

1. Applicant's Name: [REDACTED]**a. Application Date:** 26 February 2022**b. Date Received:** 19 April 2022**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**

a. Applicant Requests: The current characterization of service for the period under review is under other than honorable conditions. The applicant requests an upgrade to honorable, a narrative reason change, and a reentry code change.

b. Applicant Contention(s) / Issue(s): The applicant requests relief contending, in effect, in the three years of active service, during the two years in Afghanistan, the applicant lived in constant fear and anxiety because of mortar attacks, small arms fire directed towards the base, and other terrifying experiences. There were daily reminders the applicant was in a war zone. The applicant was a very high-speed and motivated Soldier who earned multiple awards. Six months before having a mental breakdown and subsequent unauthorized leave, the applicant was awarded an Army Achievement Medal. During the applicant's time in Afghanistan, and despite the applicant's deteriorating mental health, the applicant was always motivated and hard-working. The applicant always placed the mission first and never hesitated to do what the applicant needed to do. The applicant earned medals and awards in such a short time. It was not until the mental breakdown the applicant's behavior began to suffer. The applicant went absent without leave (AWOL) because there was a huge stigma regarding mental health in the Army. The Soldiers were taught it was easier to run from the mental health problems than to confront them. Alcoholism, drug abuse, violence, and bullying were common and abundant where the applicant was. The applicant's mental health issues began in advanced individual training (AIT). The applicant was sent to the hospital on the 13th floor. After the applicant was released, the applicant was picked up by Staff Sergeant W., who made disparaging comments in front of other Soldiers. The applicant was humiliated by the comments. Shortly after completing AIT and reporting to the unit, the applicant deployed to Afghanistan. The applicant was exposed to several explosions and experienced a friend passing away from the injuries from an explosion. Because of the experiences in Afghanistan for two years, the applicant believes the applicant was suffering from post-traumatic stress disorder (PTSD), depression, and anxiety when the applicant went AWOL. The applicant's misconduct was not willful. The applicant was suffering from mental health issues, which the applicant continues to suffer with on a daily basis since leaving Afghanistan over a decade ago. The mental health issues resulted from the applicant serving the country. The command pushed the applicant away and bullied the applicant instead of getting the applicant needed. The behavior began with the noncommissioned officers in AIT and continued with the applicant's chain of command in the permanent party unit. Despite the applicant's mental health issues, the applicant was able to place the mission first and earn multiple awards. The applicant's service was otherwise honest, faithful, and meritorious. The applicant cites the Kurta and Hagel memorandums.

c. Board Type and Decision: In a records review conducted on 18 September 2025, and by a 5-0 vote, the Board determined the discharge is inequitable, finding that the applicant's service-connected PTSD, Major Depressive Disorder, Anxiety, and Adjustment Disorder mitigated the offense of AWOL. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed the separation authority to AR 635-200, paragraph 14- 12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry

code is 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:** In Lieu of Trial by Court-Martial / AR 635-200, Chapter 10 / KFS / RE-4 / Under Other Than Honorable Conditions

b. **Date of Discharge:** 28 February 2013

c. **Separation Facts:**

(1) **Date Charges Preferred / DD Form 458 (Charge Sheet):** NIF

(2) **Legal Consultation Date:** NIF

(3) **Basis for Separation:** Pursuant to the applicant's voluntary request for discharge under the provisions of AR 635-200, Chapter 10, in lieu of trial by court-martial.

(4) **CDR / Intermediate CDR Recommended Characterization:** NIF

(5) **Separation Approval Decision Date / Characterization:** 13 February 2013 / Under Other Than Honorable Conditions

4. SERVICE DETAILS:

a. **Date / Period of Enlistment:** 27 August 2007 / 6 years

b. **Age at Enlistment / Education / GT Score:** 18 / HS Graduate / NIF

c. **Highest Grade Achieved / MOS / Total Service:** E-4 / 25B1O, Information Technology Specialist / 3 years, 4 months, 20 days

d. **Prior Service / Characterizations:** None

e. **Overseas Service / Combat Service:** SWA / Afghanistan (1 November 2008 – 26 October 2010)

f. **Awards and Decorations:** ACM-CS, AAM, AGCM, NDSM, GWOTSM, ASR, OSR, NATOMDL

g. **Performance Ratings:** NA

h. **Disciplinary Action(s) / Evidentiary Record:**

(1) Deserter/Absentee Wanted by the Army Forces form, 6 December 2012, reflects the applicant without authority was absent from the applicant's unit on 10 December 2010.

