** 25 February 2010

(2) **Basis for Separation:** The applicant was informed of the following reasons: two offenses of driving while intoxicated.

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

(4) **Legal Consultation Date:** 25 February 2010

(5) **Administrative Separation Board:** None

(6) Separation Decision Date / Characterization: 8 March 2010 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Reenlistment Under Review: 14 January 2006 / 6 years

b. Age at Enlistment / Education / GT Score: 20 / HS Graduate / 96

c. Highest Grade Achieved / MOS / Total Service: E-5 / 13P1O, Multiple Launch Rocket System / Fire Direction Specialist / 5 years, 9 months, 17 days

d. Prior Service / Characterizations: AD, 7 June 2004 - 13 January 2006 / HD

e. Overseas Service / Combat Service: SWA / Iraq (3 December 2005 - 19 November 2006) and (10 June 2008 - 10 July 2009)

f. Awards and Decorations: ICM-4CS, ARCOM-3, AAM, MUC, AGCM, NDSM, GWOTSM, NCOPDR, ASR, OSR-2

g. Performance Ratings: 1 October 2007 - 30 September 2008 / Fully Capable
1 October 2008 - 28 February 2009 / Fully Capable
1 March 2009 - 28 February 2010 / Marginal

h. Disciplinary Action(s) / Evidentiary Record:

(1) Court documents reflect the applicant was arrested by local law enforcement for driving under the influence on 27 October 2007 and again on 24 January 2008. The court documents show the applicant was convicted of two offenses of driving under the influence.

(2) A DA FORM 2627 (Record of Proceedings Under Article 15, UCMJ) shows the applicant accepted field grade nonjudicial punishment (NJP) on 23 April 2008 for the wrongful use of cocaine between 23 March 2008 and 25 March 2008. The applicant's punishment consisted of a reduction to E-4, suspended to be automatically remitted if not vacated on or before 20 October 2008; forfeiture of \$975 per month for two months; extra duty for 45 days; and restriction for 45 days.

(3) Army Center for Substance Abuse Programs (ACSAP) documentation contained in the applicant's separation packet shows the applicant's urine tested positive for the presence of cocaine on 13 August 2007 and again on 25 March 2008.

(4) A Commander's Report, 26 February 2010 shows the applicant was enrolled in ACSAP but was considered a rehabilitation "failure [because the applicant received a] DUI while enrolled [applicant had] to install [a] breathalyzer system in automobile in order to operate after breath analysis."

(5) Report of Mental Status Evaluation (MSE), 16 January 2010, provides the applicant received a PTSD screening, which was unremarkable. The form shows the applicant was mentally sound and able to appreciate any wrongfulness in conduct and participate in Board or other administrative proceedings. The applicant was cleared to participate in discharge processing.

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: two VA rating decisions show the VA diagnosed, service connected and rated the applicant for PTSD and later PTSD with alcohol use. The condition was determined to be 50% disabling.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE: A DD Form 149 (Application for Correction of Military Records) and a self-authored statement.

6. POST SERVICE ACCOMPLISHMENTS: The applicant is married with two children, and has maintained employment as a Health, Safety, and Environmental Representative at a major oil and gas company since 2011, while also pursuing higher education since 2015.

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 his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.

- RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

- RE-4 Applies to: Person separated from last period of service with a nonwaiverable 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 (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 3-5c, provides the reasons for separation, including the specific circumstances that form the basis for the separation, will be considered on the issue of characterization. As a general matter, characterization will be based upon a pattern of behavior other than an isolated incident. There are circumstances, however, in which the conduct or performance of duty reflected by a single incident provides the basis for characterization.

(b) 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.

(c) 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 14-2c, prescribes Commanders will not take action prescribed in this chapter instead of disciplinary action solely to spare an individual who may have committed serious misconduct from the harsher penalties that may be imposed under the UCMJ.

(b) 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.

