

SUMMARY: The Applicant was discharged on 18 December 2023 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Under Honorable Conditions - (General) discharge for Misconduct (Minor Infractions). The Applicant appealed for an upgrade of their discharge characterization 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 05 December 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 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:

- Article 15 for failure to report to work at the prescribed time due to alcohol consumption and underage drinking.
- Letter of Reprimand (LOR) for violating the base escort visitor policy by allowing a friend into an unsupervised room.
- Article 15 for unlawfully grabbing a member's arm and using derogatory language.

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 of their discharge status, arguing that it did not fully account for the medical and mental health issues that contributed to their disciplinary infractions. They explained that while their off-duty behavior led to their discharge, it was significantly influenced by a lack of support during their enlistment, harassment experienced in technical school, and the development of Alcohol Use Disorder and Eating Disorders as coping mechanisms. Despite seeking treatment, they were unable to implement healthy

strategies in time to prevent the misconduct. They acknowledged responsibility for their actions but felt their on-duty performance, which they described as positive and commendable, was not adequately considered.

The Applicant asserted that the current discharge status unfairly limits their ability to achieve life goals, including obtaining a technical degree, professional certifications, and potentially reentering military service in the reserves. They requested an upgrade to their discharge status and restoration of benefits, emphasizing their commitment to continuing to serve their country and contribute positively to society.

The Board determined the applicant's record demonstrated a pattern of misconduct, including underage drinking, violating the base escort policy, and unlawfully grabbing another member while using derogatory language. While the applicant contended that their actions were influenced by medical and mental health issues, the evidence did not support that these conditions excused or mitigated their behavior. The applicant received mental health and substance use treatment during service, but there was no documented diagnosis of PTSD or evidence that their conditions directly caused the misconduct. Furthermore, the applicant's maladaptive coping mechanisms, including alcohol use, were noted to predate their service.

The Board determined there was no impropriety or inequity in the discharge process and no substantial evidence to overcome the presumption of regularity in the actions of the applicant's command. While the applicant described personal challenges and a lack of support, these factors were not found to outweigh the established pattern of misconduct. Consequently, the board upheld the general characterization of the discharge for misconduct (minor infractions) and denied the request for an upgrade or restoration of benefits. The applicant's mental health conditions, while acknowledged, did not mitigate the severity or impact of the misconduct that led to their discharge.

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 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 boxes for "PTSD" and "other mental health" on the application. The applicant contended "I am writing to respectfully request an upgrade of my discharge status from the United States Space Force. At the age of 17, I proudly enlisted and successfully completed basic training. My commitment to service my country has always been a source of great pride. However, the nature of my discharge primarily reflects disciplinary infractions related to my off-duty behavior. I believe it does not fully account for the underlying medical and mental health issues that significantly contributed to these actions. During my enlistment, I did not experience the support network and camaraderie that my family members, who have also served, have described. This lack of support, coupled with personal harassment I endured during technical school, created an environment where I struggled to cope. As a result, I developed Alcohol Use Disorder and Eating Disorders as negative coping mechanisms."

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

A review of the applicant's records revealed the applicant received mental health and substance use service

during his time in service including outpatient mental health services, level I substance use services, and partial hospitalization services for maladaptive eating behaviors. The applicant records revealed he intermittently received mental health services and reported stress related to break-up with girlfriend, frustration with living in the dorms and the training environment, and being under investigation. The applicant endorsed maladaptive coping skills including alcohol use and binging/purging, which were noted to have existed prior to service. There is no evidence the applicant received the diagnosis, in-service, of PTSD. The applicant did not provide any evidence or testimony regarding why he checked the box for "PTSD" on the application.

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 (minor infractions) with two years, nine months, twenty six days time in service. A review of the applicant's discharge package revealed the misconducts that led to the applicant's discharge included unlawfully grabbing another person on the arm, violating the escorted visitor policy, and underage drinking.

A review of the applicant's administrative record revealed a pattern of misconduct and behavioral issues that persisted for the duration of his time in service.

The applicant's records revealed the applicant described symptom development in response to relational stressors and occupational stressors and difficulty coping with stressors contributed to additional occupational and legal problems. There is no evidence a mental health condition caused the misconduct(s) that led to the applicant's discharge. There is evidence the applicant exhibited and endorsed difficulty adjusting to the military lifestyle and poor coping skills (including self-harming behaviors); the applicant's poor coping skills may explain some of the applicant's misconduct but they not constitute a mitigating mental health condition and do not mitigate the misconduct(s) that led to the applicant's discharge.

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

Because the applicant's discharge is not mitigated by a mental health condition, the applicant's discharge is also not outweighed by a mental health condition.

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 discharge characterization 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 characterization of service shall remain "Under Honorable Conditions - (General)," the narrative reason for separation shall remain "Misconduct (Minor Infractions)," and the reentry code shall remain "2B." The DRB results were approved by the Presiding Officer on

December 19, 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, MD 20762-6435

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

Attachment:
Examiner's Brief (Applicant Only)