

1. Applicant's Name: [REDACTED]

a. Application Date: 10 October 2023

b. Date Received: 23 October 2023

c. Counsel: None

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, a narrative reason change, and changes to their separation and reentry codes.

b. The applicant seeks relief contending, they served in the military for nearly five years and during their military career, did their best and have not had any incidents or caused problems. They have earned 6 Certificate of Appreciations (COA) in different tasking, earned a Good Conduct Medal, and have always voluntarily carried out their mission. Due to their poor judgement, the applicant received a driving under the influence (DUI) in South Korea, was fined, and had to pay nearly \$9,000 to the Korean government. They were embarrassed and ashamed of themselves, having felt sorry for their spouse and child. Following this incident, the applicant was discharged from the Army 20 days prior to their original Expiration Term of Service (ETS). They have been attending radiation school, while completing an internship at a hospital, with hopes of becoming employed at a government hospital after graduation, however, they were unable to further use their GI Bill education benefit. The applicant believes their discharge was a disgrace though it was their mistake, as a parent, desires to make their child proud, hoping to desperately receive an Honorable discharge.

c. **Board Type and Decision:** In a records review conducted on 1 November 2024, and by a 5-0 vote, board determined the discharge is inequitable. Therefore, the board voted to grant relief in the form of an upgrade of the characterization of service to honorable and change the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. No change to the reentry code.

*Please see Section 9 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 (Civil Conviction) / AR 635-200 / JKB / RE-3 / General (Under Honorable Conditions)

b. **Date of Discharge:** 5 May 2022

c. **Separation Facts:**

(1) **Date of Notification of Intent to Separate:** 9 March 2022

(2) **Basis for Separation:** Found guilty of driving under the influence (DUI)

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

**(4) Legal Consultation Date:** 24 March 2022

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

**(6) Separation Decision Date / Characterization:** 13 April 2022 / General (Under Honorable Conditions)

**4. SERVICE DETAILS:**

**a. Date / Period of Enlistment:** 16 May 2017 / 3 years, 23 weeks

**(1)** Although not in the record, on 30 April 2020, the applicant executed a seven month extension [which was identified on a personnel records review].

**(2)** On 3 December 2020, the applicant executed a one year extension; the remarks indicate the applicant elected to stabilize for six months.

**b. Age at Enlistment / Education / GT Score:** 26 / Some College (Completed 86 Credit Hours) / 86

**c. Highest Grade Achieved / MOS / Total Service:** E-4 (SPC) / 92F10 Petroleum Supply Specialist / 4 years, 11 months, 20 days

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

**e. Overseas Service / Combat Service:** Korea / None (4 years, 5 months, 28 days)

**f. Awards and Decorations:** AAM, AGCM, NDSM, GWOTSM, KDSM, NCO-PDR, ASR, OSR

**g. Performance Ratings:** NA

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

**(1)** On 16 May 2017, the applicant enlisted in the Regular Army for 3 years and 23 weeks as a PFC (E-3); on 30 April and 3 December 2020, they executed two extensions, totaling 1 year and 7 months. The Enlisted Record provides on 1 February 2019, they promoted to SPC (E-4). On 23 June 2021, they were flagged, Suspend Favorable Personnel Actions (FLAG), for law enforcement investigation (MA) and adverse action (AA).

**(2)** ON 18 June 2021, the office of the judge advocate received an official notice which indicated the Republic of Korea Ministry of Justice was exercising jurisdiction over the applicant for their DUI, and accordingly, they had to be placed on an international hold.

**(3)** On 30 June 2021, the applicant received a GOMOR (General Officer Memorandum of Reprimand), for having been apprehended by the Korean National Police on 9 May, for driving while intoxicated, with a 0.156% BAC (blood alcohol content). The applicant provided a rebuttal, summarized below; however, with the recommendations from their chain of command, the approval authority imposed the GOMOR under the provisions of AR 600-37 and directed permanent filing in the OMPF (Official Military Personnel File).

**(a)** In a rebuttal the applicant provided two character letters and stated how ashamed they were for their irresponsible behavior, as an Army professional, a parent, and a

spouse, understanding fully the impact this situation has had and accepts whatever the command deemed appropriate. Their only plea for consideration was to reduce the burden, in order for them to continue serving. They have a proven military career and have earned six certificates of achievement, along with their Good Conduct Medal. They have an associate degree in Social and Behavioral Science in their civilian education and have completed basic leader course and unit supply course, in their military education. They have been pursuing ways to be a better Soldier and have learned a lot from this first time indiscipline. They requested placing the GOMOR in their local file, as their intention was to continue serving and would not make the same mistake twice. The applicant met their spouse there, had a child, and even reconnected with their mother, after having been separated since the parent's divorce. Also, their father was fighting liver cancer. They had plans to move their family to the United States with them and apply for medical school with their G.I. Bill but now things have changed due to the incident.

**(b)** On 8 November 2021, Suwon District Court issued a summary order in the case of the applicant and found them guilty of Violation of the Road Traffic Act (DUI) and sentenced them to a 8,000,000 won fine. The applicant had seven days from then to demand a formal trial; they acknowledged receipt and was advised to clear with the local immigration office days prior to departing, to avoid problems at the terminal/airport.

