

SUMMARY: The Applicant was discharged on 14 April 2023 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 discharge characterization and change to the discharge narrative reason.

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:

In December 2022 the Applicant received an Article 15 for wrongful use of Marijuana. In November 2022 the Applicant received an adverse action for late reporting due to oversleeping.

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.

In the Applicant's contentions, they accepted full responsibility for their actions but requested that the Board consider their personal circumstances and challenges they faced when determining their discharge upgrade. Despite these challenges, the Applicant remained committed to serving in the Air Force and dedicated to personal growth. While eager to serve upon enlistment, the Applicant soon faced difficulties stemming from unaddressed mental health issues rooted in a traumatic childhood, including witnessing their mother's suicide attempt. In January 2022, these issues became overwhelming, leading the Applicant to seek mental health services. Despite seeking help, the Applicant's mental state worsened following the suicide of a close friend.

Soon after that, the Applicant found that their partner was unfaithful with the friend that committed suicide; six months later, the partner revealed the encounter was not consensual. In an attempt to self-medicate the Applicant used drugs while on leave. Upon return, they were selected for random drug test, tested positive, and was subsequently discharged. The Applicant is requesting an upgrade to Honorable in hopes of serving the military with “renewed purpose and dedication.”

The record revealed the Applicant was recommended for discharge based on a pattern of lack of good order and discipline as well as drug abuse, with an Under Other Than Honorable Conditions characterization. During the Non-Judicial Punishment (NJP) proceedings, the Applicant provided a detailed explanation of their mental health struggles and the underlying reasons to their leadership to consider before their discharge. The Applicant was granted a personal appearance before their commander, who actively listened and took notes. Despite the Applicant's request for retention, leadership, after considering the Applicant's mental health concerns, decided to proceed with the 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 fully acknowledge and accept responsibility for my actions, and I ask that my personal circumstances and the challenges I faced be taken into account when reviewing my discharge status. My commitment to serving in the Air Force and my dedication to personal growth have remained steadfast, even in the face of overwhelming adversity. When I joined the Air Force, I was driven by a deep sense of duty and pride. I was eager to meet the rigorous standards expected of airmen. However, I quickly found myself struggling with unresolved mental health issues that had long been ignored. My childhood was marred by significant trauma, including witnessing my mother attempt to take her own life. These traumatic experiences went unaddressed, and it wasn’t until I started my service that their impact began to take a toll on me. In January 2022, the weight of these unresolved issues became too much to bear. I was escorted to mental health services and referred to an off-base therapist, marking the beginning of a difficult journey toward understanding and addressing my mental health. Despite making progress, my mental state deteriorated further in March 2022 when I lost one of my closest friends to suicide.”

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

A review of the applicant’s in-service records revealed the applicant received inpatient, outpatient, partial hospitalization, and intensive outpatient mental health services during his time in service related to suicidal ideation, feelings of abandonment, and relational issues, and pre-service experiences of trauma. The applicant’s records revealed the applicant was minimally compliant with mental health recommendations, with more no-shows than attended appointments and reported to providers that he was non-compliant with treatment plans and prescribed medications.

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 two years, two months, nineteen days time in service.

The applicant contended his pre-service experiences of trauma contributed to his in-service mental health condition. The intent of liberal consideration does not apply to conditions or experiences that occurred or existed prior to service (EPTS). There is no evidence of service aggravation regarding the applicant's contended pre-service mental health condition. The applicant's records revealed the applicant received inpatient, outpatient, partial hospitalization, and intensive outpatient mental health services during his time in service related to suicidal ideation, feelings of abandonment, and relational issues. The applicant's records revealed the applicant was minimally compliant with mental health recommendations, with more no-shows than attended appointments and reported to providers that he was non-compliant with treatment plans and prescribed medications.

The applicant made no contention of a nexus between the misconduct that led to his discharge and his mental health condition. Further, there is evidence the applicant exhibited and endorsed features of a personality disorder during his time in service. The applicant's personality disorder traits likely caused his behavioral and misconduct issues in service and are considered incompatible for military service.

Personality disorders and traits are conditions of a developmental nature- they are pervasive, stable, persistent, and often resistant to treatment. This condition may explain the applicant's misconduct, but it does not mitigate the misconduct.

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

Because the applicant's discharge is not mitigated or excused, 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 discharge characterization and change to the discharge narrative reason.

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://afrbportal.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 26 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)

