1. Applicant's Name:

a. Application Date: 13 November 2023

b. Date Received: 20 November 2023

c. Counsel:



2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:

- a. Applicant's Requests and Issues: The current characterization of service for the period under review is General (Under Honorable Conditions). The applicant requests an upgrade to Honorable, their narrative reason changed, as well as both the separation and reentry codes changed, to reflect "Secretarial Authority" as the basis for separation.
- **b. Counsel states.** The applicant seeks relief contending, they did not engage in the alleged misconduct, specifically, the applicant did not wrongfully use any controlled substance; the evidence is woefully insufficient to conclude a preponderance of evidence that the applicant wrongfully used a controlled substance; the applicant's overall service record and post-discharge conduct are deserving of an Honorable characterization of service.
- **c. Board Type and Decision:** In a records review conducted on 17 June 2024, and by a 5-0 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 (OBH 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 separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF, and the reentry code to RE-3 based on the applicant's medical diagnosis.

Please see Section 10 of this document for more detail regarding the Board's decision.

(Board member names available upon request)

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Misconduct (Drug Abuse) / AR 635-200 / JKK / RE-4 / General (Under Honorable Conditions)

b. Date of Discharge: 7 September 2022

c. Separation Facts:

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

(2) Basis for Separation: Wrongful used Lysergic Acid Diethylamide (LSD)

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

(4) Legal Consultation Date: 3 August 2022

- (5) Administrative Separation Board: NA
- **(6) Separation Decision Date / Characterization:** Undated / General (Under Honorable Conditions)

4. SERVICE DETAILS:

- a. Date / Period of Enlistment: 21 July 2020 / 4 years, 26 weeks
- b. Age at Enlistment / Education / GT Score: 23 / High School Diploma / 126
- **c.** Highest Grade Achieved / MOS / Total Service: E-3 / 11B10 Infantryman / 1 year, 1 month, 17 days
 - d. Prior Service / Characterizations: None
 - e. Overseas Service / Combat Service: None
 - f. Awards and Decorations: AAM, NDSM, ASR
 - g. Performance Ratings: NA
 - h. Disciplinary Action(s) / Evidentiary Record:
- (1) On 21 July 2020, the applicant enlisted in the Regular Army for 4 years and 26 weeks as a PV2. The Enlisted Record Brief provides the applicant promoted to PFC on 21 July 2021. On 8 March 2022, they were flagged, Suspend Favorable Personnel Actions (FLAG), for field-initiated involuntary separation (BA), and was counseled by their company commander, in which the applicant disagreed without listing any remarks.
- (2) On 7 April 2022, the applicant completed their medical assessment and history for their separation, at USA Medical Department Activity (MEDDAC), Fort Drum, NY, with the provider indicating, "See AHLTA/2807/2808," on their assessment.
- (a) Their history, block 29the applicant indicated, "No known health concerns other than sleeping issues sleep study scheduled 30 June at Carthage Area Hospital." Block 30a provides the examiner's noted, "No known health issues."
- **(b)** On 8 April 2022, they completed their mental status examination with Embedded Behavioral Health, Fort Drum, NY, with the provider indicating no diagnosis but listed, "Other problem related to employment." No follow-up needed.
- (3) On 27 April 2022, the trial counsel opined based on their review of the CID Investigation, there was probable cause to believe the applicant and two other PFCs violated Article 112a, UCMJ, for wrongful use of controlled substance Lysergic Acid Diethylamide (LSD). There is also probable cause to believe that both SPCs each violated Article 112a, UCMJ, for wrongful distribution of controlled substance LSD.
- (4) On 3 May 2022, an Army Criminal Investigation Division (CID) Report, provides INV, Military Police Investigator, Directorate of Emergency Services, Fort Drum, NY, notified CID of PFC [redacted] attempted suicide after consuming LSD. The applicant waived their rights and stated they were with them when PFC [redacted] was under the influence of hallucinogens. The applicant stated PFC told the applicant they consumed eight tabs of LSD. The applicant stated

both SGTs [redacted] but sell LSD and assumed they sold it to PFC. The applicant denied having used LSD. The applicant's barrack's room was subsequently searched after the investigators obtained their consent and the commander's written authorization, wherein nothing of evidentiary value was discovered.

