

1. Applicant's Name: [REDACTED]**a. Application Date:** 11 January 2024**b. Date Received:** 5 February 2024**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**

a. Applicant Requests: The current characterization of service for the period under review is general (under honorable conditions). The applicant requests an upgrade to honorable and change narrative reason for separation.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, in effect good service, including a combat tour. The applicant contends the Army should change the narrative reason for the discharge. The applicant deployed to Iraq and Afghanistan and was exposed to direct fire, enemy engagement, and the loss of comrades. During one attack, the applicant was thrown by a blast and later learned a TBI had been sustained. The applicant's TBI now affects word finding, problem-solving, emotional regulation, and vision. The applicant's PTSD was further aggravated when the applicant's unit was extended in country shortly before the scheduled return home. The applicant was diagnosed with a TBI after receiving a 100% p/t determination, and the condition continues to impact daily functioning.

Evidence strongly supports the development of PTSD following deployments to Iraq and Afghanistan, which the applicant believes reflects the applicant's own experience. The applicant sustained multiple injuries requiring long-term opioid treatment from several providers. Over time, the applicant recognized developing physical dependence and sought help. Instead of receiving support, the applicant was reprimanded by leadership and ultimately discharged. Additionally, the applicant also believes reprisal and though DADT was repealed when the applicant was in service, the culture and acceptance of same-sex couples was not changed during the applicant's time.

c. Board Type and Decision: In a records review conducted on 17 March 2026, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's length and quality of service, to include combat service, the circumstances surrounding the discharge (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 narrative reason for separation to Misconduct (Minor Infractions), with a corresponding separation code of JKN. The Board determined the reentry code is proper and equitable and voted not to change it. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

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

b. Date of Discharge: 3 February 2012**c. Separation Facts:**

(1) Date of Notification of Intent to Separate: 3 January 2012

(2)Basis for Separation: The applicant was informed of the following reasons: wrongfully used Dextroamphetamine. In addition, the applicant failed to report on multiple occasions and disrespected a noncommissioned officer.

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

(4) Legal Consultation Date: 4 January 2012

(5) Administrative Separation Board: NA

(6) Separation Decision Date / Characterization: 11 January 2012 / General (Under Honorable Conditions)

4. SERVICE DETAILS:

a. Date / Period of Reenlistment Under Review: 27 May 2009 / 3 years

b. Age at Enlistment / Education / GT Score: 21 / HS Graduate / 90

c. Highest Grade Achieved / MOS / Total Service: E-3 / 88M1O, Motor Transport Operator / 5 years and 1 month

d. Prior Service / Characterizations: AD, 4 January 2007 – 26 May 2009 / HD
AD, 27 May 2009 – 3 February 2012
(Concurrent Service)

e. Overseas Service / Combat Service: SWA / Afghanistan (1 May 2010 – 22 September 2010), Iraq (20 November 2007 – 30 January 2009)

f. Awards and Decorations: ARCOM, AAM, AGCM, NDSM, ACMA, ICM-CS, GWTSM, ASR, OSR, DMB-DWV

g. Performance Ratings: None

h. Disciplinary Action(s) / Evidentiary Record:

(1) Report of Mental Status Evaluation (MSE), 26 January 2011, indicates the applicant was cleared for any administrative actions the command deemed appropriate. The applicant demonstrated the ability to understand and participate in administrative proceedings, appreciated the difference between right and wrong, and met medical retention requirements. PTSD and mTBI screenings were conducted, but the conditions were either absent or did not meet AR 40-501 criteria for a medical evaluation board. The command was advised to consider their influence.

(2) FG Record of Proceedings under Article 15, Uniform Code of Military Justice, [date], indicates the applicant on or about 17 June 2011 and 19 June 2011, without authority, fail to go at the time prescribed to your appointed place of duty and disobeyed a lawful order. The imposed punishment included a reduction to E-1, forfeiture of \$455 (suspended), along with 14 days of extra duty and restriction.

(3) Electronic Copy of Specimen Custody Document – Drug Testing, 14 November 2011, indicates the applicant tested positive for DAMP (dextroamphetamines) during an Inspection Other (IO) urinalysis testing conducted on 1 November 2011.

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s): The following documents have been provided to the ARBA Medical Advisor, if applicable. See **“Board Discussion and Determination”** for Medical Advisor Details.

(1) **Applicant provided:** Department of Veteran Affairs (VA) shows the applicant is being paid at the 100% rate because the applicant is deemed unemployable due to the applicant's service-connected disabilities.

(a) **AMHRR Listed:** MSE/BHE as described in previous paragraph 4h(1).

