

SUMMARY: The Applicant was discharged on January 8, 2018 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Under Honorable Conditions (General) Service Characterization for Misconduct (Minor Infractions). The Applicant requested an upgrade of their Service Characterization 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 Failure to go
- Letter of Reprimand (LOR) for Disrespectful to SNCO
- LOR for Threatened bodily harm
- LOR for Recklessly operated a personally owned vehicle
- LOR for Illegally parked (3 Times)

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 argued their discharge was based on a legal error, as a civilian conviction was used in the discharge proceedings but was later dismissed and removed from their record. The applicant also cited significant personal challenges that impacted their ability to serve and believed that, with proper resources, they could have continued their service in the United States Air Force.

The DRB determined that the applicant demonstrated a consistent pattern of maladaptive, violent, and threatening behavior during their brief time in service, which included multiple disciplinary actions, a civilian arrest, and reckless driving while fleeing a superior officer. Although the applicant was diagnosed with adjustment disorder and borderline personality disorder, the Board found these conditions did not justify continued military service or mitigate the severity of the misconduct. The applicant's mental health status was considered in the discharge proceedings, leading the command to conclude that "misconduct (minor infractions)" was the appropriate reason for separation. While the applicant argued that a later-dismissed civilian conviction influenced their discharge, the Board focused on the overall pattern of misconduct within the military as the primary reason. Thus, the Board upheld the appropriateness of the applicant's discharge status.

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," "other mental health," and "sexual assault/harassment" on the application. The applicant contended, "I believe my discharge was based on legal error because a civilian conviction was used in my discharge proceedings. The civilian conviction that was used was later dismissed and taken off of my record. I was also going through significant personal problems that affected my ability to serve. If I had been given the proper resources, I would have felt I could have continued my service in the United States Air Force."

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

A review of the applicant's in-service records revealed that the applicant received inpatient and outpatient mental health services during her time in service following incarceration and disciplinary proceedings. The applicant's records revealed the applicant received the diagnoses, in service, of adjustment disorder and borderline personality disorder. The applicant's records revealed that the applicant was recommended for administrative separation due to her unsuiting mental health condition.

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 (minor infractions) with one year, seven months, and two days time in service. There is evidence that the applicant exhibited a pattern of maladaptive, violent, and threatening behavior for the duration of her brief time in service. There is evidence that the applicant exhibited and endorsed features of a personality disorder during her time in service. The applicant's personality disorder traits likely contributed to her behavioral and misconduct issues in service and are considered incompatible with military service. Personality disorders and traits are conditions of a developmental nature- they are pervasive, stable, persistent, and often resistant to treatment. This applicant's mental health condition of personality disorder explains the applicant's misconduct, but it does not mitigate the misconduct.

A review of the applicant's discharge package revealed that the applicant's mental health condition was known and considered at the time of discharge. The applicant's mental health condition was determined to be unsuiting for continued military service, and the applicant's command believed "misconduct (minor infractions)" to be the

most appropriate narrative reason for separation after consideration of the civilian misconduct, three Letters of Reprimand, and an Article 15 during the applicant's brief time in service.

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

The applicant's personality disorder traits likely contributed to her behavioral and misconduct issues in service and are considered incompatible with military service. Thus, the applicant's mental health condition did not outweigh her discharge.

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 (Minor Infractions), 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://afrbaportal.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)