

**SUMMARY:** The Applicant was discharged on October 7, 2024, in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Under Honorable Conditions – (General) discharge for Misconduct – (Drug Abuse). 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 for drug abuse.

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 appealed for an upgrade of their discharge narrative from, "Under Honorable Conditions – (General)," to "Honorable." The Applicant stated that after the birth of their child, their fiancée developed postpartum psychosis which forced them to contemplate the painful decision of separating the child from one of its parents for the child's safety. The Applicant goes on to assert that this situation led the Applicant to act out of panic, affecting their actions, and clouding their judgement. The Applicant noted that their two-time use of marijuana was their only negative offense in their time served in the Air Force and since then, they have engaged in professional therapy to develop healthier coping mechanisms. The Applicant made no contentions that the discharge was inequitable or improper but rather made mention of seeking mercy for financial reasons and being dedicated to rectifying their mistakes.

The DRB determined, through a review of the submitted documentation and records, the Applicant provided no supporting documentation regarding the “other mental health” they experienced during their time in service or how the mental health condition caused or substantially contributed to the misconducts that resulted in their discharge. While the Board acknowledged the Applicant’s stressful circumstances, stress itself does not qualify as a mitigating mental health condition. The DRB reviewed the available evidence and found no indication that the Applicant was unaware of the Air Force's zero-tolerance policy regarding drug use. The Applicant's signature on AF Form 2030, the USAF Drug and Alcohol Certificate, serves as documentation of their acknowledged understanding that drug abuse is incompatible with military service and subject to disciplinary action. The DRB concluded that the Applicant's use of mind-altering drugs outweighed any mitigating factors supporting an honorable 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 box for “other mental health” on the application. The Applicant contended “during my service I encountered an incredibly challenging time. My fiancée, a first-time parent, developed sever postpartum psychosis, which forced me to make the painful decision to separate my newborn child from their parent, for their safety. This overwhelming situation let me to act out of panic, clouding my judgement and affecting my actions. Note, this was my only negative offense in my time served with the Air Force.”*

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

*Based on a review of the available records, there is no evidence the Applicant endorsed or exhibited any clinically significant features of a mental health condition during their time in service. The Applicant submitted insurance payment statements from “Doctor on Demand” services received during their time in service but did not provide any treatment notes, diagnostic information, or clarifying information as to why they were utilizing “Doctor on Demand” services.*

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

*A review of the Applicant’s discharge package revealed the Applicant tested positive for delta-9 on multiple occasions during their time in service. The Applicant’s “Written Presentation to Article 15 Action” memorandum revealed the Applicant made their stressors known to their command. The Applicant’s records revealed the Applicant reported to Alcohol and Drug Abuse Prevention Treatment (ADAPT) providers that they had a pre-service history of marijuana use and chose to use marijuana again while they were on months of paternity leave to alleviate stress related to their spouse’s mental health condition and the stress of new parenthood. Stress is not a mitigating mental health condition. There is evidence the Applicant was command referred to ADAPT after they tested positive during a random urinalysis and participated in marijuana education sessions after their legal deferment. There is no evidence the Applicant sought or received any military mental health services during their time in service or requested a referral for off-base services or utilized any non-medical counseling services, such as Military Family Life Counseling (MFLC)*

*or True North, during their time in service. Seeking or utilizing military mental health services is not a prerequisite to determine if a mental health condition existed during the Applicant's time in service and based on the information provided by the Applicant regarding his "Doctor on Demand" services, there is no evidence a mental health condition caused the misconduct that led to Applicant's discharge.*

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

*Based on a review of the available evidence, the Applicant made their personal situation known to command at the time of their discharge processing. Based on review of the Applicant's records, the Applicant's mental health conditions were known and fully considered by the Applicant's command during the discharge process, 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:** 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://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 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)

