

1. Applicant's Name: [REDACTED]

a. **Application Date:** 13 November 2021

b. **Date Received:** 29 November 2021

c. **Counsel:** None

2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

a. **Applicant Requests:** The current characterization of service for the period under review is honorable. The applicant requests a RE code change and a change to narrative reason.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect an interest in rejoining the military. The applicant contends an upgrade to the RE code and narrative reason would allow for entry into the Army Reserve. The applicant also mentions "not caring what happened to me as long as I have suicidal battle."

c. **Board Type and Decision:** In a records review conducted on 19 February 2026, and by a 3-0 vote, the Board, based on the applicant's length and quality of service, to include combat service, outweighed the one-time drug use, which the applicant deployed to combat right after a positive UA, and one-time, non-aggravated DUI, determined the narrative reason for the applicant's separation is now inequitable. Therefore, the Board 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. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. **Reason / Authority / Codes / Characterization:** Misconduct (Serious Offense) / AR 635-200, Chapter 14-12c / JKQ / RE-3 / Honorable

b. **Date of Discharge:** 3 November 2011

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 3 October 2011

(2) **Basis for Separation:** The applicant was informed of the following reasons: On or about 26 August 2011, wrongfully operated a vehicle while under the influence of alcohol. A breath sample of 0.094 percent alcohol content. Between 20 and 22 April 2011, wrongfully used cocaine.

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

(4) **Legal Consultation Date:** 4 October 2011

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

(6) **Separation Decision Date / Characterization:** 25 October 2011 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

- a. Date / Period of Reenlistment Under Review:** 23 April 2009 / 4 years
- b. Age at Enlistment / Education / GT Score:** 22 / High School Graduate / 109
- c. Highest Grade Achieved / MOS / Total Service:** E-4 / 88M1O, Motor Transport Operator / 5 years, 9 months, 27 days
- d. Prior Service / Characterizations:** USAR, 7 January 2006 – 22 April 2009, HD
- e. Overseas Service / Combat Service:** SWA / Afghanistan (24 April 2008 – 17 July 2009)
- f. Awards and Decorations:** ARCOM, AGCM, NDSM, ACM-2CS, GWOTSM, ASR, NATOMDL, CAB
- g. Performance Ratings:** NA
- h. Disciplinary Action(s) / Evidentiary Record:**
 - (1)** Electronic Copy of Specimen Custody Document – Drug Testing, 2 May 2008, indicates the applicant tested positive for Cocaine (COC) 452 ng/ml during an Inspection Unit (IU) urinalysis testing conducted on 22 April 2008.
 - (2)** Louisiana Department of Public Safety and Corrections Arrest Rights Form, 26 August 2011, reflects the applicant formally consented to the breath test and was afforded the opportunity to consult with counsel via the form.
 - (3)** Receipt For Inmate or Detained Person, 26 August 2011, reflects the applicant was processed for police custody.
 - (4)** Sworn Statement, 27 August 2011, indicates the investigative officer provided a statement under oath detailing the course of events leading to the arrest. The applicant was subject to a random vehicle check on post. The investigator was called via the radio to assess a suspected Driving Under the Influence (DUI). The applicant was noticed to have enlarged pupils and unsure reactions when asked to provide vehicle information. Upon contacting the applicant an odor of an alcoholic beverage emitted from the applicant's person. The applicant was then asked to provide a field sobriety test and failed. The applicant was apprehended for suspicion of a DUI. The applicant was mirandized and asked to provide a breath sample. The sample tested with 0.094G percent blood alcohol content.
 - (5)** Military Police Report, 27 August 2011, reflects military police processing the applicant and charges upon change of custody to chain of command. The applicant was charged for operating a vehicle while intoxicated (on post).
 - (6)** Two Developmental Counseling Forms document instances of DUI (27 August 2011) and chapter proceedings (6 September 2011).
 - (7)** General Officer Memorandum of Reprimand (GOMOR), 2 September 2011, reflects the applicant being issued a letter of reprimand by the commanding general for driving after drinking; showing a lack of maturity and judgement. The applicant acknowledged the reprimand on 9 September 2011.

(8) GOMOR Rebuttal, 14 September 2011, reflects the applicant submitting a rebuttal to the commanding general. The applicant goes in more detail and on the course of event before deciding to get behind the wheel. The applicant lists the facts as follows: Having no intention of getting buzzed; not considering how alcohol would effect after weight loss; in efforts to try to lend a hand to a Soldiers expressing self-harm intentions, learned the main reason was because the Soldier's leaders did not like them; the applicant was not thinking of the alcohol consumed but more focused on the friend that called for help and suicidal ideations.

i. Lost Time / Mode of Return: None

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

(1) Applicant provided: None

(2) AMHRR Listed: Report of Mental Status Evaluation (MSE), 13 September 2011, indicates the applicant demonstrated the ability to understand and participate in administrative proceedings, appreciated the difference between right and wrong, and met medical retention requirements. The applicant was screened for PTSD and TBI. The applicant was not found to have any mental health diagnoses.

