

SUMMARY: The Applicant was discharged on August 14, 2013 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Under Honorable Conditions (General) Service Characterization for Misconduct (Other). The Applicant requested an upgrade of their Service Characterization.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on March 5, 2026. The Applicant was 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:

- Letter of Reprimand for being AWOL and dereliction of duty
- Letter of Reprimand for being AWOL/failure to go (2)
- Letter of Reprimand for failing to pay debt
- Letter of Counseling for failure to obey order or regulation/60 days overdue on GTC
- Letter of Counseling for leaving place of duty without authority
- Letter of Counseling for dereliction 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.

Through counsel, the Applicant stated they experienced mental and physical health conditions and PTSD during and after their service. They stated those factors and the quality of their service collectively outweigh and mitigate their misconduct that led to their discharge characterization based on the requirements under the Board's clemency power.

The DRB determined the discharge was proper and equitable. The Board's decision was based on a review of the Applicant's record, which included five letters of reprimand for various infractions such as failure to go and

dereliction of duty during their last 24 months of service. While the Board carefully considered the Applicant's statements regarding their mental and physical health, a review of their service and post-service medical records did not contain documentation to support a diagnosis of PTSD or a related service-connected condition. The DRB noted that the Applicant's command had provided ample opportunities to address their behavior. Ultimately, the Board found that the seriousness of the documented misconduct outweighed the positive contributions of the Applicant's service, and therefore, the request for a service characterization upgrade was denied.

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 contended on their DD293 application, "I respectfully request that the characterization of my discharge be upgraded to Honorable Military Discharge because the mental and physical health conditions and PTSD I experienced during and after my service were mitigating factors for the misconduct that led to my discharge. These factors and the quality of my service collectively outweigh and mitigate the misconduct that led to my discharge characterization under the Board's clemency power. Please reference the legal brief, declaration of Applicant, character reference letters, military and medical records and additional materials in support of my application." The Applicant also marked "PTSD" and "Other Mental Health" as issues/conditions related to their request.

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

The Board considered the "Kurta Memo" guidance that "A determination made by the Department of Veterans Affairs (VA) that a veteran's mental health condition, including PTSD; TBI [Traumatic Brain Injury]; sexual assault; or sexual harassment is connected to military service, while not binding on the Department of Defense, is persuasive evidence that the condition existed or experience occurred during military service." In this case, the Applicant received a rating of 30% from the VA for Chronic Adjustment Disorder. Consequently, the Board is persuaded that the Applicant has Chronic Adjustment Disorder, and the condition existed during military service.

A review of the Applicant's available treatment records found that the Applicant was never diagnosed with a mental health disorder and never sought out mental health treatment during their time in service. A review of available records revealed the Applicant deployed to Kyrgyzstan in January 2011 and redeployed to home station in May 2011. In their two and one half years of service prior to this deployment, they indicated they had no medical or mental health concerns on their annual Periodic Health Assessments as well as in their deployment clearance appointment. Upon return, they attended several Post-Deployment Health Assessment appointments at regularly scheduled intervals. At these appointments prior to their PDHA 5, that occurred in October 2012, the Applicant was noted to endorse no major life stressors and reported to medical personnel their transition home from deployment was going well with no issues or concerns. At the PDHA 5 appointment, the provider note indicated the Applicant, "did not experience any stressful experience during this deployment, but was told to be alert and anything can happen. Pt stated that they are constantly on guard and watchful. They stated they feel nervous and uncomfortable in a crowd. They said that they start sweating in those

situations. Pt has symptoms of mild PTSD and needs further evaluation and treatment.” Of note, “symptoms of mild PTSD” is not a diagnosis of PTSD. Indeed, the PDHA provider indicated the Applicant needed further evaluation. To that end, the note indicated the Applicant was assisted with making an appointment with the primary care based mental health provider (BHOP) which was scheduled for 10 days after this PDHA 5 appointment. However, a review of available records found no evidence that the Applicant kept this appointment or ever met with BHOP or other mental health professionals during their time in service.

