

**1. Applicant's Name:** [REDACTED]

- a. **Application Date:** 7 March 2022
- b. **Date Received:** 9 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 general (under honorable conditions). The applicant requests an upgrade to honorable and a narrative reason change.

b. **Applicant Contention(s)/Issue(s):** The applicant requests relief contending, in effect, the reason for the discharge was alcohol abuse, but was experiencing undiagnosed PTSD, which was later diagnosed on 30 May 2012.

c. **Board Type and Decision:** In a records review conducted on 14 October 2025, and by a 5-0 vote. The Board voted to grant relief by upgrading the characterization of service to Honorable, with a separation code to JKN. The reentry eligibility (RE) will not change and will remain RE-4. 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:** Alcohol Rehabilitation Failure / AR 635-200, Chapter 9 / JPD / RE-4 / General (Under Honorable Conditions)

b. **Date of Discharge:** 29 May 2012

**c. Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 3 May 2012

(2) **Basis for Separation:** The applicant was informed of the following reasons: On 17 March 2012, it was determined the applicant failed the Army Substance Abuse Program (ASAP).

(3) **Recommended Characterization:** Honorable

(4) **Legal Consultation Date:** 3 May 2012

(5) **Administrative Separation Board:** On 3 May 2012, the applicant unconditionally waived consideration by the administrative separation board.

(6) **Separation Decision Date / Characterization:** 17 May 2012 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

a. **Date / Period of Enlistment Under Review:** 18 November 2009 / 4 years

b. **Age at Enlistment / Education / GT Score:** 18 / High School Graduate / 104

**c. Highest Grade Achieved / MOS / Total Service:** E-4 / 92M1O, Mortuary Affairs Specialist / 2 years, 6 months, 12 days

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

**e. Overseas Service / Combat Service:** SWA / Iraq (18 September 2010 – 7 April 2011)

**f. Awards and Decorations:** ARCOM, NDSM, GWOTSM, ICM-CS, ASR, COA

**g. Performance Ratings:** NA

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

(1) Field Grade Record of Proceedings under Article 15, Uniform Code of Military Justice, 27 October 2011, indicates the applicant was found to have on or about 15 October 2011 wrongfully consumed alcoholic beverages while under the age of 21. The imposed punishment included forfeiture of \$403 pay (suspended), along with 14 days of extra duty and an oral reprimand.

(2) The ASAP Patient Progress Report, 16 March 2012, reflects the applicant was released from the program and returned to duty.

(3) Commonwealth of Virginia Department of Forensic Science Certificate of Blood Alcohol Analysis, 17 March 2012, reflects on 17 March 2012, the applicant gave a sample alcohol content of 0.12 grams per 210 liters of breath.

(4) United States District Court Violation Notice, 17 March 2012, reflects the applicant was driving under the influence with a .12 blood alcohol content (BAC).

(5) Department of the Army Installation Management Command memorandum, subject: Revocation of Installation of Driving Privileges, 17 March 2012, reflect the applicant was charged with driving under the influence / refusing a blood alcohol test. The applicant's driving privileges on Fort Lee were suspended.

(6) Receipt for Inmate or Detained Person, 17 March 2012, reflects the applicant was released to the Platoon Sergeant.

(7) Military Police Report, 23 March 2012, reflects the applicant attempted to gain access to Fort Lee with a strong order of unknown alcoholic beverage emitting from the applicant's person with blood shot eyes. The applicant was administered standard field sobriety test which were unsuccessfully completed.

(8) Department of the Army United States Army Quartermaster School memorandum, subject: Reprimand, 12 April 2012, reflects the applicant was reprimanded for driving under the influence of alcohol.

(9) Field Grade Record of Proceedings under Article 15, Uniform Code of Military Justice, 18 May 2012, indicates the applicant was found to have on or about 14 May 2012 violated a lawful order by possessing drug paraphernalia and wrongfully using Spice. The imposed punishment included a reduction to E-1, forfeiture of one half month pay for two months, along with 45 days of extra duty and restriction for 60 days.

(10) Department of the Army 111th Quartermaster Company memorandum, subject: [the applicant], 10 May 2012, reflects the applicant's Company Commander recommended separation under chapter 9 because the day after graduating the Army Substance Abuse Program (ASAP) the applicant was cited for a DUI while attempting to enter Fort Lee. The commander goes on to explain how the applicant is one of the best Soldiers in the company.

(11) Two Developmental Counseling Forms document instances of a recommendation for separation and for driving under the influence (DUI).

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:**

(a) Department of Veterans Affairs Cleveland Regional Office letter, 22 February 2013, reflects the applicant was awarded 30 percent service-connected disability for PTSD.

(b) VA Health Care letter, 2 August 2021, reflects the applicant completed addiction treatment at the Cincinnati VAMC in 2019 and reported being alcohol free since 2017.

(2) **AMHRR Listed:** The ASAP Patient Progress Report as described in previous paragraph 4h(2).

**5. APPLICANT-PROVIDED EVIDENCE:** Application for the Review of Discharge; Department of Veterans Affairs Cleveland Regional Office letter; Certificate of Release or Discharge from Active Duty; VA Rating Decision; VA Health Care letter; VA Summary of Benefits letter; three Certificates of Completion; three third-party letters.

**6. POST SERVICE ACCOMPLISHMENTS:** The applicant completed the Allied craftworker's COMET program, Craftworkers Steward Training, and bricklayer apprenticeship. The applicant also remained alcohol free since 2017.

