

1. Applicant's Name: [REDACTED]**a. Application Date:** 24 June 2022**b. Date Received:** 11 July 2022**c. Counsel:****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.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, they were suffering from undiagnosed Post Traumatic Stress Disorder (PTSD) at the time after their deployment to Afghanistan, which is now diagnosed through the Department of Veterans Affairs (VA). They were also mourning the death of their mother and they were going through extreme hardship because they Army was denying their leave to go and see their mother before they passed away.

c. Board Type and Decision: In a records review conducted on 09 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 and the circumstances surrounding the discharge (PTSD diagnoses). 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 (Drug Abuse) / Army Regulation 635-200, Paragraph 14-12c(2) / JKK / RE-4 / General (Under Honorable Conditions)

b. Date of Discharge: 17 November 2021

c. Separation Facts:

(1) Date of Notification of Intent to Separate: 23 September 2021

(2) Basis for Separation: The applicant was informed of the following reason; between on or about 27 June 2021 and on or about 28 June 2021, wrongfully used cocaine, a schedule II controlled substance.

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

(4) Legal Consultation Date: 28 September 2021

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 1 November 2021

4. Service Details:

a. Date / Period of Enlistment Under Review: 28 December 2015 / 6 years

b. Age at Enlistment / Education / GT Score: 20 / HS Graduate / 98

c. Highest Grade Achieved / MOS / Total Service: E-4 / 15G1O, Aircraft Structural Repairer / 5 years, 10 months, 20 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: Korea, SWA / Afghanistan (3 February 2019 – 26 October 2019)

f. Awards and Decorations: AAM, AGCM, NDSM, GWTSM, KDSM, ACM-CS, NCOPDR, ASR, OSR-2, CAB

g. Performance Ratings: None

h. Disciplinary Action(s) / Evidentiary Record:

(1) A DA Form 2627-2 (Record of Supplementary Actions under Article 15, Uniform Code of Military Justice (UCMJ)) dated 29 July 2021 reflects the suspension of the punishment of forfeiture of \$553.00 pay imposed on the applicant on 28 June 2021 was vacated. Vacation is based on the following offense, positive urinalysis results for illicit drug use.

(2) A memorandum, Bravo Company, 127th Aviation Support Battalion, Combat Aviation Brigade, 1st Armored Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], dated 23 September 2021, reflects the applicant received notification of the initiation of separation action from their company commander for Misconduct – Abuse of Illegal Drugs. The reason for the commander's proposed action is, between on or about 27 June 2021 and on or about 28 June 2021, wrongfully used cocaine, a schedule II controlled substance. The company commander recommended the applicant receive a General (Under Honorable Conditions) discharge. On the same day, the applicant acknowledged receipt of their notification of separation and of the rights available to them.

(3) On 28 September 2021, the applicant acknowledged that they have been advised by their consulting counsel of the basis for the contemplated action to separate them for Misconduct – Abuse of Illegal Drugs under Army Regulation 635-200, paragraph 14-12c(2) and its effects; of the right available to them; and of the effect of any action taken by them in waiving their rights. They elected not to submit statements in their own behalf and waived consulting counsel. They understood that they may expect to encounter substantial prejudice in civilian life if a general (under honorable conditions) discharge is issued to them. They further understood that as the result of issuance of a discharge that is less than honorable, they may be ineligible for many or all benefits as a veteran under both Federal and State laws.

(4) A memorandum, Bravo Company, 127th Aviation Support Battalion, Combat Aviation Brigade, 1st Armored Division, subject: Commander's Report – Proposed Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs,

[Applicant], dated 6 October 2021, reflects the company commander's recommendation to separate the applicant from the U.S. Army prior to the expiration of their current term of service. The commander states the applicant received two Company Grade Article 15s for seven violations of failure to report and dereliction of duty and a Field Grade Article 15 for wrongfully using cocaine. The commander states they do not consider it feasible or appropriate to accomplish other disposition as it would not produce a quality Soldier. The separation is in the best interest of the Army.

(5) A memorandum, Headquarters, 127th Aviation Support Battalion, Combat Aviation Brigade, 1st Armored Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], dated 6 October 2021, reflects the battalion commander's recommendation to separate the applicant from the Army prior to the expiration of their current term of service. The commander recommended the applicant's service be characterized as general (under honorable conditions). The reason for their recommendation is for multiple offenses to include failure to report and drug use.

(6) A memorandum, Combat Aviation Brigade, 1st Armored Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct-Abuse of Illegal Drugs, [Applicant], dated 1 November 2021, reflects the separation authority reviewed the separation packet of the applicant. After careful consideration of all matters they directed the applicant be separated from the Army prior to the expiration of their current term of service and the applicant's service be characterized as General (Under Honorable Conditions). After reviewing the rehabilitative transfer requirements in accordance with Army Regulation 635-200, paragraph 1-16, the commander determined the requirements are waived, as the transfer will service no useful purpose or produce a quality Soldier.

