

**1. Applicant's Name:** [REDACTED]**a. Application Date:** 31 January 2023**b. Date Received:** 7 February 2023**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:****a. Applicant's Requests and Issues:**

(1) The current characterization of service for the period under review is general (under honorable conditions). The applicant requests an upgrade to honorable, a change of their separation code, reentry code, and the narrative reason for separation.

(2) The applicant seeks relief stating at the time of their misconduct they were suffering from Post Traumatic Stress Disorder (PTSD) that was caused by their Traumatic Brain Injury (TBI). They were knocked unconscious twice in the Army but their first TBI went undiagnosed. They were punished and recycled to the next airborne class and had to complete jump school all over again. This was the start of the decline of their mental health. Their second TBI was diagnosed; however, their PTSD went undiagnosed at the time of their discharge and was diagnosed two months later by the Department of Veterans Affairs (VA).

(3) They did not smoke any illegal drugs. They were in a room where people were smoking but they did not smoke. They inhaled secondhand smoke. They were eating food, gummies, and snacks that could have had Tetrahydrocannabinol (THC) in them. They did not purposely or willingly eat the snacks or food knowing it had illegal controlled substances in them, which they stated to their commander and the Criminal Investigation Division.

(4) Their unit took 7 months to separate them from the Army. They felt like their unit was playing games with their mind by giving them false hopes of staying in the military.

**a. Board Type and Decision:** In a records review conducted on 16 October 2024, and by a 3-2 vote, the Board determined the discharge was inequitable and voted to grant relief in the form of an upgrade of the characterization of service to Honorable. No change to the narrative reason or re-entry code.

**2. DISCHARGE DETAILS:**

**a. Reason / Authority / Codes / Characterization:** Misconduct (Drug Abuse) / Army Regulations 635-200, Paragraph 14-12c(2) / JKK / RE-4 / General (Under Honorable Conditions)

**b. Date of Discharge:** 16 March 2020**c. Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 6 January 2020

(2) **Basis for Separation:** between 13 July 2019 and on 12 August 2019, wrongfully used marijuana.

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

**(4) Legal Consultation Date:** 13 January 2020

**(5) Administrative Separation Board:** NA

**(6) Separation Decision Date / Characterization:** 31 January 2020 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 22 March 2018 / 5 years, 35 weeks

**b. Age at Enlistment / Education / GT Score:** 18 / HS Graduate / 102

**c. Highest Grade Achieved / MOS / Total Service:** E-3 / 25B1P, Information Technology Specialist / 1 year, 11 months, 25 days

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

**e. Overseas Service / Combat Service:** None

**f. Awards and Decorations:** NDSM, GWTSM, ASR

**g. Performance Ratings:** NA

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

**(1)** A Headquarters, U.S. Army Cyber Center of Excellence and Fort Gordon Order 299-060, dated 26 October 2018, reflects the applicant's permanent change of station with temporary duty continuation of training for Airborne Training with a reporting date of 16 November 2018.

**(2)** A Headquarters, U.S. Army Maneuver Center of Excellence, Fort Benning, Order 19332-30, dated 28 November 2018, reflects the applicant was awarded the Parachute Badge for successful completion of Airborne training, with a period of service of 7 December 2018 or upon completion of Airborne training.

**(3)** A Headquarters, U.S. Army Maneuver Center of Excellence, Fort Benning, Order 19332-469, dated 28 November 2018, reflects the applicant received hazardous duty pay for parachute duty effective 19 November 2018 and was terminated on 7 December 2018.

**(4)** An Enlisted Record Brief reflects the applicant was assigned to the 2nd Battalion, 82nd Infantry Replacement, Fort Bragg on 15 December 2018 and then assigned to the 407th Brigade Support Battalion on 21 December 2018. [Note: there is no evidence in the applicant's Army Military Human Resource Record (AMHRR) of being recycled for Airborne Training, they completed the 3-week course in 3 weeks, nor is there evidence of the applicant suffering a TBI.]