- (5) On 16 June 2022, they were seen for their medical examination and was qualified for service. The provider noted "mildly elevated LDL," and recommended "healthy diet/exercise regularly; [follow-up] as needed with PCM/VA."
- (6) Although undated, the company commander notified the applicant of their intent to initiate separation proceedings under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse), for wrongful use of LSD. They recommended a General (Under Honorable Conditions) characterization of service. On 18 July 2022, the applicant acknowledged receipt of their separation notice. Their election of rights was not completed and signed by the applicant; however, defense counsel provides the applicant was counseled on 3 August 2022.
- (7) On 3 August 2022, defense counsel provided a support statement for the applicant's separation proceedings, which provides while separation actions need only be supported by a preponderance of the evidence, there is insufficient evidence to support separation of the applicant for wrongful use of an illegal substance. At the outset, there is no physical evidence to support the allegation the applicant used an illegal substance: there was no positive urinalysis, nothing found in the applicant's barracks room after they consented to a search, and no digital evidence linking them to either the purchase or use of an illegal substance. The only evidence supporting the claim are two witness statements, neither of which should be relied upon.
- (a) The SGT [redacted] claiming that the applicant told them they used LSD the night before is self-serving, at best. Consider the context in which SGT provided the statement: they had just been advised of their own Article 31 (b) rights against self-incrimination and admitted that, as an NCO, they were aware of junior Soldiers in their unit using illegal drugs and they did not report the use. SGT also admitted that the applicant told them about using LSD, while SGT was drinking with a junior Soldier, SPC [redacted]. It is of note that SPC was with SGT during SGT's conversation with the applicant, but SPC never heard the applicant say anything about using LSD and has never heard any rumors about the applicant using LSD. In fact, unlike the use of LSD by PFCs [redacted], no other Soldiers currently in the unit, have heard anything about the applicant using LSD.
- **(b)** [Redacted] is the other witness that claims the applicant used LSD; however, that is all they said about it according to CID. There are no other supporting details to their statement. We have no idea how [redacted] knew that the applicant allegedly used LSD, nor where or when it occurred or how much the applicant used. The significant lack of detail to their statement significantly discounts the reliability of the statement.
- (c) The applicant's only involvement in this entire situation was escorting PFC [redacted] back to their room, after learning that they had dropped 8 LSD tabs. The applicant understood that was a lot of LSD for one person to take, and they wanted to make sure that PFC [redacted] was okay. There is no evidence that the applicant used LSD with either PFC [redacted] or PFC [redacted] on any occasion. Although CPT opined that there was probable cause to believe the applicant wrongfully used an illegal substance (an opinion that defense counsel would argue is not supported by the evidence), it is imperative that it be considered that probable cause is a lower standard than preponderance of the evidence. It is possible that one finds probable cause to believe an offense occurred and that the offense is not supported by a preponderance of the evidence, and that is exactly the case with the present matter. The

evidence simply does not support that the applicant wrongfully used an illegal substance, and respectfully request that they be retained in the U.S. Army.

- **(8)** While undated, the separation approval authority approved the discharge, with a General (Under Honorable Conditions) characterization of service.
- **(9)** A DD Form 214 reflects the applicant was discharged accordingly on 7 September 2022, with 2 years, 3 months, and 18 days of total service. The applicant has not completed their first full term of service.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s):

(1) Applicant provided: None

(2) AMHRR Listed: None

- **5. APPLICANT-PROVIDED EVIDENCE:** DD Form 293 (Application for the Review of Discharge); Legal Brief; DD Form 214 (Certificate of Release or Discharge from Active Duty); Separation Package; Separation Medical and Mental Examinations; Service Records
- **6. POST SERVICE ACCOMPLISHMENTS:** None submitted with this 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.** Multiple Department of Defense 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 Department of Veterans Affairs (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), 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 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.
- **d.** Army Regulation 635-200 provides the basic authority for the separation of enlisted personnel.
- (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) An Under other-than-honorable-conditions discharge is an administrative separation from the Service under conditions other than honorable and it may be issued for misconduct, fraudulent entry, security reasons, or in lieu of trial by court martial based on certain circumstances or patterns of behavior or acts or omissions that constitute a significant departure from the conduct expected of Soldiers in the Army.
- **(4)** 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 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. A Soldier is subject to action per this section for commission of a serious military or civilian 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.