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

A review of the Applicant’s DD214 revealed they were discharged with an Under Honorable Conditions (General) characterization for the narrative reason of Misconduct (Other) with 5 years, 1 month, 28 days time in service. A review of the Applicant’s discharge package revealed evidence cited by command to support the discharge included: a Letter of Reprimand (LOR) dated May 2013 for failing to report to their assigned duty location on three recent occasions; a LOR dated February 2013 for failing to report to their assigned duty location on two occasions; a LOR in January 2013 for being 90 days delinquent on their Government Travel Card (GTC) bill in the amount of \$2630.70; a Letter of Counseling (LOC) in January 2013 for failing to report an appointment they had to their supervisor, after being instructed to clear all appointments with their supervisor; a LOR dated November 2012 for being absent without leave for 4.5 hours the previous day; a LOR dated January 2012 for dereliction of duty by not turning items in to quality control prior to taking leave as directed by his NCOIC; a LOC dated November 2011 for leaving their appointed place of duty without authority; and a LOC dated September 2011 for being 60 days delinquent in paying their GTC balance.

The Applicant, through counsel, contended that the mental and physical health conditions that they experienced during and after their service were mitigating factors in the misconduct that resulted in their discharge. However, a review of all available records revealed insufficient evidence to support that the Applicant’s mental health conditions substantially contributed to or mitigated the misconduct that led to their discharge. As previously noted, a review of available records revealed that the Applicant never engaged with mental health services during their time in service. The Applicant, through counsel, noted that a provider deemed them to have “symptoms of mild PTSD and needs further evaluation and treatment.” However, having symptoms of mild PTSD is not a diagnosis of PTSD. Additionally, that provider documented that, in conjunction with the Applicant, they scheduled an appointment with the BHOP provider. However, a review of all available records revealed the Applicant did not keep this appointment and did not engage with mental health services during their time in service.

As noted earlier, the VA determined the Applicant has a service-connected disability of 30% for Chronic Adjustment Disorder. A Chronic Adjustment Disorder is characterized as a prolonged, maladaptive emotional or behavioral response to a specific stressor that lasts longer than six months and often persists after the stressor has passed. Presuming the diagnosis occurred during the Applicant’s time in service, while it might explain some of the misconduct, it does not excuse or mitigate the misconduct. Particularly considering the repeated or extended nature of the misconduct, which afforded the Applicant ample opportunity to change his behavior. For example, they were late to work at least four times over a three-month period before command issued him LORs for these infractions, indicating leadership likely gave him warnings to arrive on time to work or administrative paperwork would be issued. Similarly, they received administrative paperwork for being delinquent in paying their GTC 60 or more days on two separate occasions. The presence of a Chronic Adjustment Disorder diagnosis did not substantially contribute or cause or mitigate the GTC delinquency, or any other of the Applicant’s misconduct that resulted in their discharge from the Air Force.

Regarding the Applicant’s contention that PTSD and Other Mental Health were issues/conditions related to their misconduct, a review of the available records revealed that at no time was the Applicant diagnosed with PTSD either in service or after their time in service. Furthermore, the only mental health diagnosis associated with the Applicant is the Chronic Adjustment Disorder that the VA deemed was service connected. Through counsel, the Applicant claimed that if their “mental health conditions, including depression, anxiety, and mild

PTSD had been recognized as a major factor in their misconduct” they likely would not have received a General discharge. However, a review of all available records revealed no evidence to support the Applicant was diagnosed with depression, anxiety, or PTSD during their time in service.

Overall, there is insufficient evidence to support that the Applicant’s mental health conditions or experiences substantially contributed, caused, excused, or mitigated the misconduct or subsequent discharge.

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

Since the condition did not mitigate the discharge, it also does not outweigh the 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 (Other), and the Reentry Code shall remain 2B. The DRB results were approved by the Presiding Officer on March 6, 2026.

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)