

SUMMARY: The Applicant was discharged on 9 July 2012 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.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on 12 March 2026. 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. Several Letters of Counseling and Reprimand for various misconduct including failure to go, dereliction of duty, and driving a motor vehicle under the influence of alcohol. The Applicant was also punished under Article 15, Uniform Code of Military Justice (UCMJ) for wrongful use of marijuana.

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 contended they had exemplary Air Force service as evidenced by positive Enlisted Performance Reports and references. The applicant claimed their career was unjustly cut short due to an erroneous DUI charge by the local police department. They maintain they were never formally charged for the DUI, and leadership prematurely initiated discharge action without waiting for documentation proving the charge was dropped. Despite accepting responsibility for poor decisions and expressing a willingness to improve, the Applicant claims they were separated based on this incorrect DUI charge. The Applicant further claims they have continued to uphold Air Force values since their departure from the service.

A review of the Applicant's military personnel record revealed multiple administrative Letters of Counseling and Reprimand were administered for various misconduct, including the DUI they contend was a false charge.

The Applicant was also issued an Article 15 for wrongful use of marijuana. In the discharge notification memorandum, the Applicant was notified they were being recommended for discharge for drug use as the primary basis, and the other misconduct (including the DUI) may be considered, but was not the basis for discharge. In response to the discharge action the Applicant admitted to using marijuana and requested retention claiming they met the criteria. According to the discharge memorandum from the separation authority, the Applicant was approved for a General discharge for Misconduct (drug abuse). However, the narrative reason on the Applicant's DD Form 214, *Certificate of Release or Discharge from Active Duty*, reflects Misconduct (minor infractions). The Applicant did submit a court disposition document with the application indicating the DUI charge was reduced to a reckless driving charge. The Applicant also provided multiple character reference letters all stating they were a hardworking and professional Airman.

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 although they did not make any claims or contentions that a mental health condition caused or substantially contributed to the discharge. The Applicant's testimony and evidence submitted for consideration did not contain any references to mental health condition(s). The Applicant contended "I feel that I performed admirably while in the military and since leaving have upheld a strong sense of hard work. I had a lapse in judgement which I won't deny, but I would like to return to college so I can get a degree which could assist my fellow veterans or service members."

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

A review of the Applicant's in service records revealed the Applicant attended three sessions with a mental health provider during their time in service. The Applicant's records revealed the Applicant reported that they did not like their job in the military and had difficulty sleeping. The Applicant also reported their symptoms resolved after changing duty shifts. The Applicant's records also revealed they were command referred to substance use treatment services (ADAPT) on multiple occasions during their time in service due to substance use related misconduct.

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

A review of the Applicant's DD Form 214 revealed the Applicant was discharged with a General character of service due to Misconduct (minor infractions) with three years, eleven months, eleven days time in service. The Applicant's discharge records revealed the Applicant was recommended for discharge due to drug use (marijuana), alcohol related misconduct, and multiple incidents of failure to go. The Applicant made no claim or contended a mental health condition caused or contributed to the misconduct that led to the discharge. Based on a review of the available records there was no evidence that a mental health condition caused or substantially contributed to the misconduct(s) that led to the Applicant's discharge. There was evidence the Applicant endorsed difficulty adjusting to the military lifestyle and poor coping skills which may have explained the Applicant's misconduct, but this did not constitute a mitigating mental health condition and did not mitigate the misconduct(s) that led to the discharge.

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

Because the Applicant's discharge was not mitigated or excused by a mental health condition, the Applicant's discharge was also not outweighed by a mental health 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 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 DRB also voted to **deny** changing the Narrative Reason for separation and Reentry Code. Therefore, the Narrative Reason shall remain Misconduct (Minor Infractions), and the Reentry Code shall remain 2B. The DRB results were approved by the Presiding Officer on March 18, 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>

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)