**(5)** A DA Form 4856 (Developmental Counseling Form) dated 26 August 2019 reflects the applicant received event-oriented counseling from their company commander for violation of Article 112a (Wrongful, use possession, etc., of controlled substance). The Key Points states, during August 2019, the company conducted their regular 10-percent monthly urinalysis. On

26 August 2019, the company commander received notification by Substance Use Disorder Clinical Care (SUDCC) due to the applicant reporting positive during a urinalysis, for wrongful use of THC. The Plan of Action consisted of a command referral to SUDCC, initiation of suspension of favorable personnel actions (Flag) for adverse action, and a recommendation for a bar of reenlistment. The applicant agreed with the information and signed the form.

(6) A DA Form 2627 (Record of Proceedings under Article 15, Uniform Code of Military Justice (UCMJ) dated 16 September 2019, reflects the applicant received nonjudicial punishment, for, between on or about 13 July 2019 and on or about 12 August 2019, wrongfully used marijuana, in violation of Article 112a, UCMJ. The applicant's punishment consisted of a reduction in rank/grade from private first class/E-3 to private/E-1, forfeiture of \$840.00 pay for 2 months, and extra duty and restriction for 45 days. The applicant elected not to appeal.

(7) A DA Form 4856, dated 10 December 2019, reflects the applicant received event oriented counseling from Sergeant A\_\_\_\_ I\_\_\_\_, for, on 12 August 2019, unlawfully used a controlled substance, marijuana. The Key Points of Discussion states, as an unlawful user of a controlled substance, the applicant is now prohibited from purchasing, possessing, receiving, or shipping any personally owned firearms or ammunition for one year. The applicant disagrees with the information, indicating they do not own or possess any personally owned firearms or ammunition and stated "I did not unlawfully use marijuana. I am not a user of a controlled substance."

(8) A memorandum, Headquarters and Headquarters Company, 407th Brigade Support Battalion, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct – Abuse of Illegal Drugs, [Applicant], dated 6 January 2020, the applicant's company commander notified them of their intent to separate them for Misconduct-Abuse of Illegal Drugs, as described above in paragraph 3c(2). The company recommended the applicant receive a General (Under Honorable Conditions) characterization of service. On that same day, the applicant acknowledged receipt of the foregoing notice and of the rights available to them.

(9) In the applicant's memorandum, subject: To Provide Matter of Consideration in my Separation Procedures, dated 11 January 2020, the applicant states they believe they are a true Soldier. A true Soldier is physically and mentally tough. During this ongoing process of separation they take pride in remaining the resilient Soldier that is expected of them. If given the opportunity to redeem themselves, they know they will continue to do great service for the U.S. Army.

(10) On 13 January 2020, the applicant completed their Election of Rights under Army Regulation 635-200 Notice Procedures, acknowledging they have been given the opportunity to confer with counsel. They elected to submit statements on their own behalf, as evidenced in the preceding paragraph.

(11) A memorandum, Headquarters and Headquarters Company, 407th Brigade Support Battalion, subject: Commander's Report – Proposed Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct – Abuse of Illegal Drugs, [Applicant], dated 24 Janu 2020, the applicant's company commander recommended the applicant be retained. The company commander states the report of mental status or psychiatric report and medical examination is attached. [Note: these medical documents are not in evidence for review.] The company commander states they do not consider it feasible or appropriate to accomplish other disposition as retaining this Soldier would have an adverse impact on military discipline, good order, and morale. There was no note of any medical or other data meriting consideration in the overall evaluation to separate the applicant or in determination as to the

appropriate characterization of service. This Soldier does possess the potential for useful service under conditions of full mobilization.

**(12)** A memorandum, Headquarter, 407th Brigade Support Battalion, 2nd Brigade Combat Team, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct – Abuse of Illegal Drugs, [Applicant], dated 27 January 2020, reflects the applicant's battalion commander's recommendation that the applicant be separated from the Army prior to the expiration of their current term of service and their service be characterized as General (Under Honorable Conditions).

