

**SUMMARY:** The Applicant was discharged on 15 December 2021 per Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a Discharge Characterization of Under Honorable Conditions (General), a Narrative Reason for Pattern of Misconduct and a Reentry Code of 2B. The Applicant appealed for an upgrade of their Discharge Characterization.

The Applicant requested the Board conduct an initial record review of their discharge. The Board convened on 02 May 2024. The Applicant was not represented by counsel.

The attached examiner's brief (provided to Applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the Applicant's military service.

**DISCUSSION:** The Discharge Review Board (DRB), under its responsibility to examine the propriety and equity of an Applicant's discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the Board can also change the Applicant's reentry code. In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the Applicant. The Board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.

The Applicant's record of service included an Article 15 for treating a noncommissioned officer with contempt and dereliction in the performance of duties, a Letter of Reprimand (LOR) for failing to comply with a mask mandate, making a false official statement, and displaying a lack of professionalism, and a Letter of Counseling (LOC) for failing to perform duties and neglected to provide information to the swing shift.

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by Applicant and/or counsel; the Applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the Applicant's service information and a summary of the case.

The Applicant requested an upgrade to their Character of Service. The Applicant contended that their mental health deteriorated due to burnout due to extending beyond what was manageable for any one person. The Applicant admitted to mistakes like saving up to 60-days of leave that they could have used to decompress and reengage as a team member. The Applicant stated, "there was no doubt in my mind that at a certain point I was struggling day to day with the goal to finish my contract of four year." The Applicant contends their Command may have not had their best interests at hand, loved the work they did, but not the unfortunate minor misconduct that burdened their Command. The Applicant stated that an upgraded Discharge Characterization would help them in continuing their education for a bachelor's degree without the burden of debt. The Applicant provided a Community College of the Air Force Diploma, Character Statement, CompTIA A+ Certificate, Certificate Summary – Completion Dates, and Security+ Certificate as supporting evidence.

The DRB determined that the discharge was proper and equitable. General stress, anger management, immaturity, and lack of self-control do not justify the misconduct. The DRB did not find a link between mental health and the Applicant's misconduct.

**LIBERAL CONSIDERATION:** Due to evidence of a mental health diagnosis and/or records documenting that one or more symptoms of mental health conditions existed/occurred during military service found in the Applicant's record, the Board considered the case based on the liberal consideration (LC) standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a physician, clinical psychologist, psychiatrist, or social worker with training on mental health issues connected with post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), or other trauma. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that Boards should consider when weighing evidence in requests for modification of discharges due in whole or in part to mental health conditions, including PTSD, TBI, sexual assault, and sexual harassment. The Board considered the following:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge? *The Applicant checked the box for "other mental health" on the application. The Applicant contended "I feel that my mental health deteriorated due to burnout and extending myself beyond what was manageable for any one person. I made mistakes like saving up 60-days of leave I could have used to decompress and reengage myself as a team member."*
2. Did that condition exist/experience occur during military service? *A review of the Applicant's medical records revealed the Applicant self-referred to mental health services during his time in services due to frustration with his leadership and stress resulting from disciplinary actions. The Applicant was seen for one session in the mental health clinic and one session with the Behavioral Health Organization Program (BHOB) and declined further services indicating he did not need nor desire mental health services. The Applicant did not receive any mental health diagnosis during his time in service.*
3. Does that condition or experience actually excuse or mitigate the discharge? *A review of the Applicant's DD214 revealed the Applicant was discharged with a General character of service due to a pattern of misconduct with three years, four months, twenty-two days time in service. The Applicant's misconducts included treating an NCO with contempt and failing to wear a face mask on multiple occasions. The Applicant responded in his Rebuttal for the Article 15 that his unprofessional actions were a way of coping. There is evidence the Applicant exhibited and endorsed stress behaviors related to his workplace and poor coping skills, but it does not constitute a mental health condition and does not mitigate the misconduct(s) that led to the Applicant's discharge. It is also unlikely a mental health condition would cause or excuse repeatedly and willfully disrespecting authority.*
4. Does that condition or experience outweigh the discharge? *Because the Applicant's discharge is not mitigated nor excused by a mental health condition, the Applicant's discharge is also not outweighed.*

Additionally, the Board considered the factors laid out in the attachment to the 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*, dated 25 June 2018, known as the "Wilkie Memo." The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum and found no evidence of inequity or impropriety.

**FINDING:** The DRB voted unanimously to **deny** the Applicant's request to upgrade his Discharge Characterization, to change the discharge Narrative Reason, and to change the Reentry Code.

Should the Applicant wish to appeal this decision, the Applicant must request a Personal Appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*, all Applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the

AFBCMR, otherwise their AFBCMR case will be administratively closed until such time that the Applicant avails themselves of the available avenue of relief. Therefore, should the Applicant wish to appeal this decision, they must first exercise their right to make a Personal Appearance before the AFDRB.

**CONCLUSION:** After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. Therefore, the awarded Character of Discharge shall remain Under Honorable Conditions (General), the Narrative Reason shall remain Pattern of Misconduct and the Reentry Code shall remain 2B. The DRB Presiding Officer approved the results on 19 May 2024. If desired, the Applicant can request a list of the Board members and their votes by writing to:

Air Force Review Boards Agency  
Attn: Discharge Review Board  
3351 Celmers Lane  
Joint Base Andrews, NAF Washington, MD 20762-6602

Instructions on how to appeal an AFDRB decision can be found at <https://afrbportal.azurewebsites.us>.

**Attachment:**

Examiner's Brief (Applicant Only)