

SUMMARY: The Applicant was discharged on 04 March 2015 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with a Under Honorable Conditions – General for Misconduct – Minor Infractions. The Applicant appealed for an upgrade of their discharge characterization, a change to the discharge 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 27 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 was issued two Letters of Counseling (LOCs), one for an overdue Star Card and one for failure to pay a debt. Four Letters of Reprimand (LORs) were issued, two for failure to report, one for failure to show up for an appointment, and one for failure to pay a debt. The Applicant also received one Article 15 and Unfavorable Information File for failure to show up at the appointed place of duty.

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 respectfully requests an upgrade of their military discharge from "Under Honorable Conditions" to "Honorable," citing undiagnosed mental health issues as a significant contributing factor to the misconduct leading to their 2015 discharge. The Applicant acknowledges their misconduct while stating that untreated mental health challenges, unaddressed during their service, directly influenced their actions. Since separation, the Applicant has pursued treatment and gained a deeper understanding of how these

previously unaddressed challenges impacted their behavior during their service. The Applicant requested an upgrade to their character of service, separation code, reentry code, and narrative reason based on liberal consideration for PTSD and other mental health conditions, post service actions, overall service record.

The records revealed that the Applicant was recommended for discharge due to misconduct and disciplinary infractions. The Applicant submitted a board waiver, which was ultimately approved, and was recommended for a General discharge. Leadership believed the Applicant was not eligible for probation and rehabilitation and was discharged for multiple instances of dereliction of duty, failure to go, and failure to pay debts. After considering the service record, contentions, and additional documents submitted by the Applicant the DRB determined that there was no impropriety or inequity in the discharge and therefore denied the request for relief.

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 respectfully requesting an upgrade of my military discharge from "Under Honorable Conditions" to "Honorable" due to undiagnosed mental health issues that significantly contributed to my misconduct at the time of my service. At the time of my discharge in 2015, I was dealing with untreated mental health challenges that were not identified or addressed during my military service. These challenges directly influenced the minor misconduct for which I was discharged. Since my separation, I have sought treatment, and I now understand the extent to which my mental health issues impacted my behavior during my service."

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

Based on a review of the Applicant's in-service records there is no evidence the Applicant sought or received any mental health treatment during his time in service. There is no evidence the Applicant received the diagnosis of PTSD during his time in service. There is no evidence the Applicant exhibited or endorsed any clinically significant features of PTSD or any other mental health condition 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 (minor infractions) with seven years, eleven months, twenty-nine days time in service. A review of the Applicant's discharge package revealed the Applicant requested and was granted a general character of service. The documented misconducts that led to the Applicant's discharge included an Article 15 a Vacation Action, four Letters of Reprimand, two Letters of Counseling, and an Unfavorable Information File. There is no evidence the Applicant sought or received any mental health treatment during his time in service. There is no evidence the Applicant exhibited or endorsed any clinically significant features of a mental health condition during his time in service. There is no evidence a mental health condition caused or mitigated the misconduct(s) that led to the Applicant's discharge. The Applicant

contended "At the time of my discharge in 2015, I was dealing with untreated mental health challenges that were not identified or addressed during my military service. These challenges directly influenced the minor misconduct for which I was discharged. Since my separation, I have sought treatment, and I now understand the extent to which my mental health issues impacted my behavior during my service." The Applicant did not provide any specific or clarifying information about what mental health challenges he experienced, when he experienced these challenges, and how these contended mental health challenges contributed to the misconducts that caused his discharge. A review of the Applicant's in service records revealed the Applicant denied all mental health symptoms for the entirety of his time in service. The Applicant contended he has sought mental health treatment since his discharge but did not submit any records or clarifying information to substantiate this.

The Applicant submitted a summary of his VA ratings and compensation as evidence in support of his contentions. Regarding the Applicant's concurrence with his VA ratings, the VA, operating under a different set of laws than the military, is empowered to offer compensation for any medical or mental health condition with an established nexus to military service, without regard to its impact on a member's fitness to serve, the narrative reason for release from service, or the length of time that has transpired since the date of discharge. The VA may also conduct periodic reevaluations for the purpose of adjusting the disability rating as the level of impairment from a given condition may improve or worsen over the life of the veteran. At the "snapshot in time" of the Applicant's service, there is no evidence the Applicant had a mental health condition that caused or mitigated the misconduct(s) which led to the Applicant's discharge.

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

Because the Applicant's discharge was not mitigated or excused by an in-service 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 their 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.

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 – Minor Infractions," 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)