**(13)** A memorandum, Headquarters, 2nd Brigade Combat Team, 82nd Airborne Division, subject: Separation under Army Regulation 635-200, Paragraph 14-12c(2), Misconduct – Abuse of Illegal Drugs, [Applicant], dated 31 January 2020, the separation authority reviewed the applicant's separation packet and recommended the applicant be separated from the Army prior to the expiration of their current term of service. The separation authority directed that the applicant's service be characterized as General (Under Honorable Conditions). The separation authority states the rehabilitative transfer requirement does not apply to this action.

**(14)** A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged on 16 March 2020, with 1 year, 11 months, and 25 days of net active service this period. The DD Form 214 show in –

- item 4a (Grade, Rate or Rank) – private
- item 4b (Pay Grade) – E-1
- item 12i (Effective Date of Pay Grade) – 23 September 2019
- item 18 (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):**

**(1) Applicant provided:** VA Rating Decision, page 1, dated 5 April 2021, reflects a service connection for PTSD with TBI granted with an evaluation of 70-percent effective 17 March 2020. A Medical Document, excerpt of a Visit Summary reflects an initial diagnosis of Acute PTSD; Adjustment Disorder with Anxiety.

**(2) AMHRR Listed:** None [Note: the applicant's AMHRR does not contain their discharge examination or a mental status evaluation report.]

## **5. APPLICANT-PROVIDED EVIDENCE:**

- DD Form 293 (Application for the Review of Discharge from the Armed Forces of the United States), with letter
- Emergency Department Discharge Sheet
- DA Form 2627 (Record of Proceedings under Article 15, UCMJ)
- DA Form 4856 (Developmental Counseling Form), page 2
- DD Form 214
- Medical Record excerpts – Visit Summary

- VA Rating Decision, page 1
- Information Sheet – Do Edibles Appear on Drug Tests?
- three 3rd Party Statement from family members

**6. POST SERVICE ACCOMPLISHMENTS:** None submitted with the application.

**7. STATUTORY, REGULATORY AND POLICY REFERENCE(S):**

a. Title 10, U.S. Code, Section 1553, (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, Title 10, U.S. Code, Section 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. Multiple Department of Defense (DoD) Policy Guidance Memoranda published between 2014 and 2018. The documents are commonly referred to by the signatory authorities' last names (2014 Secretary of Defense Guidance [Hagel memo], 2016 Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness [Carson memo], 2017 Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness [Kurta memo], and 2018 Under Secretary of Defense for Personnel and Readiness [Wilkie memo].

(1) Individually and collectively, these documents provide further clarification to the Military Discharge Review Boards and Boards for Correction of Military/Naval Records when considering requests by Veterans for modification of their discharge due to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Liberal consideration will be given to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on matters relating to mental health conditions, including PTSD; TBI; sexual assault; or sexual harassment. Special consideration will be given to VA determinations that document a mental health condition, including PTSD; TBI; or sexual assault/harassment potentially contributed to the circumstances resulting in a less than honorable discharge characterization. Special consideration will also be given in cases where a civilian provider confers diagnoses of a mental health condition, including PTSD; TBI; or sexual assault/harassment if the case records contain narratives supporting symptomatology at the time of service or when any other evidence which may reasonably indicate that a mental health condition, including PTSD; TBI; or sexual assault/harassment existed at the time of discharge might have mitigated the misconduct that caused a discharge of lesser characterization.

(2) Conditions documented in the service record that can reasonably be determined to have existed at the time of discharge will be considered to have existed at the time of discharge. In cases in which a mental health condition, including PTSD; TBI; or sexual assault/harassment may be reasonably determined to have existed at the time of discharge, those conditions will be considered potential mitigating factors in the misconduct that caused the characterization of service in question. All Boards will exercise caution in weighing evidence of mitigation in cases

in which serious misconduct precipitated a discharge with a less than Honorable characterization of service. Potentially mitigating evidence of the existence of undiagnosed combat related PTSD, PTSD-related conditions due to TBI or sexual assault/harassment as causative factors in the misconduct resulting in discharge will be carefully weighed against the severity of the misconduct. PTSD is not a likely cause of premeditated misconduct. Caution shall be exercised in weighing evidence of mitigation in all cases of misconduct by carefully considering the likely causal relationship of symptoms to the misconduct.