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

- From Absent Without Leave (AWOL) to Dropped From Rolls (DFR), effective 9 January 2011

- From DFR to Present for Duty (PDY), effective 24 January 2013

(3) Report of Return of Absentee, 19 January 2013, the applicant's absence began on 10 December 2010, and the applicant surrendered to military authorities on 19 January 2013.

(4) U.S. Army Installation Management Commander, Headquarters, U.S. Army Garrison, Fort Bragg, Orders 053-0252, 22 February 2013, indicate the applicant was reassigned to the U.S. Army Transition Point and scheduled for discharge from the Regular Army on 22 February 2013.

(5) The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) indicates the applicant had not completed the first full term of service. The applicant was discharged under the authority of AR 635-200, Chapter 10, with a narrative reason of In Lieu of Trial by Court-Martial. The DD Form 214 was authenticated with the applicant's electronic signature. The applicant had lost time for the period 10 December 2010 to 23 January 2013.

i. **Lost Time / Mode of Return:** 2 years, 1 month, 14 days (AWOL, 10 December 2010 – 23 January 2013 / Surrendered to Military Authorities

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

(a) Comprehensive Psychological Services, P. A. Veteran Psychological Evaluation for Mental Disorders or PTSD, 18 March 2022, reflects in the examining psychologist's opinion since the applicant's discharge, the applicant's problems with PTSD, anxiety, and depression have remained unchanged and are chronic. It is more likely than not, greater than 50 percent, PTSD is directly related to military service, and the applicant's problems with anxiety and depression are caused by and secondary to PTSD. The conditions are permanent in nature.

(b) Medical Record, 31 March 2022, reflects medical history from 1 November 2007 to 22 November 2010, of the following diagnoses: adjustment disorder, adjustment disorder with anxiety and depressed mood, and depression.

(2) **AMHRR provided:** None

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; self-authored statement; two third-party letters; Medical Record (in-service); and Veteran Psychological Evaluation for Mental Disorders or PTSD.

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

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

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal

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

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

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

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

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

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

e. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the

character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

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

- RE-1 Applies to: Person completing 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 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.

(2) Chapter 10, Discharge in Lieu of Trial by Court Martial is applicable to members who had committed an offense or offenses for which the authorized punishment included a bad conduct, or dishonorable discharge could submit a request for discharge for the good of the service. The request could be submitted at any time after the charges had been preferred. Although an honorable or general discharge was authorized, an under other than honorable

conditions discharge was normally considered appropriate, unless the record was so meritorious it would warrant an honorable.

(a) After receiving legal counseling, the soldier may elect to submit a request for discharge in lieu of trial by court-martial. The soldier will sign a written request, certifying that they have been counseled, understands their rights, and may receive a discharge under other than honorable conditions.

(b) The following documents will accompany the request for discharge:

- A copy of a Charge Sheet (DD Form 458)
- Report of medical examination and mental status evaluation, if conducted
- A complete copy of all reports of investigation
- Any statement, documents, or other matter considered by the commanding officer in making his/her recommendation, including any information presented for consideration by the soldier or consulting counsel.
- A statement of any reasonable ground for belief that the soldier is, or was at the time of misconduct, mentally defective, deranged, or abnormal. When appropriate, evaluation by a psychiatrist will be included.

(c) Paragraph 10-6 stipulates medical and mental examinations are not required but may be requested by the Soldier under AR 40-501, chapter 8.

(d) Paragraph 10-8b stipulates Soldiers who have completed entry-level status, characterization of service as honorable is not authorized unless the Soldier's record is otherwise so meritorious that any other characterization clearly would be improper.

(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: RE-1
- 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 "KFS" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 10, In Lieu Trial by Court-Martial.

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, a narrative reason change, and a reentry code change. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The applicant's Army Military Human Resources Record (AMHRR) is void of the specific facts and circumstances concerning the events leading to the discharge from the Army. The applicant's AMHRR includes a properly constituted DD Form 214 (Certificate of Release or Discharge from Active Duty), which was authenticated by the applicant's electronic signature. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 10, by reason of In Lieu of Trial by Court-Martial, with a characterization of service of under other than honorable conditions.

c. The applicant contends PTSD, depression, and anxiety affected behavior leading to the discharge. The applicant provided in-service medical records reflecting a medical history of adjustment disorder, adjustment disorder with anxiety and depressed mood, and depression. The applicant provided a post-service veteran psychological evaluation, which indicates in the examining psychologist's opinion the applicant has PTSD, which is directly related to military service, and anxiety and depression were caused by and secondary to PTSD. The applicant provided two third-party letters from the applicant's friends, which described the applicant's change in behavior after returning from combat to support the applicant's contention. The applicant's AMHRR is void of any documents relating to the applicant's mental health.

