

SUMMARY: The Applicant was discharged on December 2, 2024 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 September 04, 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 Applicant's record of service included the following documented misconduct leading up to their discharge:

- Letter of Reprimand for leaving work without permission and advising supervisor of whereabouts
- Letter of Reprimand for derelict of performance
- Letter of Reprimand for derelict of performance
- Letter of Counseling for posting negative comments about supervisors on social media
- Record of Individual Counseling for no maintaining accountability with supervisor regarding whereabouts
- Record of Individual Counseling for failing to execute duties/responsibilities in an efficient manner

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 stated they were not treated fairly by their leadership and chain of command, and they had been called racial slurs, discriminated against, had jokes made about the color of their skin, talked about by their supervisors, threatened by their supervisor, and had their initials put onto important documents without their approval or knowledge. The Applicant stated they used all the appropriate channels to report the mistreatment. In addition, the Applicant attests that they were never given the opportunity to rehabilitate after many requests,

and they would like their characterization, narrative reason, and re-entry code to be changed so they can continue to serve.

The DRB upheld the discharge finding it proper and equitable. While the Applicant presented documentation, the DRB determined it insufficient to justify an upgrade, citing the discharge's basis in a pattern of minor disciplinary infractions that lacked adequate explanation or excuse, even in consideration of mental health factors. The DRB expressed a desire for evidence demonstrating the Applicant's personal growth and rehabilitation since the discharge. Therefore, the request for an 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 that they were not treated fairly by their chain of command. Since arriving at their duty station in July 2022, they had been called racial slurs, discriminated against, received jokes about the color of their skin, talked about by their supervisors, threatened by their supervisors, and had their initials placed onto important documents without their approval or knowledge. They had used their chain of command, Equal Opportunity, Inspector General, Mental Health, and senior non-commissioned officers to request to move to another unit, go to the Air National Guard, and switch branches. They were told they were discharged because of their last Letter of Reprimand (LOR) received. They believed they should not have gotten the LOR, it was not their fault, and they proved that it was not their fault. Their commander discharged them without an opportunity for probation and rehabilitation. They would like their reentry code change so they could continue to serve. The Applicant did not identify having a mental health condition and did not discuss how their mental health condition may excuse or mitigate their discharge.

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

A review of the Applicant's service treatment records reported they were first at the Behavioral Analysis Services (BAS) in January 2022, while they were at Basic Military Training (BMT) by referral of their primary care manager (PCM) because they had increased anxiety, stress, and sleep issues caused by being worried about passing their physical training test. They were motivated to continue with BMT. They were not given a diagnosis and did not return to BAS after this visit. While at tech school training in April 2022, they were seen at the mental health clinic (MHC) due to being physically assaulted by another female trainee during week three of training. They denied there was an altercation, and the trainee walked up to them and slapped them on the face. This incident was reported to their leadership, and many of their classmates witnessed the incident. They did not feel protected by their leadership. After this incident, they would have heart palpitations whenever they saw their perpetrator and would have increased worry, sleep issues, lack of confidence, and low motivation. This was a one-time visit, and they were given a diagnosis of Stress, Not Elsewhere Classified. In September 2022, they met with their PCM for complaints of sleep problems and headaches secondary to poor sleep hygiene and stress. They were prescribed Zoloft as a sleep aid and given a diagnosis of Adjustment Disorder with Anxiety. There are no records reporting they used this medication in the long-term, they did not receive any refill of this medication, and this was the only time they met with their PCM for medications. In December 2022, they completed an evaluation at the MHC for stress related to having a toxic work

environment and receiving several paperwork and an LOR. They reported wanting to get separated. They attended two follow-up sessions in February 2023 and May 2023, reporting improvements at work and with their sleep. Their treatment was terminated in May 2023. They were given conditions, not a diagnosis, of Problems of Adjustment to Life-Cycle Transitions and Unspecified Problems Related to Employment from this iteration of treatment. The following year, in October 2024, they presented as a walk-in for a command-directed evaluation (CDE); they were informed the previous day that they were being considered for an administrative separation. They reported that they told their leadership that they were going to their father to help and that their father was going to call the base commander. They denied threatening individuals in the room. They said they felt their unit was out to get them since 2022 and had been giving them LORs and Letters of Counseling for everything. They denied having any safety concerns and were not given a mental disorder diagnosis. A condition of Threat of Job Loss was annotated in their notes. The Applicant returned to mental health treatment at the MHC for the last time in late October 2024 for anxiety caused by their work stress. They attended one follow-up session in November 2024 and stopped attending treatment, most likely because of their discharge. They were given a provisional diagnosis of Adjustment Disorder, Unspecified, to reflect their situational work stressor.

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

The Applicant was discharged from service for failing to meet dress appearance standards and dereliction of the performance of their duties of failing to conduct a thorough check of the DD Form 2992 and other regulations, posted negative remarks about their supervision on their social media account, disobeying an order, willfully left their appointed place of duty without notifying their supervisor, failed to complete their tasks, willfully volunteered for bay orderly duty without asking or notifying their direct supervision, and they were missing from their place of duty near lunch time without notifying their supervision from the period of September 2022 to May 2024. While there is evidence and records that they were stressed from their work and had problems with their leadership, there is no evidence that their mental health condition, including anxiety, depression, and sleep issues, had a direct impact or was a contributing factor in their decision to engage in any of these acts of misconduct. Their treatment records indicated the consequences of their misconduct, resulting in disciplinary and discharge actions that had caused or exacerbated their stress, anxiety, depressed mood, and sleep issues. Some of their misconduct was willful. There was no evidence that they were in emotional distress or had a mental health condition impairing their judgment at the time of any of their misconduct. Therefore, their mental health condition does not excuse or mitigate their discharge.

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

Since the Applicant's mental health condition does not excuse or mitigate their discharge, their mental health condition also does not outweigh their 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 two to one 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 (Minor Infractions), and the Reentry Code shall remain 2B. The DRB results were approved by the Presiding Officer on September 12, 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>

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)