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge

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 waivable. Eligibility: Ineligible unless a waiver is granted.

g. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(a) Paragraph 3-7a states an Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

(2) Chapter 14 establishes policy and prescribes procedures for separating members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, and commission of a serious offense, to include abuse of illegal drugs, convictions by civil authorities and desertion or being absent without leave. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed.

(a) Paragraph 14-3 prescribes a discharge under other than honorable conditions is normally appropriate for a Soldier discharged under this chapter. However, the separation authority may direct a general discharge if such is merited by the Soldier's overall record.

(b) Paragraph 14-12c prescribes a Soldier is subject to action per this section for commission of a serious military or civilian offense, if the specific circumstances of the offense warrant separation and a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Courts-Martial.

h. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identifies the SPD code of "JKQ" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 12c, misconduct (serious offense).

8. SUMMARY OF FACT(S): Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

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

b. The applicant was notified with the intent to separate on 3 October 2011 for wrongfully operating a vehicle while under the influence of alcohol and wrongfully using cocaine. The applicant was recommended to have a characterization of service as general (under honorable conditions). The applicant consulted with counsel on 4 October 2011. The applicant underwent an MSE on 13 September 2011 and was found to not have any mental health diagnoses. The applicant was cleared for proceedings deemed necessary by the command. The separation authority considered the MSE and directed a general (under honorable conditions) on 25 October 2011.

c. The applicant contends the Army should change the narrative reason for the discharge. Under Chapter 14, paragraph 14-12c of AR 635-200, the Army separated the applicant with an honorable discharge. Army Regulations designate "Misconduct (Serious Offense)," as the narrative reason for discharge under this provision and assign the separation code "JKQ." 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.

d. The applicant contends the Army should change the narrative reason. The applicant believes the change would help feeling content and "die happy one day". The applicant's AMHRR reflects the misconduct conducted by the applicant fits the classification for the narrative reason.

e. The applicant contends a desire to rejoin the military. Soldiers processed for separation receive reentry codes based on their service records or discharge reasons. Army Regulation 601-210 assigns the applicant an RE code of "3," which is appropriate under the circumstances. No justification exists for changing the reason or the RE code. An RE Code of "3" requires a waiver before reenlistment. Recruiters can provide the best guidance on the Army's current needs and determine whether processing a waiver is appropriate.

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? **No.** The Board's Medical Advisor reviewed DoD and VA medical records and found no mitigating BH diagnoses on the applicant. The applicant provided no documents or testimony of a condition or experience, that, when applying liberal consideration, could have excused or mitigated a discharge.

(2) Did the condition exist or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A**

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Prior Decisions Cited: **N/A**

c. Response to Contention(s):

(1) The applicant contends the Army should change to the narrative reason. The Board considered this contention and determined relief was warranted based on the applicant's length and quality of service, to include combat service, outweighed the one-time drug use, which the applicant deployed to combat right after a positive UA, and one-time, non-aggravated DUI.

(2) The applicant contends a desire to rejoin the military. The Board considered this contention and voted to maintain the RE-code to a RE-3, which is a waivable code. An RE Code of "3" indicates the applicant requires a waiver before being

allowed to reenlist. Recruiters can best advise a former service member as to the Army's needs at the time and are required to process waivers of reentry eligibility (RE) codes, if appropriate.

d. The Board determined, based on the applicant's length and quality of service, to include combat service, outweighed the one-time drug use, which the applicant deployed to combat right after a positive UA, and one-time, non-aggravated DUI, determined the narrative reason for the applicant's separation is now inequitable. Therefore, the Board 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.

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 not to change the applicant's characterization of service due to it already being Honorable.

(3) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) for the reason listed above in Section 9d, 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 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: Yes
- b. Change Characterization to: No Change
- c. Change Reason / SPD Code to: Misconduct (Minor Infractions)/JKN
- d. Change RE Code to: No Change
- e. Change Authority to: AR 635-200, paragraph 14-12a

Authenticating Official:

2/25/2026



Legend:

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

GD – General Discharge
 HS – High School
 HD – Honorable Discharge
 IADT – Initial Active-Duty
 Training
 MP – Military Police
 MST – Military Sexual Trauma
 N/A – Not applicable
 NCO – Noncommissioned Officer
 NIF – Not in File
 NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
 OBH (I) – Other Behavioral
 Health (Issues)
 OMPF – Official Military
 Personnel File
 PTSD – Post-Traumatic Stress
 Disorder
 RE – Re-entry
 SCM – Summary Court Martial
 SPCM – Special Court Martial

SPD – Separation Program
 Designator
 TBI – Traumatic Brain Injury
 UNC – Uncharacterized
 Discharge
 UOTHC – Under Other Than
 Honorable Conditions
 VA – Department of Veterans
 Affairs