

1. Applicant's Name: [REDACTED]**a. Application Date:** 4 February 2022**b. Date Received:** 14 March 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 bad conduct. The applicant requests an upgrade to general (under honorable conditions), a separation code change, and a narrative reason change.

b. Applicant Contention(s)/Issue(s): The applicant requests relief, contending in effect the discharge resulted from untreated combat-related mental health conditions. The applicant completed two OIF combat tours and experienced repeated traumatic events, including small-arms attacks, mortar and rocket fire, and multiple IED incidents. These events produced significant PTSD symptoms, depression, insomnia, and escalating stress that led to alcohol misuse and deterioration in behavior and family stability. No meaningful mental health support was provided, and the behavioral issues leading to separation stemmed directly from unaddressed combat trauma. The applicant continues to suffer long-term effects, including a stress-related heart attack, and requires a discharge upgrade to access needed treatment and benefits.

c. Board Type and Decision: In a records review conducted on 19 February 2026, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's PTSD and TBI mitigated the AWOL, and clemency was warranted. Therefore, 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. 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: Court-Martial (Other) / AR 635-200, Chapter 3 / JJD / RE-4 / Bad Conduct

b. Date of Discharge: 1 March 2013

c. Separation Facts:

(1) Pursuant to Special Court-Martial Empowered to Adjudge a Bad-Conduct Discharge: As announced by Special Court-Martial Order Number 43, 8 June 2012, the applicant was found guilty of the following: In violation of Article 85, in on or about 18 January 2007, without authority and with intent to remain away there from permanently, the applicant was absent from the unit and remain absent in desertion until apprehended on or about 29 August 2011.

(2) Adjudged Sentence: Reduction to E-1; forfeit \$994 pay for two months, to be confined for two months, and to be discharged from the service with a Bad Conduct discharge.

(3) Date / Sentence Approved: 8 June 2012, except for the part of the sentence extending to a bad conduct discharge, would be executed. The applicant served two months of confinement and was credited with nine days of confinement against the sentence to confinement.

(4) Appellate Reviews: The Record of Trial was forwarded to The Judge Advocate General of The Army for review by the Court of Military Review. The United States Army Court of Criminal Appeals affirmed the approved findings of guilty and the sentence.

(5) Date Sentence of BCD Ordered Executed: NIF

4. SERVICE DETAILS:

a. Date / Period of Enlistment Under Review: 13 June 2005 / 3 years, 2 weeks

b. Age at Enlistment / Education / GT Score: 23 / GED / NIF

c. Highest Grade Achieved / MOS / Total Service: E-4 / 21B1O, Combat Engineer / 4 years, 11 months, 18 days

d. Prior Service / Characterizations: ARNG, 12 December 2002 – 12 June 2005 / HD (Concurrent Service)

e. Overseas Service / Combat Service: Iraq 031012-050409 per NGB 22

f. Awards and Decorations: NDSM, GWOTEM, GWOTSM, ASR, AFRM-M

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record:

(1) Charge Sheet, 17 February 2007, indicates the applicant was charged with:

(a) Violation of the UCMJ, Article 85, for without authority absent oneself from the unit in desertion 17 February 2007; and,

(b) Violation of the UCMJ, Article 86, for without authority absent oneself from the unit 18 January 2007.

i. Lost Time / Mode of Return:

(1) Absent Without Leave (AWOL), 18 January 2007 – 16 February 2007 / DFR

(2) DFR, 17 February 2007 – 29 August 2011 / Apprehended by Civil Authorities

(3) Confined by Military Authorities (CMA), 6 February 2012 – 17 March 2012 / Released

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.

(2) **Applicant provided:** VA Medical Records, 25 October 2022, reflects the applicant reported anxiety four times a month since leaving the military. The applicant was also diagnosed with TBI and brain traumas from IEDs in July of 2005.

(3) **AMHRR Listed:** None

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; Certificate of Release or Discharge from Active Duty; Self authored statement; third-party letter of support; Statement in Support of Claim form; VA Medical Records.

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 their 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) A Bad Conduct discharge will only be given to a Soldier pursuant to an approved sentence of general or special court-martial. Enlisted service members and officers with less than six years of service are eligible for a Bad Conduct Discharge. Behaviors such as drug abuse, assault, theft, insubordination, and other actions that violate military law may be punished with a BCD.

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 "JJD" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 3, Court-Martial (other).

