

1. Applicant's Name: [REDACTED]**a. Application Date:** 10 June 2022**b. Date Received:** 9 September 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. The applicant also requests change in separation code, narrative reason for separation and reentry (RE) code.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect:

(1) During military service, the applicant developed post-traumatic stress disorder (PTSD), Alcohol Use Disorder, Traumatic Brain Injury (TBI), and other physical injuries that went undiagnosed and untreated. After discharge, the Department of Veterans Affairs (DVA) formally diagnosed the applicant with these conditions, as documented in the supporting letters. The combination of PTSD, TBI, and alcohol use disorder all contributed to discharge. This culminated in an incident in Korea in which the applicant broke curfew and attempted to flee from military police while heavily intoxicated—an event the applicant regards as the lowest point in the applicant's life. The applicant's discharge reflects the impact of untreated trauma rather than the applicant's character.

(2) After leaving the Army, the applicant experienced homelessness, worked as a semi-truck driver, earned a bachelor's degree, and is now completing an MBA at UC Berkeley's Haas School of Business. Through sustained effort and professional therapy, the applicant has learned to manage these conditions while maintaining high standards and rebuilding stability. Although the applicant continues to face these challenges, the applicant now has the necessary support, is living with renewed integrity, and remains committed to continual improvement and creating a better life for the applicant's family.

c. Board Type and Decision: In a records review conducted on 24 March 2026, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, the circumstances surrounding the discharge (mTBI and PTSD diagnoses), and post-service accomplishments. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and changed the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry code is proper and equitable and voted not to change it. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

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

b. Date of Discharge: 25 August 2014

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 14 July 2014

(2) Basis for Separation: The applicant was informed of the following reasons: On 20 April 2014 the applicant failed to obey the US Forces Korea curfew policy, violated a lawful general regulation by failing to produce the applicant's identification card upon request by an Armed Forces policeman, resisted apprehension, committed an assault, and were drunk and disorderly.

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

(4) Legal Consultation Date: 15 July 2014

(5) Administrative Separation Board:

(a) On 15 July 2014, the applicant conditionally waived consideration by the administrative separation board, requesting a discharge characterized no less favorably than General (Under Honorable Conditions).

(b) On 15 August 2014, the conditional waiver was approved.

(6) Separation Decision Date / Characterization: 15 August 2014 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Reenlistment Under Review: 8 February 2013 / 3 years

b. Age at Enlistment / Education / GT Score: 25 / HS Graduate / 109

c. Highest Grade Achieved / MOS / Total Service: E-6 / 31B3O, Military Police / 8 years, 2 days

d. Prior Service / Characterizations: RA, 24 August 2006 – 17 February 2010 / HD
RA, 18 February 2010 – 7 February 2013 / HD

e. Overseas Service / Combat Service: Korea, SWA, Iraq (15 December 2009 – 1 December 2010)

f. Awards and Decorations: ARCOM-2, AAM, MUC, AGCM-2, NDSM, GWOTSM, KDSM, ICM-CS, NCOPDR, ASR, OSR-3

g. Performance Ratings: 11 September 2012 – 2 August 2013 / "4" Fair
3 August 2013 – 9 June 2014 / "5" Poor

h. Disciplinary Action(s) / Evidentiary Record:

(1) FG Record of Proceedings under Article 15, Uniform Code of Military Justice, [date], indicates the applicant was found to have on or about 29 May 2013, failed to obey a lawful general regulation, by wrongfully consuming alcohol with two subordinate Soldiers, in the barracks and were derelict in the performance of those duties in that the applicant failed to stop an underage subordinate Soldier, from consuming alcohol, as it was the applicant's duty to do.

The imposed punishment included a reduction to E-5 (suspended), forfeiture of \$1,353 pay per month for two months, along with 45 days of extra duty and restriction and oral reprimand.

(2) Military Police Report, 20 April 2014, reflects the applicant's apprehension for failure to obey general order – failure to identify, and resisting apprehension.

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:** VA rating decision letter, 7 October 2021, showing the applicant was rated at 70 percent for TBI with PTSD with alcohol use disorder effective 20 April 2021.

(a) Psychologist letter, 10 July 2024, shows the applicant had been seen for Integrative Behavioral Couples Therapy from 21 April 2022 – 4 March 2024; 11 group psychotherapy sessions from 2 April 2023 to 20 December 2023 and engaged in weekly individual psychotherapy from 17 June 2022 – 21 December 2022, focused on managing alcohol misuse symptoms of PTSD.

(b) Licensed Marriage and Family Therapists letter related to the applicant's therapy beginning in spring 2023 due to turnover with the applicant's previous therapist.

(2) **AMHRR Listed:** Report of Mental Status Evaluation (MSE), 30 May 2014, indicates the applicant was cleared for any administrative actions the command deemed appropriate. The applicant demonstrated the ability to understand and participate in administrative proceedings, appreciated the difference between right and wrong, and met medical retention requirements. PTSD and mTBI screenings were conducted, but the conditions were either absent or did not meet AR 40-501 criteria for a medical evaluation board. The command was advised to consider their influence.

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; Application for Correction of Military Record; VA letter rating decision, 7 October 2021; University of Washington transcript; University of California, Berkeley MBA; Psychologist letter, 10 July 2024; Therapist letter, 12 September 2023; DVA letter; Discharge upgrade article; Post Military Achievements; University of Washington Bachelor of Arts in Business Administration Certificate; Dean's list letter; University of Washington Certificate of High Scholarship; DVA service-connected disabilities verification letter; Washington States Department of Licensing (Real Estate Broker); UC, Berkeley transcript; and resume – 2022.

6. POST SERVICE ACCOMPLISHMENTS: Consistent employment, earned Bachelor of Arts in Business Administration, achieved the Dean's list, Washington States Department of Licensing (Real Estate Broker), and MBA in Business Administration.

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 non-waiverable 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.

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 3-5c, provides the reasons for separation, including the specific circumstances that form the basis for the separation, will be considered on the issue of characterization. As a general matter, characterization will be based upon a pattern of behavior other than an isolated incident. There are circumstances, however, in which the conduct or performance of duty reflected by a single incident provides the basis for characterization.

(b) 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.

(c) 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.

(d) Paragraph 3-9 states a separation will be described as entry-level with service uncharacterized if processing is initiated while a Soldier is in entry-level status.

(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 14-2c, prescribes Commanders will not take action prescribed in this chapter instead of disciplinary action solely to spare an individual who may have committed serious misconduct from the harsher penalties that may be imposed under the UCMJ.

(b) 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.

(c) Paragraph 14-12c, prescribes a commission of a serious military or civil 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.

(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: RE1
- 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 "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. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 14, paragraph 14-12c, by reason of Misconduct (Serious Offense), with a characterization of service of General (Under Honorable Conditions).

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 "General (Under Honorable Conditions)" 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 SPD code. The SPD codes are three-character alphabetic combinations identifying reasons for and types of separation from active duty. The primary purpose of SPD codes is to provide a statistical accounting of reasons for separation. They are intended exclusively for the internal use of DoD and the Military Services to assist in collecting and analyzing separation data. The Office of the Secretary of Defense controls SPD codes and implements them in Army policy AR 635-5-1 to track types of separations. The SPD code specified by Army Regulations for a discharge under Chapter 14, paragraph 14-12c is "JKQ."

e. The applicant requests a change to the reentry eligibility (RE) code. 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.

f. The applicant contends PTSD, TBI, and alcohol use disorder contributed to the discharge. The applicant submitted evidence from the DVA and therapists to support the contention the discharge resulted from PTSD, TBI, and alcohol use disorder. The applicant provided a third-party letter from their therapist, which described the applicant's condition and work towards healing. The applicant's AMHRR includes no documentation of a PTSD diagnosis. The AMHRR shows the applicant underwent a mental status evaluation (MSE) on 30 May 2014, indicating the applicant was mentally responsible and recognized right from wrong. The MSE indicated a diagnosis of adjustment disorder with disturbance of conduct. The separation authority considered the MSE.

g. The applicant contends obtaining consistent employment and continuing education shows the applicant is deserving of an upgrade. The Army Discharge Review Board has the authority to consider post-service factors when reviewing discharge recharacterization requests. However, no law or regulation permits upgrading an unfavorable discharge solely due to time passed or good conduct in civilian life. The Board evaluates each case individually to determine whether post-service achievements indicate previous in-service misconduct was an anomaly rather than a reflection of the applicant's overall character.

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, Adjustment Disorder, residuals of TBI.

(2) Did the condition exist or experience occur during military service? **Yes.** The applicant is 50 percent Service Connected (SC) for PTSD and 70 percent SC for residuals of TBI.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that the applicant has BH conditions that mitigates the misconduct as outlined in the BoS. They are 50 percent SC for PTSD and 70 percent SC for residuals of TBI (i.e., problems with memory, concentration, and attention), and was diagnosed during service with an adjustment disorder that is subsumed by PTSD. The applicant's misconduct characterized by drunk and disorderly is mitigated given the nexus between PTSD and the use of substances to self-medicate. The misconduct characterized by violating curfew, failing to produce an ID card, resisting arrest, and assault is summarily mitigated given it occurred while the applicant was in an inebriated state.

(4) Does the condition or experience outweigh the discharge? **No.** Based on liberally considering all the evidence before the Board, the ADRB determined that PTSD and TBI did not outweigh resisting arrest and assault.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends PTSD, TBI, and alcohol use disorder contributed to the discharge. The Board considered this contention and granted relief due to partial mitigation and the remaining misconduct being outweighed by the applicant's length and quality, to include combat, of service.

(2) The applicant contends obtaining consistent employment and continuing education shows the applicant is deserving of an upgrade. The Board considered the applicant's post service accomplishments and were swayed that the prior separation characterization had served its purpose. Thus, the post service accomplishments supported an upgrade.

d. The Board determined the discharge is inequitable based on medical/BH mitigation for the Basis of Separation. The Board voted to upgrade due to this medical mitigation and the applicant's length, combat experience and quality of service. The Board determined no upgrade was warranted for the reentry code as it was proper and equitable.

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 Post Traumatic Stress Disorder, length and quality, to include combat, of service outweighed the applicant's misconduct of violating curfew, resisting arrest, and assault. 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 current code is consistent with the procedural and substantive requirements of the regulation.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

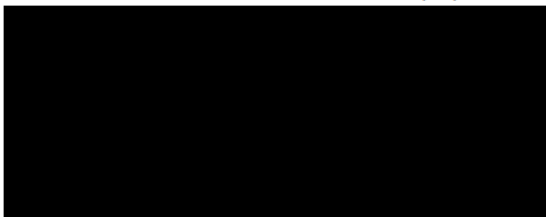
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10. BOARD ACTION DIRECTED:

- 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:

3/25/2026



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