

1. Applicant's Name: [REDACTED]**a. Application Date:** 26 July 2022**b. Date Received:** 26 July 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 honorable. The applicant requests a change to the RE-code.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect the Army should change the RE-code for the applicant to rejoin the military. The applicant served as a Corrections Specialist at the NWJRCF at JBLM, where they faced ongoing sexual harassment and assault from prisoners. Despite reporting these incidents, command staff failed to act, leaving the applicant in unsafe conditions. When the applicant sought relief, the command offered only two options: remain in the prison or enter a Medical Evaluation Board. The applicant chose the MEB without being informed of the long-term consequences of an RE-4 code. Had the implications been clear, the applicant would have contested it. Because the separation resulted from the unsafe assignment rather than performance or conduct, permanently barring the applicant from re-enlistment is unjust.

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 of service. Therefore, the Board voted to grant relief in the reenry code to RE-3. The Board found the characterization and reason to be proper and equitable. 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: Disability, Temporary (Enhanced) / AR 635-40, Chapter 4 / SEK / RE-4 / Honorable

b. Date of Discharge: 1 December 2017

c. Separation Facts: The applicant's Army Military Human Resource Record (AMHRR) is void of the case separation file.

(1) Date of Notification of Intent to Separate: NIF

(2) Basis for Separation: Disability, Temporary (Enhanced)

(3) Recommended Characterization: NIF

(4) Legal Consultation Date: NIF

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: NIF / Honorable

4. SERVICE DETAILS:

- a. **Date / Period of Enlistment Under Review:** 31 August 2015 / 3 years and 21 weeks
- b. **Age at Enlistment / Education / GT Score:** 19 / HS Graduate / 95
- c. **Highest Grade Achieved / MOS / Total Service:** E-4 / 31E1O, Internment/Resettlement Specialist / 2 year, 3 months, and 1 day
- d. **Prior Service / Characterizations:** None
- e. **Overseas Service / Combat Service:** None
- f. **Awards and Decorations:** NDSM, ASR
- g. **Performance Ratings:** NA
- h. **Disciplinary Action(s) / Evidentiary Record:**

(1) Physical Evaluation Board (PEB) Proceedings, 20 December 2019, The Board found the applicant physically unfit and recommended a rating of 30 percent for posttraumatic stress disorder (PTSD) non-combat related stressors and that the applicant disposition be permanent disability retirement.

(2) Orders D023-50, 23 January 2020, indicate the applicant was removed from the Temporary Disability Retired List 23 January 2020 because of permanent physical disability and, the applicant was permanently retired in the grade of rank E-4/Specialist.

(3) Physical Disability Information Report, 10 October 2017, indicate disability is based on injury or disease received in the line of duty but not combat related.

(4) The applicant's DD Form 214 (Certificate of Release or Discharge from Active Duty) indicates the applicant was honorably retired for a disability, temporary (enhanced), 1 December 2017.

- 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:** as previously described in 4h (1)-(3)

5. APPLICANT-PROVIDED EVIDENCE: None

6. POST SERVICE ACCOMPLISHMENTS: None mentioned 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.

(1) Chapter 4 provides the criteria and procedures for waivable and nonwaivable 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.
- RE-4 Applies to: Person separated from last period of service with a nonwaivable disqualification. This includes anyone with a DA imposed bar to reenlistment in effect at time of separation or separated for any reason (except length of service retirement) with 18 or more years active Federal service. Eligibility: Ineligible for enlistment.

g. Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) provides the basic authority for the separation of enlisted personnel. Chapter 3, Section II provides the authorized types of characterization of service or description of separation. 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.

(1) Chapter 4 establishes the policies and procedures for separating a Soldier upon expiration of enlistment or fulfillment of service obligation. The periods of military service required of all Army Soldiers will be in accordance with applicable laws. Periods for which enlistment is authorized are in NGR 600-200, AR 140-111, and AR 601-210. Periods for which Soldiers are ordered to AD are prescribed by law. Soldier enlisted or ordered to AD normally will be discharged or released from AD on the date he/she completes the period for which enlisted or ordered to AD. Personnel released from AD and transferred to the USAR upon completion of the term of service for which ordered into active Federal service, or released to their Reserve Component upon completion of AD. These Soldiers will not be discharged until completion of their reserve obligation.