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 an upgrade to general (under honorable conditions), a separation code change, and a narrative reason 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 Resource Record (AMHRR) indicates the applicant was adjudged guilty by a court-martial and the sentence was approved by the convening authority. Court-martial convictions stand as adjudged or modified by appeal through the judicial process. As announced by Special Court-Martial Order Number 43, 8 June 2012, the applicant was found guilty of the following: In violation of Article 85, in on or about 18 January 2007, without authority and with intent to remain away therefrom permanently, the applicant was absent from the unit and remain absent in desertion until apprehended on or about 29 August 2011.

c. The Board is empowered to change the discharge only if clemency is determined to be appropriate. Clemency is an act of mercy, or instance of leniency, to moderate the severity of the punishment imposed.

d. The applicant contends the discharge stemmed directly from unaddressed combat trauma and related mental health conditions resulting in significant PTSD symptoms, depression, insomnia, and escalating stress that led to alcohol misuse and deterioration in behavior and family stability. The applicant provided a third-party letter, which described the applicant's change in behavior after returning from combat in 2006 and supported the applicant's contention. The applicant also submitted VA medical records which show the applicant sustained a TBI and brain trauma in combat supporting the applicant's contention. The medical records also show the applicant reported anxiety with nightmares, panic attacks (likely PTSD), and insomnia. The applicant's AMHRR includes no documentation of a PTSD diagnosis.

e. The applicant contends the Army should change the narrative reason for the discharge. Under Chapter 3 of AR 635-200, the Army separated the applicant with an “under other than honorable conditions” discharge. Army Regulations designate “Court-Martial (Other)” as the narrative reason for discharge under this provision and assign the separation code “JJD.” 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.

f. The applicant contends the Army should change the Separation Program Designator (SPD) code. SPD codes consist of three alphabetic characters that identify the reason and type of a service member’s separation from active duty. The Department of Defense (DoD) and the Military Services use SPD codes exclusively for internal purposes to collect and analyze separation data. The Office of the Secretary of Defense oversees these codes and implements them through Army policy AR 635-5-1 to monitor various types of separations. For a discharge under Chapter 3 due to “Court-Martial (Other),” Army Regulations designate the SPD code as “JJD.”

g. The applicant contends continued suffering of long-term effects, including a stress-related heart attack, and requires a discharge upgrade to access needed treatment and benefits. Eligibility for veteran’s benefits does not fall within the purview of the Army Discharge Review Board. Accordingly, the applicant should contact a local Department of Veterans Affairs office for further assistance.

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, PTSD, TBI. Additionally, the applicant asserts Depression, which may be sufficient evidence to establish the existence of a condition that could mitigate or excuse the discharge.

(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 is 100% service connected by the VA for PTSD. The VA has also diagnosed the applicant with TBI related to in-service IED explosions.

(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 BH conditions that mitigate the basis of separation. The applicant was diagnosed in service with an Adjustment Disorder and is 100% service connected by the VA for PTSD. The VA has also diagnosed the applicant with TBI related to in-service IED explosions. Given the nexus between PTSD, TBI, and avoidance, the AWOL that led to the separation is mitigated. The applicant's self-asserted Depression is inconsequential given the full mitigation for PTSD and TBI.

(4) Does the condition or experience outweigh the discharge? **Yes.** The Board concurred with the opinion of the Board's Medical Advisor, a voting member. As a result, the

ADRB applied liberal consideration and found that the applicant's PTSD and TBI outweighed the AWOL for the aforementioned reason(s).

b. Prior Decisions Cited: NA

c. Response to Contention(s):

(1) The applicant contends the discharge stemmed directly from unaddressed combat trauma and related mental health conditions resulting in significant PTSD symptoms, depression, insomnia, and escalating stress that led to alcohol misuse and deterioration in behavior and family stability and the Army should change the narrative reason and corresponding SPD code for the discharge.

The Board determined that this contention was valid and voted to upgrade the characterization of service due to PTSD and TBI mitigating the applicant's AWOL charges.

(2) The applicant contends continued suffering of long-term effects, including a stress-related heart attack, and requires a discharge upgrade to access needed treatment and benefits.

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 PTSD and TBI mitigating the applicant's AWOL charges.

d. The Board determined the discharge is inequitable based on the applicant's PTSD and TBI mitigated the AWOL, and clemency was warranted.

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 PTSD and TBI mitigated the AWOL, and clemency was warranted. Thus, the prior characterization is no longer appropriate.

(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 not change, as the mitigating condition is service-limiting.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

AR20220006002

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: 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, 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
UOTHHC – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs