

1. Applicant's Name: [REDACTED]

- a. **Application Date:** 15 November 2021
- b. **Date Received:** 15 November 2021
- c. **Counsel:** NA

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 requests an upgrade to Honorable and a change of their separation code, reentry code and the narrative reason for separation.

(2) The applicant seeks relief contending they were suffering from trauma and felt high anxiety. They would like to change their discharge as it will give them the opportunity to continue their steps to stability. They believe the decline during their active-duty service was directly related to their undiagnosed Schizoaffective Disorder (depression type) and Post Traumatic Stress Disorder (PTSD). During their time in Korea they were under significant pressure, and they began to experience severe anxiety with constant thoughts. In an attempt to manage their anxiety and quiet their mind, they began drinking heavily. On one particular occasion, after a night of drinking, they got into an argument with another Soldier, which led to them being injured when their throat was cut. The altercation triggered panic attacks and difficulties being around large crowds, particular at night.

(3) Recently after receiving therapy and formal diagnoses of Schizoaffective Disorder (depressive type), and PTSD they realized they had been struggling with these undiagnosed conditions for some time. They believe the incident that led to their Article 15 during active duty was a direct result of these undiagnosed conditions.

(4) After their discharge their life continued to spiral downward. In 2021 they were apprehended and placed in a mental health facility where they were diagnosed with PTSD and Schizoaffective Disorder. After not taking their medication and continuing to drink, their downward spiral persisted and in early 2024 they were admitted to a facility, they realized they needed to change. Since then, they have been attending the Department of Veterans Affairs (VA) hospital regularly. They are requesting an upgrade of their discharge so they can access the benefits and resources needed to succeed in civilian life. Their goal is to use the GI Bill to pursue a degree.

b. Board Type and Decision: In a records review conducted on 22 August 2025, and by a 4-1 vote, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed to 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.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Pattern of Misconduct / Army Regulation 635-200, Paragraph 14-12B / JKA / RE-3 / General (Under Honorable Conditions)

b. **Date of Discharge:** 2 May 2019

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 8 April 2019

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

- on or about 10 May 2018, failed to report due to wrongful prior indulgence in an intoxicating liquor
- on or about 3 January 2019, committed larceny
- during the punishment phase for the larceny, continued to have disciplinary issues where they failed to report on or about 1 March 2019 and 4 March 2019

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

(4) **Legal Consultation Date:** 9 April 2019

(5) **Administrative Separation Board:** NA

(6) **Separation Decision Date / Characterization:** 18 April 2019 / General (Under Honorable Conditions)

4. **SERVICE DETAILS:**

a. **Date / Period of Enlistment:** 15 May 2017 / 3 years, 28 weeks

b. **Age at Enlistment / Education / GT Score:** 20 / HS Diploma / 105

c. **Highest Grade Achieved / MOS / Total Service:** E-3 / 25Q10, Multichannel Transmission Systems Operator/Maintainer / 1 year, 11 months, 18 days

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

e. **Overseas Service / Combat Service:** Korea / None

f. **Awards and Decorations:** NDSM, GWTSM, KDMS, ASR, OSR

g. **Performance Ratings:** NA

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

(1) A DA Form 8003 (Army Substance Abuse Program (ASAP) Enrollment) dated 10 May 2018 reflects the applicant's supervisor referred them for a comprehensive assessment to determine whether or not they meet the criteria for enrollment. The reason for referral is shown as unexcused absences, alcohol related incidents and the applicant is pending a Company Grade Article 15. The applicant's commander recommended the applicant needs alcohol and/or drug education.

(2) A DA Form 4856 (Developmental Counseling Form) dated 1 June 2018 reflects the applicant received event oriented counseling for the initiation to suspend favorable personnel action (Flag) for adverse action. The Key Points of Discussion states the applicant is being counseled regarding the initiation of a flag for Adverse Actions with an effective date of 1 June

2018. They are being considered for Uniform Code of Military Justice (UCMJ) action regarding alleged intoxication on or about 1 June 2018 during Physical Readiness Training. The applicant agreed with the information, provide no remarks and signed the form.

