

1. Applicant's Name: [REDACTED]**a. Application Date:** 11 January 2022**b. Date Received:** 26 January 2022

6

c. Counsel: None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:****a. Applicant's Requests and Issues:**

(1) The current characterization of service for the period under review is General (Under Honorable Conditions). The applicant in effect, requests reconsideration of their request for an upgrade to Honorable previously denied in Army Discharge Review Board Docket Number AR20090020269, dated 3 September 2010.

(2) The applicant seeks relief contending they served as a valued member of the U.S. Army for almost a decade. They have numerous awards and decorations for their service. At that time they had undiagnosed Post Traumatic Stress Disorder (PTSD). They would have proudly served until their retirement, as was their intention. It is their firm belief that had they been serving in today's Army, their PTSD would have been diagnosed and treated in a proper manner. The character of service was a result of two failed drug tests from a means of self-medicating their PTSD. They ask the Board to consider their discharge upgrade in light of the Hagel Memorandum and to give liberal consideration to military records that document symptoms of what is now known as PTSD in determining whether a veteran had PTSD during service. Also to give special consideration to a Department of Veteran Affairs (VA) diagnosis of service connected PTSD. As well as to consider whether undiagnosed PTSD contributed to misconduct at the time of their discharge.

(3) They have been a good citizen since their discharge and a valued member of the community. Their credit rating is outstanding and their debts are paid in timely fashion. They would be subject to improper and inequitable treatment, in light of their diagnosed PTSD, if their discharge to remain characterized as General (Under Honorable Conditions) due to their undiagnosed PTST during their time in service.

b. Board Type and Decision: In a records review conducted on 07 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, the circumstances surrounding the discharge (PTSD diagnoses), 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 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 available upon request.

3. DISCHARGE DETAILS:

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

b. Date of Discharge: 24 July 2007

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 10 July 2007

(2) Basis for Separation: The applicant was informed of the following reasons:

- wrongfully used marijuana between on or about 29 October 2005 and on or about 28 November 2005
- wrongfully used marijuana between on or about 28 September 2006 and on or about 27 October 2006
- wrongfully used marijuana between on or about 24 February 2007 and or about 26 March 2007

(3) Recommended Characterization: Under Other Than Honorable Conditions

(4) Legal Consultation Date: 12 July 2007

(5) Administrative Separation Board: on 12 July 2007, the applicant voluntarily waived consideration of their case by an administrative separation board contingent upon receiving a characterization of service or description of separation not less favorable than General (Under Honorable Conditions).

(6) Separation Decision Date / Characterization: undated / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Reenlistment: 28 July 2003 / 4 years

b. Age at Enlistment / Education / GT Score: 26 / Some College / 91

c. Highest Grade Achieved / MOS / Total Service: E-5 / 88M10, Motor Transport Operator / 7 years, 1 month, 10 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: Korea, SWA / Iraq (26 December 2004 – 17 November 2005)

f. Awards and Decorations: ARCOM, AAM-2, AGCM, NDSM, GWTSM, KD SM, ICM, ASR, OSR-2

g. Performance Ratings: October 2005 – January 2006 / Marginal

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Form 2166-8 (NCO Evaluation Report) covering the period October 2005 – January 2006, reflects in –

- Part IV (a) (Army Values) – “NO” for Honor and Integrity; – actions were detrimental to the good order and discipline of the unit; behavior lacked the discipline, professionalism and legality that all NCOs are expected to emulate

- Part IV(b) (Competence) – “NEEDS IMPROVEMENT (Some)” – exercised extremely poor judgement and decision making with regards to off-duty behavior; jeopardized ability to perform Military Occupational Specialty related duties
- Part IV(d) (Leadership) – “NEEDS IMPROVEMENT (Some)” – projected negative image and inability to set the example by testing positive on urinalysis
- Part V (Overall Performance and Potential) – MARGINAL
- Part V (e) (Senior Rater Bullet Comments) – in part –
 - do not promote Soldier; needs more time in current position
 - leadership ability was questionable
 - with constant mentoring and coaching, Soldier has potential to become a successful NCO

(2) A DA Form 2627 (Record of Proceedings under Article 15, Uniform Code of Military Justice (UCMJ)) dated 12 January 2006 reflects the applicant received nonjudicial punishment, in that they, did, at or near Fort Riley, KS, between on or about 29 October 2005 and on or about 28 November 2005, wrongfully used marijuana, in violation of Article 112a. Their punishment consisted of a reduction in rank/grade from sergeant/E-5 to specialist/E-4, forfeiture of \$967.00 pay and extra duty for 45 days. The applicant elected not to appeal.