**c.** 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; Title 10, U.S. Code, Section 1553; and DoD Directive 1332.41 and DoD Instruction 1332.28.

**d.** Army Regulation 635-200 (Active Duty Enlisted Administrative Separations) effective 19 December 2016 prescribed policies and standards to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. It prescribed the policies, procedures, and the general provisions governing the separation of Soldiers before expiration term of service or fulfillment of active duty obligation to meet the needs of the Army and its Soldiers.

**(1)** 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.

**(2)** 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)** A Under Other Than Honorable Conditions Discharge is an administrative separation from the Service under conditions other than honorable. It may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court-martial.

**(4)** 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.

**(5)** Chapter 15 (Secretarial Plenary Authority), currently in effect, 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.

**e.** 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 12c(2), misconduct (drug abuse).

**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 DoD Instructions 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:

**(1)** 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.

**(2)** 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.

**(3)** 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 600-85 (Army Substance Abuse Program (ASAP)) governs the program and identifies Army policy on alcohol and other drug abuse, and responsibilities. The ASAP is a command program that emphasizes readiness and personal responsibility. The ultimate decision regarding separation or retention of abusers is the responsibility of the Soldier’s chain of command. Abuse of alcohol or the use of illicit drugs by military personnel is inconsistent with Army values and the standards of performance, discipline, and readiness necessary to accomplish the Army’s mission. Unit commanders must intervene early and refer all Soldiers suspected or identified as alcohol and/or drug abusers to the ASAP. The unit commander should recommend enrollment based on the Soldier’s potential for continued military service in terms of professional skills, behavior, and potential for advancement.

**h.** Manual for Courts-Martial, United States (2019 Edition) stated, military law consists of the statutes governing the military establishment and regulations issued thereunder, the constitutional powers of the President and regulations issued thereunder, and the inherent authority of military commanders. Military law includes jurisdiction exercised by courts-martial and the jurisdiction exercised by commanders with respect to nonjudicial punishment. The purpose of military law is to promote justice, to assist in maintaining good order and discipline in the Armed Forces. Appendix 12 (Maximum Punishment Chart) Manual for Courts-Martial shows the maximum punishments include punitive discharge for violating the following Article 112a (Wrongful Use, Possession, etc., of Controlled Substances).

**i.** Title 38, U.S. Code, Sections 1110 and 1131, permits the VA to award compensation for a medical condition which was incurred in or aggravated by active military service. The VA, however, is not required by law to determine medical unfitness for further military service. The VA, in accordance with its own policies and regulations, awards compensation solely on the basis that a medical condition exists and that said medical condition reduces or impairs the

social or industrial adaptability of the individual concerned. Consequently, due to the two concepts involved, an individual's medical condition, although not considered medically unfitting for military service at the time of processing for separation, discharge, or retirement, may be sufficient to qualify the individual for VA benefits based on an evaluation by the agency.

#### **8. SUMMARY OF FACT(S):**

a. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

b. A review of the available evidence provides the applicant received nonjudicial punishment for wrongfully using marijuana in violation of Article 15, UCMJ and was involuntary separation from the Army. Their DD Form 214 provides they were discharged with a character of service of general (under honorable conditions) for misconduct (drug abuse). They completed 1 year, 11 months, and 25 days of net active service this period. They did not complete their first full term of service.

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; to include abuse of illegal drugs; 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.

d. The applicant's AMHRR does not reflect documentation of PTSD or TBI during their military service. The applicant provided page 1 of a VA Rating Decision reflecting service connection for PTSD with TBI, granted with an evaluation of 70-percent effective 17 March 2020. Additionally, the applicant provides a Medical Document excerpt of a Visit Summary reflecting an initial diagnosis of Acute PTSD and Adjustment Disorder with Anxiety.

e. Published Department of Defense guidance indicates that the guidance is not intended to interfere or impede on the Board's statutory independence. The Board will determine the relative weight of the action that led to the discharge and whether it supports relief or not. In reaching its determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

#### **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: Acute Stress Reaction, PTSD.

(2) Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found that Acute Stress Reaction was diagnosed during active duty. VA service connection for PTSD establishes nexus with active service.