(3) A DA Form 3822 (Report of Mental Status Evaluation) dated 31 October 2018 reflects the reason for the Behavioral Health Evaluation as Rehabilitation Failure, Army Regulation 600-85 (ASAP). Details of evaluation states on 23 May 2018 a Substance Use Disorder Clinical Care (SUDCC) assessment was initiated. The applicant's presentation and affect warranted an immediate escorting of them to Behavioral Health. Once their SUDCC assessment was completed, the diagnosis was Alcohol Use Disorder, Severe. The Behavioral Health Provider recommends follow-up with SUDCC and comments, during the applicant initial response to SUDCC efforts they were compliant. They were prompt and punctual for their appointments and complied with recommendations to attend local Alcoholics Anonymous meetings. Two months later they experienced a significant alcohol related incident in which they were determined to be drunk and disorderly. It was then recommended for them to attend Addiction Medicine Intensive Outpatient Program at the Army Community Hospital. The applicant's admission was derailed by positive urine test results for Opiates.

(4) A DA Form 2627 (Record of Proceedings under Article 15, UCMJ) dated 27 February 2019 reflects the applicant received nonjudicial punishment, in that, they did, at or near Camp Humphreys, Republic of Korea, on or about 3 January 2019, steal two boxes of Corcidine, of some value of \$500.00 or less, the property of Army Air Force Exchange Service, in violation of Article 121 (Larceny), UCMJ. Their punishment consisted of a reduction in rank/grade from private to/E-2 to private/E-1, forfeiture of \$392.00 pay and extra duty and restriction for 14 days. The applicant elected not to appeal.

(5) Two DA Forms 4856 (Developmental Counseling Form) dated 1 March 2019 and 4 March 2019 reflects the applicant received event-oriented counseling for being late for formation on 1 March 2019 and for failure to report on 4 March 2019. The applicant agreed with the information and signed the form.

(6) A DD Form 2808 (Report of Medical Evaluation) dated 29 March 2019 reflects the examining physician marked "Normal" for all items examined, the applicant is qualified for service with no physical profile; and lists no diagnoses.

(7) A memorandum, Bravo Company, 304th Expeditionary Signal Battalion, 1st Theater Tactical Signal Brigade, subject: Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 8 April 2019, the applicant's company commander notified the applicant of their intent to separate them under the provisions of Army Regulation 635-200, Chapter 14-12b, a pattern of misconduct, with a recommended characterization of service General (Under Honorable Conditions) for adverse action described in previous paragraph 3c(2). On that same date, the applicant acknowledged the basis for the separation and of the rights available to them.

(8) On 9 April 2019, the applicant completed their election of rights signing they had been advised by consulting counsel of the basis for the contemplated action to separation them for A Pattern of Misconduct and its effects; of the rights available to them; and of the effect of any action taken by them in waiving their rights. They understood they many expect to encounter substantial prejudicial in civilian life if a General (Under Honorable Conditions) discharge is issued to them. They further understand that as the result of issuance of a discharge that is less than honorable, they may be ineligible for many or all benefits as a veteran under both Federal and State laws. They elected to submit statements in their behalf. [Note: statements in their behalf are not in evidence for review.]

(9) A memorandum, Bravo Company, 304th Expeditionary Signal Battalion, 1st Theater Tactical Signal Brigade, subject: Commander's Report – Proposed Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 18 April 2019, the applicant's company commander submitted a request to separate them from the Army prior to their expiration of current term of service. The commander states they do not consider it feasible or appropriate to accomplish other disposition as the applicant continues to fail to be rehabilitated after numerous attempts. The commander noted that there are no other medical or other data meriting consideration in the overall evaluation to separate the applicant and in the determination as to the appropriate characterization of service.

(10) A memorandum, Headquarters, 1st Theater Tactical Signal Brigade, subject: Separation under Army Regulation 635-200, Paragraph 14-12b, A Pattern of Misconduct, [Applicant], dated 18 April 2019, reflects the separation authority reviewed the separation packet of the applicant and after careful consideration of all matters, directed the applicant be separated from the Army prior to the expiration of their current term of service. They directed the applicant's service be characterized as General (Under Honorable Conditions).

(11) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged on 2 May 2019, with 1 year, 11 months, and 18 days of net active service this period. The DD Form 214 shows in –

- item 18 (Remarks) – in part, MEMBER HAS NOT COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions)
- item 25 (Separation Authority) – Army Regulation 635-200, Paragraph 14-12B
- item 26 (Separation Code) – JKA
- item 27 (Reentry Code) – 3
- item 28 (Narrative Reason for Separation) – Pattern of Misconduct

i. **Lost Time / Mode of Return:** None

j. **Behavioral Health Condition(s):**

(1) **Applicant provided:**

- Therapist Initial Therapy Evaluation and Visit Notes reflecting treatment and diagnoses of PTSD and Adjustment Disorder with mixed anxiety and depressed mood
- Licensed Clinical Social Worker letter reflecting treatment for PTSD
- VA Attending Psychiatrist letter reflecting treatment for Schizoaffective Disorder and Alcohol Use Disorder
- Screenshot of VA Disability Rating

(2) **AMHRR Listed:** DA Form 3822 (Report of Mental Status Evaluation) reflecting a diagnosis of Alcohol Use Disorder.