(3) A DA Form 3975 (Military Police Report) dated 6 August 2006, reflects the applicant as the named subject with the offense description of Controlled Substance Violations, Use of Marijuana – Determined by Urinalysis Test. The Section VII (Narrative) reflects, the applicant tested positive for marijuana during a command directed urinalysis. They were transported to the Criminal Investigation Division (CID) office where they were advised of their legal rights which they waived, the applicant denied ever using marijuana. They were processed and released to their unit by CID.

(4) A DA Form 3975 (Military Police Report) dated 7 February 2007, reflects the applicant as the named subject with the offense description of Wrongful Use of Marijuana – Determined by Urinalysis Test. The Section VII (Narrative) reflects, the applicant tested positive for Tetrahydrocannabinol (THC) during a command directed urinalysis. They were transported to the CID office where they were advised of their legal rights which they waived, rendering a sworn statement admitting to the offense. They were processed and released to their unit by CID.

(5) A DA Form 2627 (Record of Proceedings under Article 15, Uniform Code of Military Justice (UCMJ)) dated 19 April 2007 reflects the applicant received nonjudicial punishment, in that they, did, at or near Fort Riley, KS, on or about 28 September 2006, wrongfully used marijuana, a Schedule I Controlled Substance, in violation of Article 112a. Their punishment consisted of a reduction in rank/grade from specialist/E-4 to private/E-1, forfeiture of \$650.00 pay for two months, and extra duty and restriction for 45 days. The applicant elected not to appeal.

(6) A DA Form 3975 (Military Police Report) dated 26 April 2007, reflects the applicant as the named subject with the offense description of Wrongful Use of a Controlled Substance (Marijuana). The Section VII (Narrative) reflects, the applicant tested positive for THC during a command directed urinalysis. They were transported to the CID office where they were advised of their legal rights which they waived, rendering a sworn statement admitting to the offense. They were processed and released to their unit by CID.

(7) A DA Form 4856 (Developmental Counseling Form) dated 31 May 2007, reflects the applicant received event-oriented counseling for Drug Related Offense/Failed Urinalysis

(3rd Offense) and in intent to discharge from Army per Army Regulation 635-200, Paragraph 14-12c(2). The agreed with the information, provided no remarks and signed the form.

(8) A memorandum, Headquarters and Headquarters Company, 1st Sustainment Brigade, subject: Separation under Army Regulation 635-200, Chapter 14, Paragraph 14-12c(2), Abuse of Illegal Drugs, dated 10 July 2007, reflects the applicant received notification of the initiation of separation action against them from their company commander for Abuse of Illegal Drugs. The reason for the proposed separation action is described above in paragraph 3c(2). The company commander recommended the applicant receive an Under Other Than Honorable Conditions discharge. On the same date the applicant acknowledged receipt of their notification of separation.

(9) On 12 July 2007, the applicant completed their Election of Rights acknowledging they have been advised by their consulting counsel of the basis for the contemplated action to separate them for commission of a serious offense under Army Regulation 635-200, paragraph 14-12c(2) – Abuse of Illegal Drugs, and its effects; of the rights available to them; and of the effect of any action taken by them in waiving their rights. They understand they are entitled to have their case considered by an administrative separation board because they will have 6 years of total active and reserve military service at the time of separation, and they are being considered for a separation Under Other Than Honorable Conditions.

(a) They have been advised of their right to submit a conditional waiver of their right to have their case considered by an administrative separation board. They, therefore, voluntarily waived consideration of their case by an administrative separation board contingent upon receiving a characterization of service or description of separation no less favorable than General (Under Honorable Conditions). They are making this request on their own free will and have not been subjected to any coercion whatsoever by any person.

(b) They understand they may expect to encounter substantial prejudice in civilian life if their service is characterized as General (Under Honorable Conditions). They further understand that, as the result of issuance of a discharge Under Other Than Honorable Conditions, they may be ineligible for many or all benefits as a veteran under both Federal and State laws.

(c) They elected to submit statements in their behalf and requested consulting counsel. [Note: statements in their behalf are not in evidence for review.]