5. APPLICANT-PROVIDED EVIDENCE: DD Form 293, Self Authored Statement, DD Form 214 (member 1 copy), VA Decision Letter, Ironwork document, and Court Documents

6. POST SERVICE ACCOMPLISHMENTS: Ironwork document is illegible (certificate)

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

a. Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

b. Office, Secretary of Defense memorandum (Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requests by Veterans Claiming Post Traumatic Stress Disorder), 3 September 2014, directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged UOTHC and who have been diagnosed with PTSD by a competent mental health professional representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

c. Office, Under Secretary of Defense memorandum (Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment), 25 August 2017 issued clarifying guidance for the Secretary of Defense Directive to DRBs and BCM/NRs when considering requests by Veterans

for modification of their discharges due in whole or in part to mental health conditions, including PTSD; Traumatic Brain Injury; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

d. Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

(1) This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, DRBs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

(2) Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

e. Army Regulation 15-180 (Army Discharge Review Board), sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

f. Army Regulation 601-210, Regular Army, and Reserve Components Enlistment Program, governs eligibility criteria, policies, and procedures for enlistment and processing of persons into the Regular Army, the U.S. Army Reserve, and Army National Guard for enlistment per DODI 1304.26. It also prescribes the appointment, reassignment, management, and mobilization of Reserve Officers' Training Corps cadets under the Simultaneous Membership Program. Chapter 4 provides the criteria and procedures for waiverable and nonwaiverable separations. Table 3-1, defines reentry eligibility (RE) codes:

- RE-1 Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army. Eligibility: Qualified for enlistment if all other criteria are met.

- RE-3 Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation, but disqualification is waiverable. Eligibility: Ineligible unless a waiver is granted.

- 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 635-200 (Active Duty Enlisted Administrative Separations), provides the basic authority for the separation of enlisted personnel.

(1) Chapter 3, Section II provides the authorized types of characterization of service or description of separation.

(a) Paragraph 3-7a states an Honorable discharge is a separation with honor and is appropriate when the quality of the Soldier's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

(b) Paragraph 3-7b states 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.

(2) 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) Paragraph 14-2c, prescribes Commanders will not take action prescribed in this chapter instead of disciplinary action solely to spare an individual who may have committed serious misconduct from the harsher penalties that may be imposed under the UCMJ.

(b) Paragraph 14-12c (2) terms abuse of illegal drugs as serious misconduct. It continues; however, by recognizing 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 under paragraph 14-12a or 14-12b as appropriate.

h. Army Regulation 635-5-1 (Separation Program Designator (SPD) Codes), provides the specific authorities (regulatory or directive), reasons for separating Soldiers from active duty, and the SPD codes to be entered on the DD Form 214. It identifies the SPD code of "JKK" as the appropriate code to assign enlisted Soldiers who are discharged under the provisions of Army Regulation 635-200, Chapter 14, misconduct (drug abuse).

8. SUMMARY OF FACT(S): Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

a. The applicant requests an upgrade to honorable. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the application were carefully reviewed.

b. The applicant deployed to Iraq and Afghanistan and was exposed to direct fire, enemy engagement, and the loss of comrades. During one attack, the applicant was thrown by a blast and later learned a TBI had been sustained. The applicant's TBI now affects word finding, problem-solving, emotional regulation, and vision. The applicant's PTSD was further aggravated when the applicant's unit was extended in country shortly before the scheduled return home.

The applicant was diagnosed with a TBI after receiving a 100% p/t determination, and the condition continues to impact daily functioning.

Evidence strongly supports the development of PTSD following deployments to Iraq and Afghanistan, which the applicant believes reflects the applicant's own experience. The applicant sustained multiple injuries requiring long-term opioid treatment from several providers. Over time, the applicant recognized developing physical dependence and sought help. Instead of receiving support, the applicant was reprimanded by leadership and ultimately discharged. Additionally, the applicant also believes reprisal and though DADT was repealed when I was in service, the culture and acceptance of same-sex couples was not changed during my time. The applicant's DD Form 214 indicates the applicant was discharged under the provisions of AR 635-200, Chapter 14, paragraph 14-12c (2), by reason of Misconduct (Drug Abuse), with a characterization of service of general (under honorable conditions).

c. The applicant contends good service, including a combat tour. The Board evaluated the applicant's service accomplishments and overall quality of service in accordance with DODI 1332.28.