5. **APPLICANT-PROVIDED EVIDENCE:**

- Two DD Forms 293 (Application for the Review of Discharge from the Armed Forces of the United States), with applicant's letter
- DD Form 214
- Therapist Initial Therapy Evaluation and Visit Notes

- Licensed Clinical Social Worker letter
- VA Summary of Benefits Letter
- VA Rating Decision
- VA Attending Psychiatrist letter
- Screenshot of VA Disability Rating

6. POST SERVICE ACCOMPLISHMENTS: None submitted with the 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. Multiple Department of Defense (DoD) Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to Department of Veterans Affairs (VA) determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be

considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

c. 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 Instruction 1332.28.

d. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), dated 19 December 2016, 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. Readiness is promoted by maintaining high standards of conduct and performance.

(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 1 (General Provisions) sets policies, standards, and procedures to ensure readiness and competency of the force while providing for the orderly administrative separation of Soldiers, it provides in pertinent part:

(a) When a separation is ordered, the approved proceedings will be sent to the commander who has the Soldier's records for separation processing. The original copy of the proceedings will be filed in the permanent part of the Soldiers official personnel record.

(b) Army leaders at all levels must be continually aware of their obligation to provide purpose, direction, and motivation to Soldiers. It is essential that Soldiers who falter, but have the potential to serve honorably and well, be given every opportunity to succeed. Except as otherwise indicated, commanders must make maximum use of counseling and rehabilitation before determining that a Soldier has no potential for further useful service and ensure it occurs prior to initiating separation proceedings for reason to include Minor Disciplinary Infractions (14-12a) or a Pattern of Misconduct (14-12b).

(5) Paragraph 1-16 (Counseling and Rehabilitative Requirements) stated Army leaders at all levels must be continually aware of their obligation to provide purpose, direction, and motivation to Soldiers. It is essential that Soldiers who falter, but have the potential to serve honorably and well, be given every opportunity to succeed. Commanders must make maximum use of counseling and rehabilitation before determining that a Soldier has no potential for further useful service and, therefore, should be separated. Commanders will ensure that adequate counseling and rehabilitative measures are taken before initiating separation proceedings for, to include, a pattern of misconduct. The rehabilitative transfer requirement may be waived by the separation authority in circumstances where common sense and sound judgement indicate that such transfer will serve no useful purpose or produce a quality Soldier.

(6) 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 14-12b (Pattern of Misconduct), stated, a pattern of misconduct consisting of one of the following – discreditable involvement with civil 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 UCMJ, Army regulations, the civil law, and time-honored customs and traditions of the Army.

(7) Paragraph 14-3 (Characterization of Service or Description of Separation) prescribed 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.

(8) 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.

e. 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, paragraph 12b, (Pattern of Misconduct).

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 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 reenry or continuous service at time of separation, but disqualification is waivable. Eligibility: Ineligible unless a waiver is granted.

(3) 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 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.

h. Manual for Courts-Martial, United States (2019 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 the following Article 86 (Failing to go, appointed place of duty) and Article 121 (Larceny).

i. Title 38, U.S. Code, Sections 1110 and 1131, permits the VA to award compensation for a medical condition which was incurred in or aggravated by active military service. The VA, however, is not required by law to determine medical unfitness for further military service. The VA, in accordance with its own policies and regulations, awards compensation solely on the basis that a medical condition exists and that said medical condition reduces or impairs the social or industrial adaptability of the individual concerned. Consequently, due to the two concepts involved, an individual's medical condition, although not considered medically unfitting for military service at the time of processing for separation, discharge, or retirement, may be sufficient to qualify the individual for VA benefits based on an evaluation by the agency.

8. SUMMARY OF FACT(S):

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

b. A review of the available evidence provides the applicant received event-oriented counseling for occurrences of failure to report and received nonjudicial punishment under the provision of Article 15 in violation of Article 121 (Larceny) and was involuntarily discharged from the U.S. Army. The applicant's DD Form 214 indicates their discharge under the provisions of Army Regulation 635-200, Chapter 14, paragraph 14-12b (Pattern of Misconduct) with a character of service of General (Under Honorable Conditions). They completed 1 year, 11 months, and 18 days of net active service and they did not complete their first full term of service of their 3-year, 28-week enlistment obligation.