(10) A memorandum, Headquarters and Headquarters Company, 1st Sustainment Brigade, subject: Separation under Army Regulation 635-200, Chapter 14, Paragraph 14-12c, Abuse of Illegal Drugs, dated 18 July 2007, reflects the applicant's company commander's recommendation to separate them from the U.S. Army prior to the expiration of their term of service. The commander states for a description of rehabilitative attempts, the applicant has been counseled, and through subsequent behavior, has demonstrated a lack of acceptance of rehabilitative measures. They do not consider it feasible or appropriate to accomplish other disposition as the applicant has demonstrated through repeated conduct, after formal counseling, that other disposition would be inappropriate.

(11) Two memorandums, subject: Separation under Army Regulation 635-200, Chapter 14, Paragraph 14-12c – Abuse of Illegal Drugs, dated 13 July 2007, reflects the applicant's battalion commander and brigade commander have reviewed the separation proceedings pertaining to the applicant. They recommend the applicant be separated from the Army prior to the expiration of their current term of service. They recommend the applicant service be characterized as General (Under Honorable Conditions).

(12) A memorandum, Headquarters, 1st Infantry Division and Fort Riley, subject: Separation in accordance with Army Regulation 635-200, Chapter 14, Paragraph 14-12c(2), Abuse of Illegal Drugs, undated, reflects the separation authority approved the applicant's conditional waiver request. They direct the applicant be separated from the Active component of the Army prior to the expiration of their current term of service and directed their service be characterized as General (Under Honorable Conditions).

(13) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged on 24 July 2007, with 7 years, 1 month, and 10 days of net active service this period. The DD Form 214 shows in –

- item 4a (Grade, Rate or Rank) – Private
- item 4b (Pay Grade) – E-1
- item 12h (Effective Date of Pay Grade) – 19 April 2007
- item 18 (Remarks) – in part, MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions)
- item 28 (Narrative Reason for Separation) – Misconduct (Drug Abuse)

(14) On 3 September 2010, the Army Discharge Review Board denied the applicant's request to upgrade their character of service to Honorable. The Board determined –

- there were no mitigating factors which would merit an upgrade of the applicant's discharge
- the applicant's discharge was appropriate because the quality of their service was not consistent with the Army's standards for acceptable personal conduct and performance of duty by military personnel
- the applicant, as an NCO, had the duty to support and abide by the Army drug policies, by abusing illegal drugs
- they knowingly risked a military career, and the misconduct diminished the quality of their service below that meriting a fully honorable service
- the reason for discharge and the characterization of service were both proper and equitable

i. Lost Time / Mode of Return: NA

j. Behavioral Health Condition(s): The following documents have been provided to the ARBA Medical Advisor. See "Board Discussion and Determination" for Medical Advisor Details.

(1) Applicant provided: A Department of Veterans Affairs (VA) Rating Decision reflecting an evaluation of PTSD with major depressive disorder without psychotic features, with a 50-percent rating.

(2) AMHRR Listed: None

5. APPLICANT-PROVIDED EVIDENCE:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- VA Decision Letter with Rating Decision

6. POST SERVICE ACCOMPLISHMENTS: None submitted with application.

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

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

b. 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; Title 10, U.S. Code, Section 1553; and DoD Directive 1332.41 and DoD Instruction 1332.28.

f. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) effective 6 July 2005, set policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. It prescribes the policies, procedures, and the general provisions governing the separation of Soldiers before expiration term of service or fulfillment of active duty obligation to meet the needs of the Army and its Soldiers.

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

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

(3) A Under Other Than Honorable Conditions Discharge is an administrative separation from the Service under conditions other than honorable. It may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court-martial.

(4) Chapter 14 (Separation for Misconduct) established policy and prescribed procedures for separating members for misconduct. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. Paragraph 14-12c(2) (Abuse of Illegal Drugs is Serious Misconduct), stated, however; relevant facts may mitigate the nature of the offense. Therefore, a single drug abuse offense may be combined with one or more minor disciplinary infractions or incidents of other misconduct and processed for separation. 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.

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

g. 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, paragraph 12c(2), misconduct (drug abuse).

h. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program) governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DoD Instructions 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:

(1) RE-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.