(7) A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged on 17 November 2021, with 5 years, 10 months and 20 days of net active service this period. Their DD Form 214 shows in –

- item 13 (Remarks) – in part, MEMBER HAS NOT COMPLETED FIRST FULL TERM OF SERVICE
- item 24 (Character of Service) – General (Under Honorable Conditions)
- item 26 (Separation Code) – JKK
- item 27 (Reentry Code) – 4
- item 28 (Narrative Reason for Separation) – Misconduct (Drug Abuse)

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 provided:** None

5. Applicant Provided Evidence:

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States)
- DD Form 214

- VA Summary of Benefits Letter
- VA Service-Connected Disability Compensation Letter

6. Post-Service Accomplishments: None submitted with the application.

7. Statutory, Regulatory and Policy Reference(s):

a. Section 1553, Title 10, U.S. 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 Section 521 and Section 525 of the National Defense Authorization Act for Fiscal Year 2020, Title 10, U.S. Code 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), dated 25 September 2019, 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 U.S. Code; and Department of Defense (DOD) 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 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.

(1) Paragraph 1-16 (Counseling and Rehabilitative Requirements) stated Army leaders at all levels must be continually aware of their obligation to provide purpose, direction, and motivation to Soldiers. It is essential that Soldiers who falter, but have the potential to serve honorably and well, be given every opportunity to succeed. The rehabilitative transfer requirements in chapter 14 may be waived by the separation authority in circumstances where common sense and sound judgment indicate that such transfer will serve no useful purpose or produce a quality Soldier.

(2) Chapter 3, Section II (Types of Characterization or Description) 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.

(3) Chapter 14 (Separation for Misconduct) established policy and prescribed procedures for separating members for misconduct. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impractical or unlikely to succeed. Paragraph 14-12c(2) (Abuse of Illegal Drugs is Serious Misconduct), stated, however; relevant facts may mitigate the nature of the offense. Therefore, a single drug abuse offense may be combined with one or more minor disciplinary infractions or incidents of other misconduct and processed for separation. 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.

(4) Chapter 15 (Secretarial Plenary Authority) 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

(5) 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 "JKK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, paragraph 14-12c(2), misconduct (drug abuse).

8. Summary of Fact(s): Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by DOD 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. A review of the available evidence provides the applicant received nonjudicial punishment under the provisions of Article 15, UCMJ on three occasions, for seven violation of failure to report, dereliction of duty, and wrongfully using cocaine; and was involuntary

separation from the Army. The applicant's DD Form 214 indicates their discharge under the provisions of Army Regulation 635-200, paragraph 14-12c(2), by reason of Misconduct (Drug Abuse), with a characterization of service of General (Under Honorable Conditions). The applicant completed 5 years, 10 months and 20 days of net active service this period and did not complete their first full term of service of their 6-year enlistment obligation.

c. Chapter 14 establishes policy and prescribes procedures for separation members for misconduct. Specific categories include minor disciplinary infractions, a pattern of misconduct, commission of a serious offense and convictions by civil authorities. Action will be taken to separate a member for misconduct when it is clearly established that rehabilitation is impracticable or is unlikely to succeed. 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. Characterization of service as honorable is not authorized unless the Soldier's record is otherwise so meritorious that any other characterization clearly would be inappropriate.

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 DOW 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 [Note-diagnoses of adjustment disorder with mixed anxiety and depressed mood; anxiety not otherwise specified are subsumed under diagnosis of PTSD.]

(2) Did the condition exist, or experience occur during military service? **Yes.** The applicant's VA service connection for PTSD establishes a nexus with active service.

(3) Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board applied liberal consideration and opined that the applicant has a medically mitigating BH condition, PTSD related to combat. Since there is a nexus between PTSD and self-medication with alcohol and/or illicit drugs, there is a nexus between PTSD and the wrongful use of cocaine.

(4) Does the condition or experience outweigh the discharge? **Yes.** Based on liberally considering all the evidence before the Board, the ADRB determined that PTSD outweighed the use of illicit drugs.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends they were suffering from undiagnosed PTSD at the time after their deployment to Afghanistan, which is now diagnosed through the VA. The Board liberally considered this contention and determined that it was valid due to the applicant's Post Traumatic Stress Disorder outweighing the applicant's drug abuse offense. Therefore, a discharge upgrade is warranted.

(2) The applicant contends they were also mourning the death of their mother, and they were going through extreme hardship because they Army was denying their leave to go and see their mother before they passed away. 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 Post Traumatic Stress Disorder outweighing the applicant's illegal substance abuse offense.

d. The Board determined the applicant's discharge was inequitable because the applicant's misconduct is fully mitigated by a severe Behavioral Health (BH) condition. The medical advisor established a direct nexus between the misconduct and the applicant's diagnoses, linking the wrongful use of cocaine to PTSD, avoidance, and substance abuse as a form of self-medication. The Board also considered the applicant's service record, including substantial length and quality as well as their combat deployment. Considering the medical mitigation and the applicant's service record, the Board granted relief, upgrading the discharge to Honorable (HD) and changing the Separation Code to JKN.

e. Rationale for Decision:

(1) Published DOD 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 outweighed the applicant's misconduct of cocaine abuse. 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.

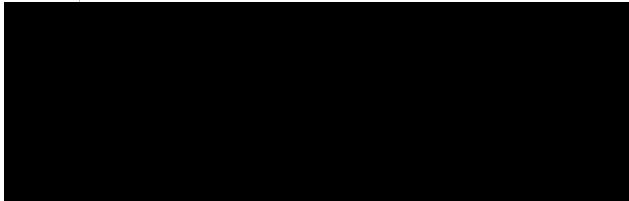
(4) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

10. Board Action Directed:

- a. Issue a New DD Form 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:

3/11/2026



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

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

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

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