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 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. The applicant's AMHRR does not reflect documentation of a diagnosis of PTSD; however a DA Form 3822 (Report of Mental Status Evaluation) reflects a diagnosis of Alcohol Use Disorder. The applicant provided –

- Therapist Initial Therapy Evaluation and Visit Notes reflecting treatment and diagnoses of PTSD and Adjustment Disorder with mixed anxiety and depressed mood
- Licensed Clinical Social Worker letter reflecting treatment for PTSD
- VA Attending Psychiatrist letter reflecting treatment for Schizoaffective Disorder and Alcohol Use Disorder
- Screenshot of VA Disability Rating

e. Published DoD 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: PTSD. [Note- Adjustment DO with mixed anxiety and depressed mood is subsumed under diagnosis of PTSD. Diagnosis of Schizoaffective DO is not service connected and not under purview of liberal consideration as a result.]

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found VA service connection for PTSD establishes nexus with active 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 VA medical records indicate applicant is 100% service connected for PTSD. His criterion a traumatic stressor was the knife attack experienced while stationed in Korea. Based on the available information, it is the opinion of the BH Advisor that the applicant has a BH condition, PTSD, which mitigates some of the misconduct. As there is an association between PTSD, self-medication with alcohol a/o illicit drugs and avoidant behaviors, there is a nexus between the diagnosis of PTSD, intoxication with liquor and FTR. PTSD does not mitigate larceny of two boxes of

Coricidin (cold medicine) as it does not affect one's ability to distinguish right from wrong and act in accordance with the right.

(4) Does the condition or experience outweigh the discharge? **Yes.** Based on liberally considering all the evidence before the Board, the ADRB determined that the condition or experience outweighed the unmitigated misconduct (theft of cold medicine) remaining as the basis of separation.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends they were suffering from trauma and felt high anxiety. They believe the decline during active duty was directly related to their undiagnosed Schizoaffective Disorder (depression type) and PTSD. The applicant recently, after receiving therapy, was diagnosed with Schizoaffective Disorder (depressive type), and PTSD. They realized they had been struggling with these undiagnosed conditions for some time. They believe the incident that led to their Article 15 during active duty was a direct result of these undiagnosed conditions. The Board considered this contention and determined that the applicant's PTSD did mitigate the basis of separation.

(2) The applicant contends during their time in Korea they were under significant pressure and they began to experience severe anxiety with constant thoughts. In an attempt to manage their anxiety and quiet their mind, they began drinking heavily. 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 offenses.

(3) The applicant contends after a night of drinking, they got into an argument with another Soldier, which led to them being injured when their throat was cut. The altercation triggered panic attacks and difficulties being around large crowds, particular at night. The Board considered this contention during proceedings as it led to the applicant's Post Traumatic Stress Disorder diagnosis which outweighs the applicant's offenses.

(4) The applicant contends they are requesting an upgrade of their discharge so they can access the benefits and resources needed to succeed in civilian life. Their goal is to use the GI Bill to pursue a degree. The Board considered this contention and determined that eligibility for Veteran's benefits, to include educational benefits under the Post-9/11 or Montgomery GI Bill, healthcare or VA loans, do not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local office of the Department of Veterans Affairs for further assistance.

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) and concurred with the conclusion of the medical advising official that the applicant has a BH condition, PTSD, which mitigates some of his misconduct. As there is an association between PTSD, self medication with alcohol a/o illicit drugs and avoidant behaviors, there is a nexus between PTSD, intoxication with liquor, and FTR. PTSD does not mitigate larceny of two boxes of Coricidin (cold medicine) as it does not affect one's ability to distinguish right from wrong and act in accordance with the right. The Board voted to excuse the

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20220003693

other misconduct (larceny) due to the applicant's length of service. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was inequitable and warrant an upgrade.

e. Rationale for Decision:

(1) 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 misconduct. Thus, the prior characterization is no longer appropriate.

(2) 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.

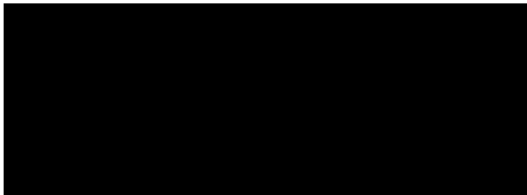
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. BOARD ACTION DIRECTED:

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

Authenticating Official:

10/1/2025



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

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