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 "SEK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-40, Chapter 4, Disability, temporary IDES for the final disposition of disability evaluations by appropriate personnel.

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

b. The applicant served as a Corrections Specialist at the NWJRCF at JBLM, where they faced ongoing sexual harassment and assault from prisoners. Despite reporting these incidents, command staff failed to act, leaving the applicant in unsafe conditions. When the applicant sought relief, the command offered only two options: remain in the prison or enter a Medical Evaluation Board. The applicant chose the MEB without being informed of the long-term consequences of an RE-4 code. Had the implications been clear, the applicant would have contested it. Because the separation resulted from the unsafe assignment rather than performance or conduct, permanently barring the applicant from re-enlistment is unjust. The applicant's Army Military Human Resources Record (AMHRR) indicates the applicant was went before the PEB and was found physically unfit and recommended a rating of 30 percent for posttraumatic stress disorder (PTSD) non-combat related stressors and that the applicant disposition be permanent disability retirement. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-40, Chapter 4, by reason of "Disability, Temporary (Enhanced)," with a characterization of service of Honorable.

c. The applicant seeks to rejoin the military. Soldiers receive reentry codes during separation based on service records or discharge reasons. Army Regulation 601-210 assigns the applicant an RE code of "4," which is appropriate under the circumstances. An RE code of "4" remains ineligible for waiver, preventing reenlistment.

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.

(2) Did the condition exist or experience occur during military service? **Yes.** The applicant is medically retired and rated at 50 percent Service Connected (SC) by the VA.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board applied liberal consideration and opined that records show the applicant was honorably discharged after being diagnosed with PTSD and the condition found unfitting in October 2017. They were placed on the TDRL in December 2017's and was placed on the

permanent disability retirement list in January 2020 with a 30 percent disability rating: they are currently 50 percent SC for PTSD. Receiving a reentry code of 4 is typical with medical retirements as the disqualifying condition is generally thought to be permanently disabling. However, with effective treatment, it is possible for BH conditions like PTSD to go into remission and the individual to become symptom free or minimally affected by residual symptoms. In the applicant's case, even if they are afforded a reentry code of 3, they will be required to provide medical documentation evidencing the condition was in remission, prior to accession.

(4) Does the condition or experience outweigh the discharge? **No.** Based on liberally considering all the evidence before the Board, the ADRB determined that the PTSD was the basis of separation.

b. Prior Decisions Cited: None

c. Response to Contention(s): The applicant seeks to rejoin the military. The Board considered this contention and decided to grant relief so that the applicant may re-enlist with a waiver for their PTSD diagnosis.

d. The Board determined the discharge is inequitable based on harshness of RE code considering medical advisory for treatment and potential for further service options. The current RE code was determined to be too harsh and an upgrade to RE-3 will allow for a more equitable status for both the applicant and the Army.

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 because the applicant currently has an Honorable characterization. The discharge was consistent with the procedural and substantive requirements of the regulation, was within the discretion of the separation authority, and the applicant was provided full administrative due process.

(3) The Board voted not to change the applicant's reason for discharge or accompanying SPD code under the same pretexts, and the reason the applicant was discharged was both proper and equitable.

(4) The RE code will change to RE-3.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

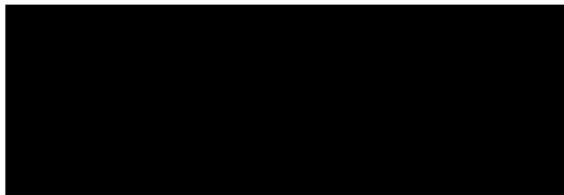
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10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214 / Separation Order: Yes
- b. Change Characterization to: No Change
- c. Change Reason / SPD code to: No Change
- d. Change RE Code to: RE-3
- e. Change Authority to: No Change

Authenticating Official:

3/27/2026



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