(3) Chapter 15 provides explicitly for separation under the prerogative of the Secretary of the Army. Secretarial plenary separation authority is exercised sparingly and seldom delegated. Ordinarily, it is used when no other provision of this regulation applies, and early separation is clearly in the Army's best interest. Separations under this paragraph are effective only if approved in writing by the Secretary of the Army or the Secretary's approved designee as announced in updated memoranda. Secretarial separation authority is normally exercised on a case-by-case basis. If Secretarial Authority is granted normally correct the record to show the following:

- Separation Authority: Army Regulation 635-200, Chapter 15
- Separation Code: JFF
- Reenlistment Code: RE1
- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

h. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty,

and the SPD codes to be entered on the DD Form 214. It identifies the SPD code of "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's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 14, paragraph 14-12c, by reason of Misconduct (Serious Offense), with a characterization of service of general (under honorable conditions.

c. The applicant contends a drinking problem led to illegal substance use and eventual discharge from military service. Although enrolled in a rehabilitation program, deployment interrupted treatment, and the applicant believes support was withdrawn prematurely. The applicant's record shows the applicant was enrolled in ACSAP, but the record is silent as to when the applicant entered and exited ACSAP. However, the evidence of record does show the applicant was disenrolled as an ACSAP failure after receiving a DUI while enrolled in the program.

d. The applicant contends a diagnosis of PTSD is related to the discharge. The applicant's AMHRR is void of a PTSD diagnosis. The applicant underwent a MSE on 16 January 2010, which reflects the applicant received a PTSD screening, which was unremarkable. The MSE reflects the applicant was mentally sound and able to appreciate any wrongfulness in conduct and participate in Board or other administrative proceedings. The applicant was cleared to participate in the discharge processing. The applicant provides two VA rating decisions which reflects VA diagnosed, service connected and rated the applicant for PTSD and later PTSD with alcohol use. The condition was determined to be 50% disabling.

e. The applicant contends good post service conduct. The applicant is married with two children, and has maintained employment as a Health, Safety, and Environmental Representative at a major oil and gas company since 2011, while also pursuing higher education since 2015. The Army Discharge Review Board has the authority to consider post-service factors when reviewing discharge recharacterization requests. However, no law or regulation permits upgrading an unfavorable discharge solely due to time passed or good conduct in civilian life. The Board evaluates each case individually to determine whether post-service achievements indicate previous in-service misconduct was an anomaly rather than a reflection of the applicant's overall character.

9. BOARD DISCUSSION AND DETERMINATION:

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

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor, a voting member, reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: the applicant was diagnosed in service with alcohol and substance use conditions, and 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 the applicant was diagnosed in service with alcohol and substance use conditions, and 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? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that there is evidence of a mitigating mental health condition. The applicant was diagnosed in service with alcohol and substance use/dependence conditions and later was diagnosed with service-connected PTSD related to combat by the VA. Given the nexus between PTSD and self-medication with alcohol and illegal drug abuse and erratic behavior, the two DUIs which led to the applicant's separation and the continued use of alcohol despite being enrolled in ASAP are 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: N/A

c. Response to Contention(s):

(1) The applicant contends a drinking problem led to illegal substance use and eventual discharge from military service. Although enrolled in a rehabilitation program, deployment interrupted treatment, and the applicant believes support was withdrawn prematurely. The Board considered this contention and determined that there is insufficient evidence in the applicant's official record or provided by the applicant that the applicant was not provided sufficient medical resources.

(2) The applicant contends good post service conduct. The applicant is married with two children, and has maintained employment as a Health, Safety, and Environmental Representative at a major oil and gas company since 2011, while also pursuing higher education since 2015. 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 length and quality of service, to include combat service and determined the discharge is inequitable based on the applicant's PTSD outweighed the applicant's illegal substance abuse.

(3) The applicant contends a diagnosis of PTSD is related to the discharge. The Board considered this contention during proceedings and voted to grant an upgrade based on the applicant's PTSD and applicant's length, quality and combat service outweighing the applicant's Serious Offense – illegal substance abuse basis for separation. Thus, and upgrade of the characterization of service and narrative reason for separation code is warranted.

d. The Board determined the discharge is inequitable based on the applicant's PTSD 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.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE**AR20220002488****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 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.

(3) The Board voted to change the applicant's reason for discharge or accompanying SPD code to JKN.

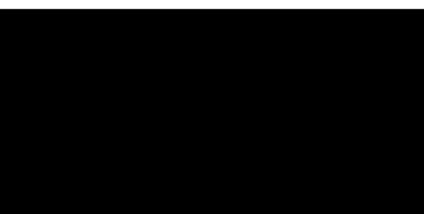
(4) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / 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:

11/5/2025

**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
UOTHC – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs