



SECRETARY OF THE ARMY  
WASHINGTON

06 AUG 2015

MEMORANDUM FOR SEE DISTRIBUTION

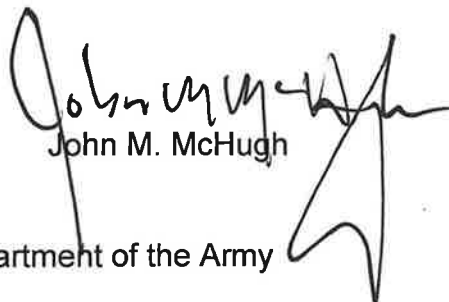
SUBJECT: Army Directive 2015-29 (Confidential Reviews of Characterization of Terms of Discharge of Members of the Army Who Are Victims of Sexual Offenses)

1. References. A complete list of references is at the enclosure.
2. This directive establishes the processes and procedures by which the Army Review Boards Agency will provide a confidential review of the characterization of terms of discharge of a member or former member of the Army who was a victim of a sex-related offense during his or her service in the Army. This directive implements section 547 of the National Defense Authorization Act for Fiscal Year 2015.
3. In deciding whether to approve or deny a request to modify the terms or characterization of discharge or separation, the Army Board for Correction of Military Records (ABCMR) and the Army Discharge Review Board (ADRB) will give due consideration to the psychological and physical aspects of the requestor's experience in connection with the sex-related offense. The boards will also determine what bearing such an experience may have had on the circumstances surrounding the requestor's discharge or separation from the Army.
4. Documents and decisions concerning requests for review of characterization of discharge or separation by victims of sex-related offenses will not be made public, except with the consent of the individual concerned. ABCMR and ADRB decisions covered by this directive will not be posted on the Department of Defense Boards' Electronic Reading Room and will not be released in response to a request under the Freedom of Information Act, except with the consent of the individual concerned. However, these decisions will be filed in the requestor's official military personnel file.
5. For the purposes of this directive, the term "sex-related offense" means rape or sexual assault within the meaning of Article 120 of the Uniform Code of Military Justice, forcible sodomy under Article 125 of the Uniform Code of Military Justice or an attempt to commit either of these categories of offenses when punishable under Article 80 of the Uniform Code of Military Justice.
6. The provisions of this directive are effective immediately and apply to the Active Army, Army National Guard/Army National Guard of the United States and U.S. Army Reserve. Where a conflict exists between the policies in this directive and Army regulations, this directive takes precedence.
7. The Assistant Secretary of the Army (Manpower and Reserve Affairs) is the proponent for this policy and will incorporate the guidance in this directive into Army

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Regulation 15-180 (Army Discharge Review Board) and Army Regulation 15-185 (Army Board for Correction of Military Records) as soon as practical.

8. This directive is rescinded upon publication of the revised regulations.



John M. McHugh

Encl

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(CONT)

**SUBJECT: Army Directive 2015-29 (Confidential Reviews of Characterization of Terms of Discharge of Members of the Army Who Are Victims of Sexual Offenses)**

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## REFERENCES

1. Title 10, U.S. Code, section 1552, Correction of military records: claims incident thereto.
2. Title 10, U.S. Code, section 1553, Review of discharge or dismissal.
3. Uniform Code of Military Justice, 10 U.S. Code, chapter 47, 64 Stat. 109.
4. National Defense Authorization Act for Fiscal Year 2015, Pub. L. No. 113-291, section 547, 128 Stat. 3375-76.
5. Army Discharge Review Board, 32 Code of Federal Regulations section 581.2.
6. Army Board for Correction of Military Records, 32 Code of Federal Regulations section 581.3.
7. Department of Defense Directive 1332.41 (Boards for Correction of Military Records (BCMRs) and Discharge Review Boards (DRBs)), March 8, 2004.
8. Department of Defense Instruction 1332.28 (Discharge Review Board (DRB) Procedures and Standards), April 4, 2004.
9. Army Regulation 15-180 (Army Discharge Review Board), 20 March 1998.
10. Army Regulation 15-185 (Army Board for Correction of Military Records), 31 March 2006.

Enclosure