

Military Discharge Upgrades

By: Matthew H. Frame, Legislative Analyst II

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Issue

Describe the military discharge rating system, its impact on veteran benefits, and how veterans may upgrade their discharge rating due to mental health considerations. Include available data on types of discharges and information addressing the link between mental health conditions and discharge outcomes.

Summary

Generally, a servicemember's discharge rating is tied to their conduct while serving in the military. When a servicemember finishes their military service term, the service branch determines his or her service character and assigns the veteran one of four discharge ratings: honorable, general, other than honorable (OTH), and uncharacterized. In contrast, a military court may impose punitive discharge ratings (i.e., bad conduct and dishonorable) for serious misconduct. A servicemember may also receive a medical discharge due to physical or mental conditions through the Integrated Disability Evaluation System (IDES). For any of these discharges, the rating is reported on the Certificate of Release or Discharge (i.e., DD Form 214).

Servicemembers who receive honorable or general (under honorable conditions) discharges are generally eligible for Veterans Affairs (VA) benefits. Those who receive other types of discharges may not be eligible. In those cases, the VA reviews their service records to determine if they would be eligible for VA benefits through a "VA Character of Service Determination" process ([Congressional Research Service, U.S. Department of Veterans Affairs: Who Is a Veteran?, November 2, 2022](#)).

The Department of Defense (DoD) has recently made efforts to address lower discharge ratings that may have been bestowed due to (1) mental health conditions or (2) a person's sexual orientation. Although mental health conditions do not directly result in lower ratings that disqualify servicemembers from benefits, research suggests a strong correlation between poor conduct or criminal activity and servicemembers' mental health conditions.

Separately, the federal government maintained a "Don't Ask, Don't Tell" policy regarding servicemembers part of the LGBTQ+ community from February 28, 1994, to September 20, 2011. During this period, military personnel were prohibited from discriminating against or harassing non-heterosexual service members who did not reveal their sexual orientation, while barring openly LGBTQ+ persons from military service.

In recent years, the military has addressed lower discharge ratings that may have been bestowed due to these factors by implementing processes (discharge upgrades, appeals, and character of discharge reviews) that can result in servicemembers receiving benefits they were initially ineligible to receive. In 2017, for example, the DoD [issued a memo](#) directing each branch of the armed forces to provide guidance to their military discharge review board and boards of correction to consider the role mental health conditions, sexual assault, or sexual harassment may have played in the servicemember's conduct. The [DoD also announced](#) in September 2023 that it is increasing its efforts to upgrade discharge ratings due to a person's sexual orientation.

Similarly, Connecticut has also [expanded its benefits](#) to cover both groups of servicemembers.

Discharge Ratings

There are several discharge ratings that a servicemember may be given when they leave the armed services. These ratings are established in federal law and policy (including [10 U.S.C. § 1553](#), [DoDI 1332.14](#), [DoDI 1332.30](#), and [Manual for Courts-Martial](#)) and include (1) honorable, (2) general, (3) OTH, (4) bad conduct (BCD), (5) dishonorable, and (6) uncharacterized. These ratings are uniform across all the armed services (including the National Guard) and are determined by the veteran's service branch at discharge, based on his or her conduct while serving. A servicemember may also receive a medical discharge, which undergoes a separate evaluation process discussed below.

Honorable. To receive an honorable discharge, a servicemember must have completed his or her service or have a legitimate reason for not doing so and followed the armed forces' standards of duty performance and personal conduct. The large majority of veterans receive an honorable discharge (see below).

General. Servicemembers who receive a general discharge often do so because their branch of service considers their performance satisfactory, but they have some marks on their record that are contrary to the performance and expected conduct of servicemembers. Veterans receiving this discharge rating would be eligible for most benefits, but not those requiring an honorable discharge (e.g., GI Bill).

OTH. Servicemembers who receive an OTH discharge are generally considered to have conduct and actions that are a serious departure from the proper conduct of military members. According to CRS, these discharges are typically given to servicemembers convicted in civilian courts. Most veterans' benefits require a "good" discharge characterization, so receiving an OTH designation usually results in a denial of most benefits unless certain circumstances apply, such as an upgrade of a servicemember's discharge category or a change in federal policy (see below).

Uncharacterized. This type of discharge is generally considered neutral and is usually due to one of three reasons:

1. entry-level separation (e.g., discharged during boot camp);
2. void enlistment or induction (e.g., discharged because servicemember is underage); or
3. dropping from the rolls (e.g., discharged due to being absent without leave).

Generally, receiving an uncharacterized discharge results in having limited to no veteran benefits due to the lack of service or unlawful behavior ([38 C.F.R. § 3.12\(k\)](#)).

BCD. A BCD is a punitive discharge, meaning it must go through the military justice system. These are for servicemembers who commit crimes that involve military detention (e.g., drug abuse, serious alcohol abuse, repeated pattern of failing to follow orders). Receiving a BCD designation is generally a bar for obtaining any benefits.