**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 (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.

**(b)** Paragraph 3-7b states 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.

**(2)** Chapter 9 outlines the procedures for discharging individuals because of alcohol or other drug abuse. A member who has been referred to the Army Substance Abuse Program (ASAP) for alcohol or drug abuse may be separated because of inability or refusal to participate in, cooperate in, or successfully complete such a program if there is a lack of potential for continued Army service and rehabilitation efforts are no longer practical. Paragraph 9-4 stipulates the service of Soldiers discharged under this section will be characterized as honorable or under honorable conditions unless the Soldier is in entry-level status and an uncharacterized description of service is required.

**(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 "JPD" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 9, for alcohol rehabilitation failure.

**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, 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 AMHRR reflects the applicant was notified of recommendation for separation because on 17 March 2012, it was determined the applicant failed the Army Substance Abuse Program (ASAP). The applicant was separated with a character of service of general (under honorable conditions).

c. The applicant contends being diagnosed with PTSD on 30 May 2012. The applicant provided a VA decision document reflecting the applicant's effective date of service-connected disability as 30 May 2012 supporting the applicant's contention. The applicant's AMHRR contains no documentation of PTSD.

d. The applicant contends the Army should change the narrative reason. The applicant was separated under the provisions of Chapter 9, AR 635-200 with a general (under honorable conditions) discharge. The narrative reason specified by Army Regulations for a discharge under this paragraph is "alcohol rehabilitation failure," and the separation code is "JPD." Army Regulation 635-8 (Separation Processing and Documents) governs preparation of the DD Form 214 and dictates the entry of the narrative reason for separation, entered in block 28 and separation code, entered in block 26 of the form, will be as listed in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation stipulates no deviation is authorized. There is no provision for any other reason to be entered under this regulation.

#### **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, Depressive Disorder NOS, Adjustment Disorder w/Anxiety and Depressed Mood.

(2) Did the condition exist or experience occur during military service? **Yes.** The Board's Medical Advisor found the applicant is 50 percent SC for PTSD.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that a review of the available information reflects the applicant has BH conditions that mitigates his misconduct as outlined in the BoS. He is 50 percent SC for PTSD and diagnosed with Depressive Disorder NOS, and an Adjustment Disorder that is subsumed by PTSD. Given the nexus between PTSD and the use of substances to self-medicate, the applicant's misconduct resulting in being deemed a rehabilitation failure (i.e., DUI and use of spice) is mitigated by his SC BH condition, and upgrade based on medical mitigation is supported.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor's opine, the Board determined that the applicant's condition or experience outweighed the listed basis for separation for the aforementioned reasons.

b. Prior Decisions Cited: **NA**

c. Response to Contention(s):

(1) The applicant contends being diagnosed with PTSD on 30 May 2012. The Board determined that this contention was valid and voted to upgrade the characterization of service.

(2) The applicant contends the Army should change the narrative reason. The Board voted to grant relief by upgrading the characterization of service to Honorable, with a separation code to JKN. The reentry eligibility (RE) will not change and will remain RE-4.

d. The Board determined and found sufficient evidence of in-service mitigating factors; including the applicant's length of service and quality of service and concurred with the medical advising official's assessment that the applicant's diagnoses between PTSD and the use of substances to self-medicate, the applicant's misconduct resulting in being deemed a rehabilitation failure (i.e., DUI and use of spice) is mitigated by his SC BH condition. The Board voted to grant relief by upgrading the characterization of service to Honorable, with a separation code to JKN. The reentry eligibility (RE) will not change and will remain RE-4.

e. Rationale for Decision:

(1) The Board Voted to upgrade the applicant's characterization of service. The Board carefully weighed the applicant's overall length, quality of service and the circumstances surrounding the discharge. In reaching this determination, the Board considers the application, available records and any supporting documents included with the application.

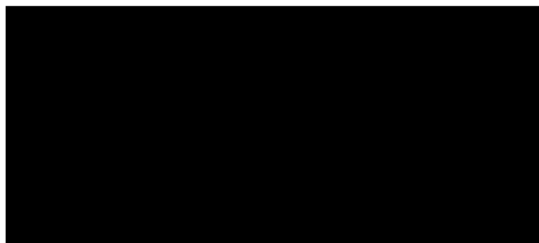
(2) The Board voted to change the applicant's reason for discharge or accompanying SPD code to JKN.

(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 Discharge
- c. Change Reason / SPD code to: JKN
- d. Change RE Code to: No Change
- e. Change Authority to: AR 635-200

**Authenticating Official:**



**Legend:**

AWOL – Absent Without Leave	FTR – Failure to Report	NIF – Not in File	SPCM – Special Court Martial
AMHRR – Army Military Human Resource Record	GD – General Discharge	NOS – Not Otherwise Specified	SPD – Separation Program
BCD – Bad Conduct Discharge	HS – High School	OAD – Ordered to Active Duty	Designator
BH – Behavioral Health	HD – Honorable Discharge	OBH (I) – Other Behavioral Health (Issues)	TBI – Traumatic Brain Injury
CG – Company Grade Article 15	IADT – Initial Active-Duty Training	OMPF – Official Military Personnel File	UNC – Uncharacterized Discharge
CID – Criminal Investigation Division	MP – Military Police	PTSD – Post-Traumatic Stress Disorder	UOTHC – Under Other Than Honorable Conditions
ELS – Entry Level Status	MST – Military Sexual Trauma	RE – Re-entry	VA – Department of Veterans Affairs
FG – Field Grade Article 15	N/A – Not applicable	SCM – Summary Court Martial	
	NCO – Noncommissioned Officer		