d. The applicant contends the Army should change the narrative reason for the discharge. Under Chapter 14, paragraph 14-12c (2), of AR 635-200, the Army separated the applicant with an "general (under honorable conditions)" discharge. Army Regulations designate "Misconduct (Drug Abuse)," as the narrative reason for discharge under this provision and assign the separation code "JJK." Army Regulation 635-8 (Separation Processing and Documents) governs how officials prepare the DD Form 214. This regulation mandates that block 28 must list the narrative reason for separation, and block 26 must show the corresponding separation code, both as specified in tables 2-2 or 2-3 of AR 635-5-1 (Separation Program Designator (SPD) Codes). The regulation prohibits any deviation and does not allow officials to enter any other reason.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **Yes.** The Board's Medical Advisor, a voting member, reviewed the applicant's DOD and VA health records, applicant's statement, and/or civilian provider documentation and found that the applicant has the following potentially-mitigating diagnoses/experiences: PTSD.

(2) Did the condition exist or experience occur during military service? **Yes.** The applicant is 90% SC with 50% SC for PTSD.

(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 asserts that their misconduct was directly related to mental health conditions including PTSD and TBI as well as DADT and reprisal/whistleblower. During service, the applicant participated in MH therapy and SUDCC treatment with diagnoses of Depressive Disorder, Adjustment Disorder with mixed anxiety and depressed mood, Opioid Dependence, and consideration of maladaptive personality characteristics. Providers noted that they were diagnosed with ADHD and depression dating back to 5th grade and stopped taking Zoloft prior to enlisting. After service, the applicant is 90% SC with 50% SC for PTSD. They were assessed for TBI by the VA and symptoms were related to overlap with their mental health conditions. There was insufficient evidence found in the records of their assertions of the impact of DADT, reprisal, and

whistleblowing. Though the traumatic symptoms of PTSD were not the focus of treatment while in service, the ARBA Medical Advisor concedes the diagnosis considering VA medical documentation and areas of deployment. A nexus exists between PTSD, irritability, difficulties with authority, and disrespecting leadership, so it is medically mitigated. A nexus also exists between PTSD, avoidance, using substances as a form of self-medication, and failing to report, so that misconduct is medical mitigated when applying liberal consideration.

(4) Does the condition or experience outweigh the discharge? **Yes.** After applying liberal consideration to the evidence, including the Board Medical Advisor opine, the Board determined that the applicant's PTSD outweighed the applicant's wrongfully used Dextroamphetamine, failed to report on multiple occasions and disrespected a noncommissioned officer.

b. Prior Decisions Cited: None

c. Response to Contention(s):

(1) The applicant contends good service, including a combat tour. The Board liberally considered this contention and determined that it was valid due to the applicant's length and quality, to include combat, of service as well as their Post Traumatic Stress Disorder outweighing the applicant's wrongful use of Dextroamphetamine, failure to report on multiple occasions and disrespecting a noncommissioned officer offense. Therefore, a discharge upgrade is warranted.

d. The Board determined the discharge is inequitable because the applicant's misconduct was fully mitigated by a severe Behavioral Health (BH) condition. The medical advisor established a direct nexus between the applicant's PTSD and the cited misconduct, which included irritability, disrespect for leadership, and substance use as a form of self-medication. Therefore, after considering the medical opinion and noting the applicant's length and quality while in service as well as their two combat deployments, the Board granted relief, upgrading the discharge to Honorable (HD) and changing the Separation Code to JKN. The Board voted not to change the Reentry (RE) Code, finding it to be proper and equitable.

e. Rationale for Decision:

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the Board's statutory independence. The Board determines the relative weight of the action that was the basis for the discharge and whether it supports relief or not. In reaching its determination, the Board considers the application, available records and any supporting documents included with the application.

(2) The Board voted to change the applicant's characterization of service to Honorable because the applicant's Post Traumatic Stress Disorder outweighed the applicant's misconduct of wrongful use of Dextroamphetamine, failure to report on multiple occasions and disrespecting a noncommissioned officer. Thus, the prior characterization is no longer appropriate.

(3) The Board voted to change the reason for discharge to Misconduct (Minor Infractions) under the same pretexts, thus the reason for discharge is no longer appropriate. The SPD code associated with the new reason for discharge is JKN.

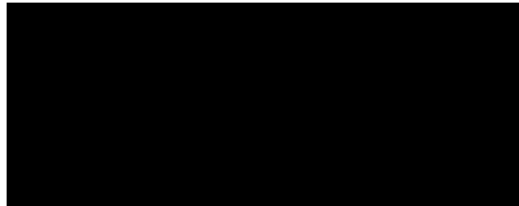
(4) The RE code will not change, as the current code is consistent with the procedural and substantive requirements of the regulation.

11. 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: No Change

Authenticating Official:

3/19/2026



Legend:

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

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

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

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