

SUMMARY: The Applicant was discharged on February 1, 2024 in accordance with Department of the Air Force Instruction 36-3211, Military Separations, with an Under Honorable Conditions (General) Service Characterization for Misconduct – (Drug Abuse). The Applicant requested an upgrade of their Service Characterization, a change to the Narrative Reason for separation, and a change to the Reentry Code.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on 13 March 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, including evidence submitted by the Applicant. The Board thoroughly reviewed 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 Possession of controlled substance

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 characterization from General (Under Honorable Conditions) to Honorable. They based this request on the guidelines outlined in the 2014 Chuck Hagel Memo and the 2017 Kurta Memo, citing a PTSD diagnosis stemming from their service in Turkey (2019-2021). During this time, the Applicant reported experiencing the trauma of being stabbed by a local national and witnessing a fatality while administering CPR, ultimately resulting in PTSD, anxiety, depression, insomnia, and hyper-vigilance. Although receiving a life-saving decoration, the Applicant claimed inadequate treatment for these conditions and submitted supporting documentation with their request for discharge characterization upgrade.

The DRB acknowledges the Applicant's PTSD and the challenging experiences during service. However, the Board ultimately determined that the Applicant's mental health condition, while considered during the discharge

process, did not excuse the separate issue of misconduct involving illegal substances. The Board noted that the Applicant began seeking mental health treatment after this incident and had declined previous opportunities for care. While legal proceedings can be stressful, the Board concluded they did not justify the misconduct in this instance. Therefore, the Board has determined that the Applicant's discharge status should remain as it currently stands.

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 that he is requesting an upgrade to his characterization of his PTSD diagnosis. The Applicant contended that he sought help while serving in Turkey and experienced multiple traumas. "Both traumas are recorded in my service, and I was not treated, which was an unfortunate result of my actions." The Applicant further contended, "At the time, I did not receive adequate mental health support, and I was unable to manage the profound effects of the trauma I experienced. This is by no means an excuse for my actions, but I did my best to seek help prior. I had spoken to mental health during my time in Turkey and they had mentioned that it may be so severe that I could lose my follow-on base. I was scared to lose my assignment and was constantly reminded of the horrible stigma around men going to mental health at the time."

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

A review of the Applicant's in-service records revealed that the Applicant attended a mental health evaluation during his time in service after civilian authorities detained him for transporting mushrooms/psilocybin across country lines. The Applicant's records revealed that the Applicant also received substance use services and Family Advocacy Program services during his time in service after being command referred. The Applicant's records revealed that the Applicant received the diagnosis in service of PTSD.

3. Does that condition, or experience actually excuse or mitigate the discharge?

A review of the Applicant's DD214 revealed that the Applicant was discharged with a general character of service due to misconduct (drug abuse) for four years, ten months, and one day in service.

A review of the Applicant's discharge package revealed that the Applicant made his traumatic experiences known to command. It stated he requested a mental health screening on the date he submitted his written presentation to the Article 15 Proceedings memorandum, more than two years after his experiences. There is evidence that the Applicant sought mental health services after he was detained for transporting psilocybin/mushrooms across countries. The Applicant's records revealed the Applicant denied mental health symptoms and declined mental health referrals when asked in the years prior to his detainment, including inquiries by medical providers, annual screening assessments, and by providers from ADAPT Family Advocacy from previous engagements with substance use and intimate partner violence services.

There is evidence that the Applicant was referred to and received mental health services during his military legal proceedings. While military legal proceedings can be stressful, they do not constitute a mental health condition that mitigates the misconduct that initiated the legal proceedings. The Board does not dispute the Applicant's experience of a traumatic event that he described to the discharge authorities, however, there is no

evidence the Applicant exhibited or endorsed any mental health symptoms related to these events before his detainment; it is unlikely a mental health condition caused the misconduct that led to the Applicant's discharge. Further, the Applicant made his traumatic experiences and mental health condition known to the discharge authorities at the time of the Applicant's discharge processing. Based on the available records, the Applicant's mental health condition was fully considered at the time of the Applicant's discharge.

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

Based on a review of the available records, the Applicant's mental health condition was known and fully considered by the discharge authorities at the time of the Applicant's discharge. There is no evidence that the Applicant's in-service mental health condition caused or mitigated the misconduct that led to his discharge. Thus, the Applicant's discharge is 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 AND 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. The DRB voted unanimously to **deny** the Applicant's request. Therefore, the awarded Service Characterization shall remain "Under Honorable Conditions (General)," the Narrative Reason for separation shall remain Misconduct – (Drug Abuse), and the Reentry Code shall remain "4H". The DRB results were approved by the Presiding Officer on April 16, 2025.

Should the Applicant wish to appeal this decision, they 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>

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)