Dishonorable. A dishonorable discharge is also a punitive discharge that the military justice system must bestow. This discharge is typically conferred for offenses equivalent to civilian felonies, such as rape or murder. Not only can this designation serve as a bar from military benefits, but a servicemember may also lose the right to possess firearms, vote, and receive other government assistance.

Medical. A servicemember may also receive a medical discharge ([DoDI 1332.18](#)). If a servicemember cannot continue service due to an injury (either physical or mental), all branches refer the member to the [Integrated Disability Evaluation System](#) (IDES). IDES evaluates the servicemember, determines the extent of the injuries, and establishes his or her disability status. Once the evaluation is complete, if the servicemember is determined to no longer be able to serve, a VA military services coordinator assists the servicemember in applying for the applicable benefits.

Military Discharges

Statistics on military discharges are not readily available. However, one veterans' advocacy organization, Swords Into Plowshares, submitted a Freedom of Information Act request to the DoD regarding military discharges and received data through 2013. [Discharges from 2002-2013](#) are described in the table below. (Some individuals may have received a discharge rating not included in this data, such as uncharacterized.) Page 43 of the report provides discharge statistics for veterans who served during previous periods.

Table 1: Select Military Discharges* Between 2002-2013

Discharge Rating	Number of Servicemembers	Percentage of Servicemembers
Honorable	1,518,392	84.8%
General	150,434	8.4%
OTH	103,581	5.8%
BCD	16,720	0.9%
Dishonorable	1,189	Less than 0.1%

*Sum of Army, Navy, Marine Corps, and Air Force discharges for post-2001 era veterans (2002-2013)

Mental Health and Discharge Outcomes

Research suggests a strong correlation between servicemember conduct and mental health conditions. For example, [studies have found](#) that servicemembers receiving general or OTH discharge ratings were significantly more likely to have mental health conditions and substance abuse issues than those discharged honorably.

The same year, the [Government Accountability Office reported](#) on the impact of post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI) on misconduct separations. The report found that 62% of servicemembers separated for misconduct between 2011-2015 were diagnosed within two years with PTSD, TBI, or other related conditions that could be associated with misconduct. Of those service members, 23% were given a discharge rating of “other than honorable” which would generally prevent eligibility for benefits.

Amending a Discharge Rating

Upgraded Discharges and Discharge Review Boards

Servicemembers can apply for a “[discharge upgrade](#)” to improve their discharge categorization from its initial determination ([10 U.S.C. § 1553\(d\)](#)) if a servicemember can show certain factors impacted his or her discharge. Each military service has a discharge review board with the authority to change, correct, or modify discharges or dismissals not issued by a general courts-martial sentence.

All branches of the military have been directed to strongly consider applications that indicate the reason for the discharge was connected to:

1. mental health conditions, including PTSD;
2. TBI;
3. sexual assault or harassment during military service (military sexual trauma or MST); or
4. sexual orientation (including under the “Don’t Ask, Don’t Tell” policy).

If the discharge review board approves the application, the servicemember’s discharge is amended to a rating approved by the board (even if the original discharge category was for criminal behavior or misconduct). This may qualify the servicemember for benefits they previously were denied.

Appeal Options

A servicemember can also generally request an appeal to have their service record amended through [their discharge review board](#). Discharges issued due to sentencing by a court martial (e.g., dishonorable) are not eligible. A veteran may also appeal to their service’s [Board for Correction of Military/Naval Records](#), which has the authority to change any military record when necessary to correct an error or remove an injustice. Therefore, unlike a discharge review board, the Board for Correction may amend discharge ratings issued through a court martial. Regardless of the appeal process pursued, if a servicemember’s application is successful, their discharge rating is permanently improved.

In 2022, the DoD established [the Discharge Appeal Review Board](#) (DARB) as an additional option for appealing a discharge rating for veterans who left the military on or after December 20, 2019. DARB cannot amend a servicemember’s status, but instead makes a recommendation to the applicable military branch, who may accept or decline the recommendation.

Character of Service Review

A servicemember may also choose to undergo [a character of service review](#) (which is separate from a character of discharge review). Although the member's discharge category will not be permanently improved through this process, a board may determine that he or she is eligible for certain benefits, generally medical treatment, even if the discharge category would otherwise prohibit it. Typically, a servicemember must first apply for the benefit, and if initially ineligible, the local VA regional office makes the determination to approve the benefit.

State Benefits for Veterans With Qualifying Conditions

The General Assembly extended certain state veterans' benefits to individuals who (1) were discharged under conditions other than dishonorable or for bad conduct (i.e., general or OTH discharge) and (2) have a "qualifying condition" ([CGS § 27-103\(a\)\(5\)](#)). Before the law was changed in 2021, these benefits were only available to veterans honorably discharged or released under honorable conditions from active service in the armed forces.

Under the law, a "qualifying condition" is a (1) diagnosis of post-traumatic stress disorder or traumatic brain injury or (2) determination by the Eligibility Qualifying Review Board that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the other than honorable discharge. A condition also includes a disclosed military sexual trauma (psychological trauma, which in the judgment of a U.S. VA mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the veteran was serving on active duty or active or inactive duty training) ([38 U.S.C. § 1720D](#)).

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