**(4)** On 9 March 2022, the company commander notified the applicant of their intent to initiate separation proceedings under the provisions of AR 635-200, Chapter 14-9, Misconduct (Civil Conviction), for having been found guilty of a DUI, in Suwon District Court (Korea) in Violation of the Road Traffic Act, with a General (Under Honorable Conditions) characterization of service. The applicant acknowledged notice. On 23 March 2022, elected to consult with legal and elected to submit a statement on their behalf, summarized below. The following day, defense counsel endorsed their election, acknowledging the applicant was counseled on the possible effects of a General (Under Honorable Conditions) and the rights available to them.

**(5)** On 11 and 13 April 2022, the battalion and brigade commanders concurred with the company commander's recommendation and the separation approval authority approved the discharge under the provisions of AR 635-200, Chapter 14-9, Misconduct (Civil Conviction), with a General (Under Honorable Conditions) characterization of service.

**(6)** On 18 April 2022, their separation orders were issued. A DD Form 214 (Certificate of Release or Discharge from Active Duty) reflects the applicant was discharged accordingly on 5 May 2022, with 5 years and 24 days of total service. They provided their electronic signature and have not completed their first full term of service.

**i. Lost Time / Mode of Return:** None

**j. Behavioral Health Condition(s):**

**(1) Applicant provided:** A Veterans Affairs (VA) letter, dated 27 September 2022, received 100% combined service-connected disability rating. Effective 4 June 2022, the evaluation of their Posttraumatic Stress Disorder (PTSD), with Unspecified Anxiety Disorder and Depressive Disorder increased from 50% to 70%; Degenerative Disc Disease with Intervertebral Disc Syndrome claimed as low back pain increased from 10% to 40%; and Radiculopathy, right lower extremity, increased from 10% to 20%. Additionally, they have previous service connections for Migraines as Tension Type Headaches, Hallux Rigidus claimed as right toe pain, left and right Knee Patellar Tendinitis, right wrist sprain, Tinnitus, and Allergic Rhinitis claimed as Nasal Congestion.

**(2) AMHRR Listed:** None

**5. APPLICANT-PROVIDED EVIDENCE:** Application for the Review of Discharge; Self-Authored Statement; Gurnick Academy College Transcripts; Veterans Affairs (VA) Rating Decision; Three Character Letters provides the contentions from friends and former colleagues: the applicant was hardworking, has solid integrity, very humble, was additionally completing an internship as an X-ray Technician, and going to school at the same time; should be recommended for an Honorable; they are a committed family member and friend, with unwavering commitment and kindness; they are a person of integrity who consistently demonstrates honesty and a strong moral compass. Their contribution will be more plentiful if they received a Honorable discharge in order for the applicant to contribute to their community and nation as a veteran.

**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 (Active Duty Enlisted Administrative Separations), set policies, standards, and procedures to ensure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

**(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 14-9 provides when a Soldier is convicted by a foreign tribunal, and the Soldier returns to the United States before initiation or completion of discharge proceedings, discharge proceedings will be initiated or completed, as if the Soldier had been convicted by the domestic court of the United States or its territorial possession. This provision is not intended to relieve overseas commanders of their responsibility to promptly initiate and process civil court cases on Soldiers of their command.

**(6)** 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 "JKB" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, Misconduct (Civil Conviction).

**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:

**(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 waivable. Eligibility: Ineligible unless a waiver is granted.

**(3)** 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 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. 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.

**(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. 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.

**(2)** 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.

**(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.

**h.** Manual for Courts-Martial (2019 Edition), United States, states 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 orders and discipline in the Armed Forces. Article 113 (drunken driving) states in the subparagraph, the maximum punishment consists of a bad conduct discharge, forfeiture of all pay and allowances, and confinement for six months.

**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, a narrative reason change, and changes to their separation and reentry codes. A review of the records provides there was an administrative irregularity in the proper retention of official military records, specifically, the referral to ASAP [a two-part mandatory clinical assessment, required within 5 days of the incident] and their medical/mental separation examinations.

**b.** The available evidence provides the applicant enlisted in the RA, promoted to SPC, executed two extensions, and served for 4 years, 1 month, and 7 days prior to the misconduct which led to their separation. While stationed in Korea, the applicant was apprehended and charged for DUI with a .156% BAC, which resulted in a fine of 8,000,000 won. As a result, they received a GOMOR and attempted to have it filed locally; however, the commander directed the

permanent filing in their OMPF. Separation proceedings were initiated under the provisions of AR 635-200, Chapter 14-9, Misconduct (Civil Conviction), with a General (Under Honorable Conditions) characterization of service. They elected to submit a statement on their behalf and elected to consult with legal and defense counsel endorsed their election, acknowledging the applicant was counseled on the possible effects of a General (Under Honorable Conditions) and the rights available to them.

