

**SUMMARY:** The Applicant was discharged on 15 December 2017 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with an Under Honorable Conditions – General for Misconduct - Drug Abuse. The Applicant appealed for an upgrade of their characterization of service, narrative reason, and a change to the reentry code.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 25 February 2025. 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 DRB provided a notice to inform the service member of resources available to help answer their questions about the application process and/or to help them supplement their application, to include information on the types of evidence that can be submitted to support a claim; information regarding potential eligibility for mental health treatment and evaluation services offered by the Department of Veterans' Affairs (VA); general information regarding Veterans Service Organizations that may assist with DRB applications, and their right to retain counsel; a link to a database of legal services organizations that serve members of the military, veterans, and their families; the weblink to the VA's Directory of Veteran's Service Organizations; and information regarding reasonable accommodation requests from the DRB in the application and adjudication process.

The Applicant's record of service included the following documented misconduct leading up to their discharge:

The Applicant received an Article 15 for Drug Abuse, wrongful use of cocaine with a reduction to A1C and forfeited \$150 in pay for 2 months.

The documentary evidence the Board considered as part of the review included, but was 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 of their discharge status from Under Honorable Conditions - General to Honorable. This request is based on their previous military performance, with the Applicant contending their service record outweighs the circumstances leading to their discharge. They contend that their post-service actions demonstrate a change in character and that the event leading to their discharge does not accurately reflect their true character.

The records revealed that the Applicant was recommended for separation from service for misconduct, specifically drug abuse, resulting in an Under Honorable Conditions - General discharge without the opportunity for probation or rehabilitation. The Applicant contested this recommendation, addressing the seven criteria for retention and providing justification for continued service. However, despite the Applicant's efforts, the commander ultimately denied the request for retention, and the Applicant was discharged promptly. The Applicant provided compelling character references, some of which were submitted during the original discharge process and were available for leadership's consideration. The DRB noted that the Applicant initialed "no" on the AF IMT 2030 form in response to the question, "Have you ever experimented with, used, or possessed any illegal drug or narcotic?" The board also considered the Applicant's November 2015 – March 2016 Performance Report, which was a referral due to receiving a DUI. Following this incident, the Applicant completed the Alcohol and Drug Abuse Prevention and Treatment (ADAPT) program. After considering the Applicant's record, contentions, and in-service conduct, the Board concluded that there were no identifiable mitigating mental health factors that would excuse the misconduct; therefore, the request for relief was denied.

**LIBERAL CONSIDERATION:** Due to the Applicant's contentions or evidence of a mental health diagnosis and/or experiences of sexual assault or sexual harassment and/or records documenting that one or more symptoms of mental health conditions and/or experiences of sexual assault or sexual harassment 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) or traumatic brain injury (TBI) or other trauma. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided for consideration 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 did not make any claims or contentions that a mental health contention or mitigating experience of sexual harassment/assault caused or contributed to the misconducts that led to his discharge.*

2. Did that condition exist/experience occur during military service?

*A review of the applicant's in service records revealed the applicant was command referred to substance use treatment services subsequent to receiving a DUI during a night out drinking with his friend. The applicant's records also revealed approximately fifteen months later the applicant tested positive for cocaine and reported to substance use treatment providers that he was offered and accepted cocaine by an unknown person in the restroom of a bar while drinking with friends. The applicant's records revealed the applicant denied mental health symptoms and denied any traumatic experiences during his time in services. There is no evidence the applicant sought or received any mental health services during his time in service. There is no evidence the applicant exhibited or endorsed any clinically significant indicators of a mental health condition or traumatic brain injury 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 misconduct (drug abuse) with three years, eight months, twenty one days time in service. A review of the applicant's discharge package, specifically the applicant's written response to discharge notification memorandum, revealed the applicant stated "I am fully aware of the AF stance on drug use and understand the reason for initiating discharge." The applicant also stated "This was a horrible mistake that I made under overwhelming stress from the fact that I had lost my family after returning from TDY." The applicant made no claims or contentions, during his time in service, or in his request for relief from the*

*board that a mental health condition caused or substantially contributed to the misconduct(s) that led to the applicant's discharge. There is no evidence the applicant exhibited or endorsed any clinically significant indicators of a mental health condition or traumatic brain injury during his time in service.*

*The applicant submitted a partial, unsigned letter from a therapist dated seven years post discharge that stated "[The applicant] reports trauma from military service including physical trauma, excessive harassment, sexual assault, and traumatic brain injury. [The applicant] reported that these events were not caught by senior staff so his requests for help were not supported." No additional information was provided by the applicant such as the nature of these experiences, when these experiences of physical trauma, excessive harassment, sexual assault and traumatic brain injury occurred and how those experiences caused or contributed to the applicant's choice to drive while intoxicated and use cocaine during his time in service.*

4. Does that condition, or experience outweigh the discharge?

*Based on the available records and testimony there is no evidence the applicant's discharge was mitigated or excused by an in-service mental health condition, traumatic brain injury, or experience of sexual harassment/assault. Because the applicant's discharge is not mitigated, 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 their characterization of service, narrative reason, and a change to 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.

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

**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 characterization of service shall remain "Under Honorable Conditions – General," the narrative reason for separation shall remain "Misconduct – Drug Abuse," and the reentry code shall remain "2B." The DRB results were approved by the Presiding Officer on 27 March 2025. 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, MD 20762-6435

Attachment:

Examiner's Brief (Applicant Only)

