

**SUMMARY:** The Applicant was discharged on, July 2, 2024 , 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.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 20 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, 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:

- Letter of Reprimand (LOR) for failure to appropriately wear the air force uniform while performing military duty x2
- LOR for driving erratically in a government vehicle
- Letter of Counseling (LOC) for disrespectful and insubordinate towards a senior NCO
- Violation of State Statue for drove recklessly in violation of state law
- LOC for dereliction of duty, failure to complete required deployment tasking by suspense date
- LOC for failure to report to course test appointment at appropriate time

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.

The Applicant stated they experienced escalating and targeted harassment from their squadron and leadership, leading to feelings of unjust treatment surrounding their discharge. The Applicant cited a

previous, ultimately unfounded, attempt to discharge them for a reckless driving incident. Following this, the Applicant claimed they were subjected to daily harassment, creating a hostile work environment that left them feeling unsafe and mentally exhausted. According to the Applicant, these experiences, occurring within the first six months of a six-year enlistment, contributed to their decision against reenlistment. The Applicant suggested this decision may have resulted in increased scrutiny and ultimately led to their discharge.

The DRB determined there was no evidence of inequity or impropriety in the Applicant's discharge. After an in-depth review of the Applicant's records, the Board noted their discharge stemmed from a sustained pattern of misconduct, demonstrating a disregard for regulations and the military chain of command. This pattern, spanning over three years, consisted of multiple documented infractions, including numerous instances where verbal counseling was provided to address the Applicant's behavior. While the Applicant alleges a mental health condition contributed to these issues, they failed to provide sufficient evidence to substantiate this claim. Furthermore, the Applicant's assertions of inequitable treatment or procedural impropriety are similarly unsubstantiated, lacking any supporting documentation. Therefore, the Board denied the Applicant's appeal for a discharge upgrade.

**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 box for "other mental health" on the application. The Applicant contended "I felt increasingly targeted by my squadron and leadership, which has left me feeling unjustly treated regarding my discharge. Previously, they attempted to discharge me over a reckless driving ticket, which was ultimately found to be unfounded. Following that incident, I experienced daily harassment at work, making me feel unsafe and mentally drained. With only six months remaining on my six-year contract and my decision not to reenlist, it seemed my situation attracted even more scrutiny."*

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

*The Applicant's in-service records indicate a history of mental health challenges, including anxiety and stress stemming from occupational stressors and frustration with Air Force regulations. These records document an increase in maladaptive coping mechanisms, such as excessive alcohol use and vaping, employed to manage these symptoms. Their records further show that the Applicant's symptoms intensified following disciplinary actions, and difficulty coping with stressors led to further occupational and legal issues. During their service, the Applicant was diagnosed with unspecified anxiety.*

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

*The Applicant's DD214 indicates a General discharge, Under Honorable Conditions, due to Misconduct (Minor Infractions), after five years, five months, and nine days of service. The discharge package reveals this misconduct included three Letters of Counseling, two Letters of Reprimand, an Unfavorable Information File, and a civilian reckless driving conviction. While the Applicant's contentions are unclear, their records*

*indicate multiple incidents of reckless driving during service. Despite the Applicant's documented anxiety and stress related to occupational stressors and frustration with Air Force regulations, their records do not establish a nexus between a mental health condition and the misconduct leading to discharge. The Applicant reportedly experienced these symptoms only in the work environment and expressed unwillingness to modify their lifestyle or behaviors. Although the Applicant attributed increased symptom severity to disciplinary actions and difficulty coping with stressors, ultimately, the evidence does not support a mental health condition as the cause of the misconduct resulting in discharge.*

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

*Since the Applicant's discharge was not attributable to or mitigated by a mental health condition, it cannot be considered outweighed by such a 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.

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://afrbaportal.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 April 4, 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)