d. The applicant contends the leadership did not provide any assistance with the applicant's mental health issues but instead harassed the applicant because of the issues. The AMHRR includes no evidence the applicant sought assistance or reported the harassment. The AMHRR does not indicate or provide evidence of arbitrary or capricious actions by the command.

e. The applicant contends good service, including a two-year combat tour. The Board evaluated the applicant's service accomplishments and overall quality of service in accordance with DODI 1332.28.

f. The applicant contends the Army should change the narrative reason for the discharge. Under Chapter 10, of AR 635-200, the Army separated the applicant with an "under other than honorable conditions" discharge. Army Regulations designate "In Lieu of Trial by Court-Martial," as the narrative reason for discharge under this provision and assign the separation code "KFS." Army Regulation 635-8 (Separation Processing and Documents) governs how officials prepare the DD Form 214. This regulation mandates that block 28 must list the narrative reason for separation, and block 26 must show the corresponding separation code, both as specified in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation prohibits any deviation and does not allow officials to enter any other reason.

g. The applicant requests a change to the reentry eligibility (RE) code. Soldiers receive reentry codes during separation based on service records or discharge reasons. Army Regulation 601-210 assigns the applicant an RE code of "4," which is appropriate under the circumstances. An RE code of "4" remains ineligible for waiver, preventing reenlistment.

9. BOARD DISCUSSION AND DETERMINATION:

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

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor, a voting member, reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially mitigating diagnoses/experiences: Adjustment Disorder, Generalized Anxiety Disorder, PTSD, Major Depressive Disorder.

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found that the applicant was diagnosed in service with an Adjustment Disorder and Anxiety, and that the applicant was also diagnosed with PTSD and Major Depressive Disorder by a civilian provider who opined that the conditions were service related and began during military service.

(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 mitigating BH conditions. The applicant was diagnosed in service with an Adjustment Disorder and Anxiety. Post service, the applicant was also diagnosed with PTSD and Major Depressive Disorder by a civilian provider who opined that the conditions were service related and began during military service. Given the nexus between PTSD, Major Depressive Disorder, Anxiety, and avoidance, the AWOL that led to the separation is mitigated.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opinion regarding a clear nexus between the applicant's service-connected PTSD, Major Depressive Disorder, Anxiety, and Adjustment Disorder and the AWOL incident, the Board determined these conditions outweighed the basis for separation

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends PTSD, depression, and anxiety affected behavior leading to the discharge. The Board considered this contention that the applicant's PTSD, depression, and anxiety significantly affected behavior leading to the discharge, finding a nexus supported by medical evidence.

(2) The applicant contends the leadership did not provide any assistance with the applicant's mental health issues but instead harassed the applicant because of the issues. The Board considered this contention regarding a lack of leadership support for mental health issues coupled with alleged harassment, acknowledging the potential impact on the applicant's circumstances.

(3) The applicant contends good service, including a two-year combat tour. The Board considered this contention of good service, including a two-year combat tour, as a positive aspect of the applicant's overall military record.

(4) The applicant contends the Army should change the narrative reason for the discharge. The Board considered this contention that the Army should change the narrative reason for the discharge, ultimately determining an upgrade to Honorable service warranted a revised separation narrative.

(5) The applicant requests a change to the reentry eligibility (RE) code. The Board considered this request for a change to the reentry eligibility (RE) code, and determined it was proper and equitable.

d. The Board determined the discharge is inequitable based on the applicant's PTSD experience outweighed the applicant's drug 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. However, the applicant may request a personal appearance hearing to address further issues before the Board. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

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 upgrade the applicant's discharge to Honorable, finding that the AWOL incident was substantially mitigated by service-connected PTSD, Major Depressive Disorder, Anxiety, and Adjustment Disorder diagnosed during and after service.

(3) The Board voted to change the applicant's reason for discharge Minor Misconduct with accompanying SPD code of JKN, under the same pretexts

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

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

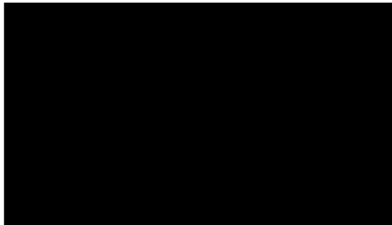
AR20220003624

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: No change
- e. Change Authority to: AR 635-200

Authenticating Official:

9/29/2025



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