- (5) 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.
- **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 14-12c (2), Misconduct (Under Honorable Conditions).
- **f.** Army Regulation 601-210, Regular Army, and Reserve Components Enlistment Program, governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes:
- (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)), provided a comprehensive alcohol and drug abuse prevention and control policies, procedures, and responsibilities for Soldiers for ASAP services. 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.

- (1) 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.
- (2) ASAP participation is mandatory for all Soldiers who are command referred. Failure to attend a mandatory counseling session may constitute a violation of Article 86 (Absence Without Leave) of the UCMJ.
- (3) Alcohol and/or other drug abusers, and in some cases dependent alcohol users, may be enrolled in the ASAP when such enrollment is clinically recommended. Soldiers who fail to participate adequately in, or to respond successfully to, rehabilitation will be processed for administrative separation and not be provided another opportunity for rehabilitation except under the most extraordinary circumstances, as determined by the Clinical Director in consultation with the unit commander.
- **(4)** All Soldiers who are identified as drug abusers, without exception, will be referred to the ASAP counseling center for screening; be considered for disciplinary action under the UCMJ, as appropriate; and be processed for administrative separation in accordance with Army Regulation 635-200.
- **8. SUMMARY OF FACT(s):** 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, their narrative reason changed, as well as both the separation and reentry codes changed, to reflect "Secretarial Authority" as the basis for separation. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.
- (1) A review of the available evidence provides the applicant enlisted in the RA as a PV2, promoted to PFC, and served for 1 year, 7 months, and 18 days prior to their misconduct. They were flagged, for involuntary separation, for having wrongfully used LSD and as a result, was processed for discharge under the provisions of AR 635-200, Chapter 14-12c (2), Misconduct (Drug Abuse), with a General (Under Honorable Conditions) characterization of service. Defense counsel provided a support statement on the applicant's behalf.
- (2) The applicant completed both a medical and mental status evaluation and was qualified for service and separation. They served for 2 years, 1 month, and 17 days of their 4 year, 26 week contractual obligation.
- **b.** 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.
- **c.** 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 is determination, the Board shall consider the applicant's petition, available records and/or submitted documents in support of the petition.

- **9. DOCUMENTS / TESTIMONY PRESENTED DURING PERSONAL APPEARANCE:** In addition to the evidence in the record, the Board carefully considered the additional document(s) and testimony presented by the applicant at the personal appearance hearing.
 - a. The applicant submitted the following additional document(s):
 - b. The applicant presented the following additional contention(s):
 - c. Counsel / Witness(es) / Observer(s):

10. 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: Reported pre-enlistment Oppositional Defiant Disorder and ADHD.
- (2) Did the condition exist or experience occur during military service? **Yes.** While not diagnosed in-service, if the conditions are accepted at face value some traits would more likely than not still be present.
- (3) Does the condition or experience actually excuse or mitigate the discharge? **No.** The Board's Medical Advisor applied liberal consideration and opined that the pre-enlistment diagnoses are not mitigating. Specifically, the applicant laid out a thought-out plan with rationalization of his role in the peer's drug use. This is not reflective of impairment secondary to ADHD. The applicant's ODD is a conduct and characterological issue that provides context but does not impact an individual's ability to make conscious choices, knowing right from wrong. Accordingly, even if accepted at face value, the diagnoses are unrelated to the misconduct.
 - (4) Does the condition or experience outweigh the discharge? N/A
 - **b.** Response to Contention(s):
- (1) Through counsel, the applicant seeks relief contending, they did not engage in the alleged misconduct, specifically, the applicant did not wrongfully use any controlled substance; the evidence is woefully insufficient to conclude a preponderance of evidence that the applicant wrongfully used a controlled substance; the applicant's overall service record and post-discharge conduct are deserving of an Honorable characterization of service. The Board considered this contention and determined relief was warranted.
- (2) Defense counsel contends there is insufficient evidence to support separation of the applicant for wrongful use of an illegal substance. There is no physical evidence to support the allegation the applicant used an illegal substance: there was no positive urinalysis, nothing found in the applicant's barracks room after they consented to a search, and no digital evidence linking them to either the purchase or use of an illegal substance. The only evidence supporting the claim are two witness statements, neither of which should be relied upon. The Board

considered this contention and determined relief was warranted.