**(1)** There is no evidence of a medical examination and/or mental status evaluation in their record, which is required under this chapter of separation. The applicant provided evidence of their 100% combined service-connected disability rating for Posttraumatic Stress Disorder (PTSD), with Unspecified Anxiety Disorder and Depressive; Degenerative Disc Disease with Intervertebral Disc Syndrome claimed as low back pain; Radiculopathy, right lower extremity; Migraines as Tension Type Headaches; Hallux Rigidus claimed as right toe pain; left and right Knee Patellar Tendinitis; right wrist sprain; Tinnitus; and Allergic Rhinitis claimed as Nasal Congestion.

**(2)** They served 20 days shy of their 4 year, 7 month, and 23 week contractual 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.

**d.** 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 a 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: GAD, PTSD due to MST (70%SC). Note-1) diagnosis of Anxiety DO, unspecified is subsumed under diagnosis of GAD; 2) diagnosis of Adjustment DO is subsumed under diagnosis of PTSD.

**(2)** Did the condition exist, or experience occur during military service? **Yes.** The Board's Medical Advisor found GAD was diagnosed during active service. VA service connection for PTSD due to MST establishes nexus with active military service.

**(3)** Does the condition or experience actually excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor applied liberal consideration and opined that the applicant has three mitigating BH conditions/experiences: GAD and PTSD due to MST. As there is an association between PTSD, MST and self-medication with alcohol, there is a nexus between

these conditions/experiences and his arrest for DUI. Note-diagnoses of Adjustment DO and Anxiety DO NOS are subsumed under the diagnosis of PTSD.

**(4)** Does the condition or experience outweigh the discharge? **Yes.** The board concurred with the opinion of the Board's Medical Advisor, a voting member. As a result, the ADRB applied liberal consideration and found that the applicant's GAD, PTSD due to MST outweighed the DUI basis for separation for the aforementioned reason.

**b.** Response to Contention(s):

**(1)** The applicant seeks relief contending, they served in the military for nearly five years and during their military career, did their best and have not had any incidents or caused problems. They have earned 6 Certificate of Appreciations (COA) in different tasking, earned a Good Conduct Medal, and have always voluntarily carried out their mission. Due to their poor judgement, the applicant received a driving under the influence (DUI) in South Korea, was fined, and had to pay nearly \$9,000 to the Korean government. They were embarrassed and ashamed of themselves, having felt sorry for their spouse and child. Following this incident, the applicant was discharged from the Army 20 days prior to their original Expiration Term of Service (ETS). They have been attending radiation school, while completing an internship at a hospital, with hopes of becoming employed at a government hospital after graduation, however, they were unable to further use their GI Bill education benefit. The applicant believes their discharge was a disgrace though it was their mistake, as a parent, desires to make their child proud, hoping to desperately receive an Honorable discharge. The board reviewed the contention during the proceedings but ultimately did not address it, as an upgrade had been granted based on the applicant's behavioral conditions detailed in paragraph 9a (3-4) of this document.

**(2)** Three Character Letters from friends and former colleagues contends, the applicant was hardworking, has solid integrity, very humble, was additionally completing an internship as an X-ray Technician, and going to school at the same time; should be recommended for an Honorable; they are a committed family member and friend, with unwavering commitment and kindness; they are a person of integrity who consistently demonstrates honesty and a strong moral compass. Their contribution will be more plentiful if they received a Honorable discharge in order for the applicant to contribute to their community and nation as a veteran. The board reviewed the contention during the proceedings but ultimately did not address it, as an upgrade had been granted based on the applicant's behavioral conditions detailed in paragraph 9a (3-4) of this document.

**c.** The board determined the discharge is inequitable. Therefore, the board voted to grant relief in the form of an upgrade of the characterization of service to Honorable and change the separation authority to AR 635-200, paragraph 14-12a, the narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. No change to the reentry code.

**d.** Rationale for Decision:

**(1)** The board considered the applicant's statement, record of service, the frequency and nature of the misconduct, and the reason for separation, the board found sufficient in-service mitigating factors (length, combat experience). The board concurred with the medical advising official determination that the applicant's behavioral conditions (GAD, PTSD, MST) mitigated the applicant's DUI. As a result, the board voted to upgrade the applicant's characterization of service to Honorable and changed the separation authority to AR 635-200.

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(2) The board voted to change the applicant's narrative reason for separation to Misconduct (Minor Infractions), and the separation code to JKN.

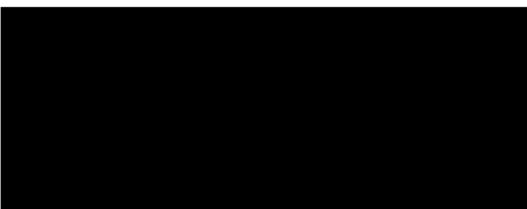
(3) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

**10. BOARD ACTION DIRECTED:**

- a. **Issue a New DD-214 / Separation Order:** Yes
- b. **Change Characterization to:** Honorable
- c. **Change Reason / SPD code to:** Misconduct (Minor Infractions)/JKN
- d. **Change RE Code to:** No change
- e. **Change Authority to:** AR 635-200, paragraph 14-12a

**Authenticating Official:**

6/24/2025



**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)  
OMPFF – 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