|  |  |
| --- | --- |
| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00421 |
| GENERAL: The applicant was discharged on 7 Sep 12 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of her discharge characterization to Honorable. The board was conducted on 16 Jan 20.  The applicant was offered a personal appearance before the Discharge Review Board (DRB), but declined and requested the board be completed based on a records only review. The applicant was not represented by counsel.  Pursuant to 10 USC §1553, the board included a member who is a psychiatrist with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI), and training on mental health disorders.  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.    FINDING: The DRB voted 3 to 2 to approve the applicant’s request to upgrade her discharge characterization to Honorable.  DISCUSSION: The 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 reenlistment eligibility 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 applicant’s record of service included two Article 15’s, one vacation of suspended nonjudicial punishment, five Letters of Reprimand, and one Letter of Counseling. Her misconduct included: willful and wrongful damage the front door of a residence; unlawfully scratch another airman on the face, shoulders, and hands with fingernails; unlawfully enter the dwelling of another airman with intent to commit a criminal offense; wrongful assault of another airman; failure to report for duty; failure to obey an order or regulation (x2); with intent to deceive, made a false official statement; dereliction of duty; failure to wear the appropriate uniform for duty; failure to go at prescribed time to appointed place of duty; misuse of government travel card (x2); and failure to pay debt in a timely manner.  Due to evidence of multiple mental health diagnosis found in the applicant’s medical record, the board considered the case based on the liberal consideration standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and/or 10 USC §1553.  The applicant contended the discharge was inequitable because she suffered from undiagnosed major depression and adjustment disorder that was diagnosed by the Department of Veteran Affairs (VA) immediately after discharge. She believes depression and anxiety caused a range of behavioral and physical problems including changes in sleep, energy levels, concentration, and daily behavior resulting in minor disciplinary actions.  The DRB reviewed the applicant’s entire record and found that mental health issues were due to the health concerns of her father. The board determined that a diagnosis of major depressive disorder and subsequent prescribed medication mitigate the reason for discharge, and affected her ability to serve satisfactorily. The board concluded that an inequity existed and an upgrade of the discharge characterization is warranted.  After a thorough review of the service record and inputs from the board’s psychiatrist, the DRB found conclusive indication that mental health issues had a direct impact on the applicant's misconduct or discharge.  CONCLUSION: The board found neither the evidence of record, nor that provided by the applicant substantiated an impropriety. However, sufficient evidence existed to convince the board the discharge was inequitable. Therefore, the board determined the overall characterization of the applicant’s service was more accurately reflected by an Honorable. The board did not change the discharge narrative reason or the reenlistment eligibility code.  The DRB results were approved by the board president on 10 Feb 20. 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, NAF Washington, MD 20762-6602  Attachment: Examiner's Brief (Applicant Only) | |