**(3)** Does the condition or experience actually excuse or mitigate the discharge? **No.**  
The Board's Medical Advisor applied liberal consideration and opined that there are no mitigating BH conditions. While the applicant has been diagnosed with TBI and PTSD (70%SC), both of these conditions developed after he engaged in his misconduct, not before. Applicant used marijuana between 13 July 2019 and on 12 August 2019. His TBI occurred on 5 Oct 2019. According to his 24 March 2021 BH note, his PTSD traumatic stressor was his 5 Oct 2019 parachute jump. During this jump, his chute opened but he realized his descent was "too fast and out of control". He felt he was falling to his death. Upon hitting the ground, he hit his head and incurred his head injury.

**(4)** Does the condition or experience outweigh the discharge? **N/A**

**b.** Prior Decisions Cited: None

**c.** Response to Contentions:

**(1)** The applicant contends at the time of their misconduct they were suffering from undiagnosed PTSD that was caused by their TBI.  
The Board considered this contention and acknowledged the VA service connection for PTSD. While the applicant has been diagnosed with TBI and PTSD (70%SC), both of these conditions developed after he engaged in his misconduct, not before t used marijuana between 13 July 2019 and on 12 August 2019. His TBI occurred on 5 Oct 2019. According to his 24 March 2021 BH note, his PTSD traumatic stressor was his 5 Oct 2019 parachute jump.

**(2)** The applicant contends their PTSD was diagnosed by the VA two months after their discharge.  
The Board considered this contention and acknowledged the VA service connection for PTSD.

**(3)** The applicant contends they did not smoke any illegal drugs. They inhaled secondhand smoke and was eating food, gummies, and snacks that could have had THC in them. They did not purposely or willingly eat snacks or food knowing it had illegal controlled substances in them.  
The Board acknowledged this contention.

**(4)** The applicant contends their unit took 7 months to separate them from the Army. They felt like their unit was playing games with their mind by giving them false hopes of staying in the military.  
The Board considered this contention but found insufficient evidence in the applicant's AMHRR or applicant-provided evidence to show that the command acted in an arbitrary or capricious manner, other than the applicant's contention.

**d.** The Board determined the discharge was inequitable and voted to grant relief in the form of an upgrade of the characterization of service to Honorable. No change to the narrative reason or re-entry code. However, the applicant may request a personal appearance hearing to address further issues before the Board. The applicant is responsible for satisfying the burden of proof and providing documents or other evidence sufficient to support the applicant's contention(s) that the discharge was improper or inequitable.

**e.** Rationale for Decision:

**(1)** The Board voted to change the applicant's characterization of service to Honorable. The Board considered the applicant's statement, record of service, the frequency and nature of

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misconduct, and the reason for separation. Although the Board didn't find sufficient evidence of in-service mitigating factors and concurred with the conclusion of the medical advising official that the applicant's TBI/PTSD does not mitigate the applicant's basis for separation, the Board determined that the applicant had a one-time drug abuse and the discharge was too harsh. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was inequitable.

(2) The Board voted not to change the applicant's reason for discharge or accompanying SPD code as the reason the applicant was discharged was both proper and equitable.

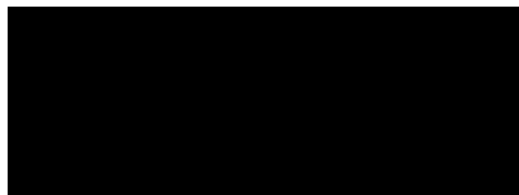
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

**10. BOARD ACTION DIRECTED:**

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

**Authenticating Official:**

1/27/2025

**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

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