

SUMMARY: The Applicant was discharged on July 12, 2023 in accordance with Department of the Air Force Instruction 36-3211, Military Separations, with an Under Honorable Conditions (General) Service Characterization for Misconduct (Minor Infractions). The Applicant requested an upgrade of their Service Characterization, a change to the Narrative Reason for separation, and a change to the Reentry Code.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on 30 May 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 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 requests an upgrade to their discharge, contending that it was the result of reprisal for reporting ongoing maltreatment by leadership. The Applicant claims they experienced over four years of harassment, including incidents involving a higher-ranking individual that led to multiple no-contact orders. Following these events, the Applicant filed a formal complaint with IG, which they claim, remains under review with AMC IG more than a year after submission. Considering the retaliation faced for reporting misconduct, the Applicant believes the discharge was unjust and should be reconsidered.

The record revealed the Applicant's misconduct, resulting in adverse actions and discharge, stemmed from the impact of in-service events on pre-existing conditions. Based on a thorough evaluation of the Applicant's in-service conduct, post-service actions, and other relevant Wilkie factors, the board determined that relief was warranted and decided to grant 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?

On the DD293 application form, Applicant contended, "I believe my discharge condition should be upgraded due to the fact that it was a direct result of reprisal for reporting ongoing maltreatment by leadership at the Applicant's Command Post. After enduring over four years of harassment, including incidents with a higher-ranking individual that necessitated multiple no-contact orders, I filed a formal complaint with the Inspector General. My case is still under review by AMC IG, over a year after submission. I provided the primary document which initiated the reprisal case that is still ongoing with AMC IG. I can provide additional documentation and recordings to support my claims if needed. Given the circumstances surrounding my discharge, I feel it is unjust and should be reconsidered in light of the retaliation I faced for exposing these issues." Applicant also marked PTSD and Reprisal/Whistleblower as issues/conditions related to their request.

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

A review of available records revealed the Applicant was diagnosed with PTSD and Adjustment Disorder with mixed anxiety and depression during their time in service. The Applicant experienced traumatic events prior to service and records revealed the Applicant was never diagnosed with PTSD prior to their time in service. The Applicant initially sought out mental health treatment in September 2021 when they walked into the Mental Health (MH) clinic experiencing suicidal ideation but denied any planning, intent or preparatory behavior and did not require hospitalization. The Applicant reported their symptoms were precipitated by ongoing work-related concerns associated with a history of harassment and stalking behavior by an ex-partner and NCO from their unit. In this walk-in appointment, the Applicant expressed a "fear of potential reprisal for involving others or addressing concerns outside her chain of command." In the ensuing days, the Applicant experienced increased suicidal ideation that resulted in inpatient hospitalization, partial hospitalization, and intensive outpatient treatment. It was during this course of treatment that the Applicant was initially diagnosed with PTSD.

Following discharge from the intensive outpatient program, the Applicant was treated by the on base psychiatrist, who concurred with the PTSD and Adjustment Disorder diagnoses. A review of records revealed the military provider was clear that their opinion was the Applicant's PTSD, which stemmed from pre-service traumatic events, was instigated and exacerbated by the harassment and stalking the Applicant suffered by an NCO in the Applicant's unit.

The Applicant had a break in treatment with the MH clinic from March 2022 till January 2023. This break in treatment reportedly occurred due to the Applicant returning to their assigned job at the Command Post resulting in their work schedule becoming more erratic and unpredictable. A review of records revealed the Applicant completed an intake appointment in January 2023 with the same psychiatrist that previously treated the Applicant. This course of treatment started immediately before the Applicant's first of four misconduct incidents occurred over their final months in service. The treating psychiatrist noted that symptoms of PTSD—particularly hyperarousal, avoidant behavior, and mood fluctuations—had worsened since Applicant stopped treatment 10 months ago and, more recently, had run out of medication. The Applicant also continued to experience intrusive memories, nightmares, and sleep difficulties. The psychiatrist referred the Applicant to another MH clinic provider for trauma therapy and Applicant noted in therapy intake session in February 2023

that they had recently filed an IG complaint against their command. The Applicant continued in treatment until the end of May 2023.

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

A review of Applicant's DD214 revealed the Applicant was discharged with an Under Honorable Conditions (General) characterization due to Misconduct (Minor Infractions) with 4 years, 1 month, 14 days of service. The Applicant contended their discharge was "a direct result of reprisal for reporting ongoing maltreatment by leadership at the Command Post." The Applicant also marked 'PTSD' and 'Whistleblower/Reprisal' as issues related to their request.

Regarding the Applicant's contention based on reprisal for submitting an IG complaint against their command, reprisal is not a mental health condition or an experience that is considered under the intent of Liberal Consideration. That said, the facts surrounding the IG complaint and alleged reprisal, as presented by the Applicant, were still reviewed as part of the overall consideration process for the Applicant's upgrade request. The Applicant also contended that PTSD was related to their request. A review of available records revealed the Applicant was diagnosed with PTSD, as well as Adjustment Disorder with mixed anxiety and depression, during their time in service. These diagnoses were well supported by the Applicant's symptoms and history and validated by multiple providers from different facilities who were all in agreement on the Applicant's diagnoses. The misconducts the Applicant engaged in after they were diagnosed with PTSD included: violating security measures; destroying government property; making a false official statement; dereliction of duty; failure to go; and being insubordinate to a Non-Commissioned Officer. A review of available records revealed that the treating psychiatrist noted that the Applicant's PTSD symptoms were still present but had become 'more manageable' by March 2022. But after a nine-month break in treatment, due to an erratic and unpredictable work schedule, the treating psychiatrist noted the Applicant's symptoms had worsened by January 2023, in an appointment that occurred less than two weeks prior to the first of four misconducts that occurred between January and May 2023.

A review of the available records revealed that while the Applicant's diagnosis of PTSD could have had some relation to their misconduct, there was not sufficient evidence to establish a clear nexus between the Applicant's mental health diagnosis and the misconduct that led to their discharge.

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

Based on a review of available records, there was not sufficient evidence to support a connection between the Applicant's mental health condition and reported in-service symptoms and the misconduct that led to their discharge. Since the mental health condition did not excuse or mitigate the discharge, it does not outweigh the Applicant's 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.

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 improper. The DRB voted unanimously to **approve** the Applicant's request. Although relief under Liberal Consideration was not warranted, the DRB determined that Clemency was warranted. Therefore, the awarded Service Characterization shall change to "Honorable," the Narrative Reason for separation shall

change to Secretarial Authority, and the Reentry Code shall change to 3K. The DRB results were approved by the Presiding Officer on July 11, 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>

Should the Applicant wish to appeal this decision, they must seek relief before the Air Force Board for Correction of Military Records (AFBCMR) in accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*.

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)