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

(3) 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.

i. Army Regulation 600-85 (Army Substance Abuse Program (ASAP)) governs the program and identifies Army policy on alcohol and other drug abuse, and responsibilities. The ASAP is a command program that emphasizes readiness and personal responsibility. The ultimate decision regarding separation or retention of abusers is the responsibility of the Soldier’s chain of command. Abuse of alcohol or the use of illicit drugs by military personnel is inconsistent with Army values and the standards of performance, discipline, and readiness necessary to accomplish the Army’s mission. Unit commanders must intervene early and refer all Soldiers suspected or identified as alcohol and/or drug abusers to the ASAP. The unit commander should recommend enrollment based on the Soldier’s potential for continued military service in terms of professional skills, behavior, and potential for advancement.

j. Manual for Courts-Martial, United States (2005 Edition) stated, military law consists of the statutes governing the military establishment and regulations issued thereunder, the constitutional powers of the President and regulations issued thereunder, and the inherent authority of military commanders. Military law includes jurisdiction exercised by courts-martial and the jurisdiction exercised by commanders with respect to nonjudicial punishment. The purpose of military law is to promote justice, to assist in maintaining good order and discipline in the Armed Forces. Appendix 12 (Maximum Punishment Chart) Manual for Courts-Martial shows the maximum punishments include punitive discharge for violating Article 112a (Failure to obey order, regulation) and Article 112a (Wrongful use, possession, etc., of controlled substances).

8. SUMMARY OF FACT(S):

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

b. A review of the available evidence reflects the applicant tested positive for marijuana on three occasions, received two occurrences of nonjudicial punishment in violation of Article 112a (Wrongful use, possession, etc., of controlled substances) and was involuntarily discharged from the U.S. Army. Their DD Form 214 provides they were discharged with a character of service of General (Under Honorable Conditions) for misconduct (drug abuse). They completed 7 year, 1 month, and 10 days of net active service and completed their first full term of service.

c. Chapter 14 establishes policy and prescribes procedures for separation members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, commission of a serious offense; to include abuse of illegal drugs; and convictions by civil authorities. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. A discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record.

d. Published Department of Defense guidance indicates that the guidance is not intended to interfere or impede on the Board's statutory independence. The Board will determine the relative weight of the action that led to the discharge and whether it supports relief or not. In reaching its determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

9. BOARD DISCUSSION AND DETERMINATION:

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

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor, a voting member, reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: the applicant was diagnosed in service with PTSD and by the VA with service-connected PTSD related to combat.

(2) Did the condition exist, or experience occur during military service? **Yes.** The applicant was diagnosed in service with PTSD and 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 applied liberal consideration and opined that there is evidence of a mitigating mental health condition. The applicant was diagnosed in service and by the VA with PTSD related to combat and significant trauma experienced prior to their service, which was exasperated by their experiences during deployment. Given the nexus between PTSD and self-medication with illegal substances, the applicant's use of illegal substances which led to the applicant's separation is mitigated.

Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the applicant's PTSD outweighed the applicant's drug abuse.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends they served as a valued member of the U.S. Army for almost a decade. They have numerous awards and decorations for their service. 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 Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse offense.

(2) The applicant contends at that time they had undiagnosed PTSD. They would have proudly served until their retirement, as was their intention. It is their firm belief that had they been serving in today's Army, their PTSD would have been diagnosed and treated in a proper manner. Their character of service was a result of two failed drug tests from a means of self-medicating their PTSD. They ask the Board to consider their discharge upgrade in light of the Hagel Memorandum and to give liberal consideration to military records that document symptoms of what is now known as PTSD in determining whether a veteran had PTSD during service. The Board liberally considered this contention and determined that it was valid due to the applicant's Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse offense. Therefore, a discharge upgrade is warranted.

(5) The applicant contends they have been a good citizen since their discharge and a valued member of the community. Their credit rating is outstanding, and their debts are paid in timely fashion. 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 Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse offense.

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 with the conclusion of the medical advising official that there is evidence of a mitigating mental health condition. The applicant was diagnosed in service and by the VA with PTSD related to combat and significant trauma experienced prior to their service, which was exasperated by their experiences during deployment. Given the nexus between PTSD and self-medication with illegal substances, the applicant's use of illegal substances which led to the applicant's separation is mitigated. 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 Post Traumatic Stress Disorder outweighed the applicant's use of illegal substances. Thus, the prior characterization is no longer appropriate.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE**AR20220003504**

(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.

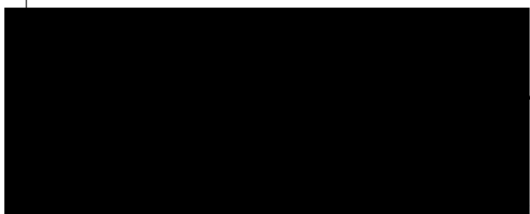
(4) The RE code will change to Re-3.

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

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