- (3) Defense counsel contends the SGT claiming that the applicant told them they used LSD the night before is self-serving, at best. Consider the context in which SGT provided the statement: they had just been advised of their own Article 31 (b) rights against self-incrimination and admitted that, as an NCO, they were aware of junior Soldiers in their unit using illegal drugs and they did not report the use. SGT also admitted that the applicant told them about using LSD, while SGT was drinking with a junior Soldier (SPC). It is of note that SPC was with SGT during SGT's conversation with the applicant, but SPC never heard the applicant say anything about using LSD and has never heard any rumors about the applicant using LSD. In fact, unlike the use of LSD by the two PFCs, no other Soldiers currently in the unit, have heard anything about the applicant using LSD. The Board considered this contention and determined relief was warranted.
- (4) Defense counsel contends the other witness that claims the applicant used LSD and that is all they said about it according to CID. There are no other supporting details to their statement. We have no idea how [redacted] knew that the applicant allegedly used LSD, nor where or when it occurred or how much the applicant used. The significant lack of detail to their statement significantly discounts the reliability of the statement. The Board considered this contention and determined relief was warranted.
- (5) Defense counsel contends the applicant's only involvement in this entire situation was escorting PFC [redacted] back to their room, after learning that they had dropped 8 LSD tabs. The applicant understood that was a lot of LSD for one person to take, and they wanted to make sure that PFC [redacted] was okay. There is no evidence that the applicant used LSD with either PFC [redacted] or PFC [redacted] on any occasion. Although CPT opined that there was probable cause to believe the applicant wrongfully used an illegal substance (an opinion that defense counsel would argue is not supported by the evidence), it is imperative that it be considered that probable cause is a lower standard than preponderance of the evidence. It is possible that one finds probable cause to believe an offense occurred and that the offense is not supported by a preponderance of the evidence, and that is exactly the case with the present matter. The evidence simply does not support that the applicant wrongfully used an illegal substance, and respectfully request that they be retained in the U.S. Army. The Board considered this contention and determined relief was warranted.
- **c.** The Board determined the discharge is inequitable. The Board found sufficient evidence of in-service mitigating factors (Quality). The applicant was discharged without a formal and did not have a failed UA for drugs. The applicant's record does not show any additional drug use/abuse. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to honorable and changed the separation authority to AR 635-200, Chapter 15, and the narrative reason for separation to Secretarial Authority, with a corresponding separation code to JFF and the reentry code to RE-3 based on medical diagnosis.

d. Rationale for Decision:

(1) The Board voted to change the applicant's characterization of service to Honorable. The Board carefully considered the applicant's request, supporting documents, evidence in the records, a medical review, and published Department of Defense guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement, record of service, the frequency and nature of misconduct, and the reason for separation. The Board found sufficient evidence of in-service mitigating factors (Quality). The applicant was discharged without a formal hearing and did not have a failed UA for drugs. The applicant's

record does not show any additional drug use/abuse. Based on a preponderance of evidence, the Board determined that the discharge was improper and inequitable and warranted an upgrade.

- (2) The Board voted to change the reason for discharge to Secretarial Authority under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JFF.
 - (3) The Board voted to change the RE code to RE-3.

11. BOARD ACTION DIRECTED:

a. Issue a New DD-214: Yes

b. Change Characterization to: Honorable

c. Change Reason / SPD Code to: Secretarial Authority / JFF

d. Change RE Code to: RE-3

e. Change Authority to: AR 635-200

Authenticating Official:

3/31/2025

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

AWOL - Absent

Without Leave

Status

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

FG - Field Grade

GD - General

Article 15

Discharge

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 - Summarv 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