|  |  |
| --- | --- |
|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBER FD-2019-00424 |
|  GENERAL: The applicant was discharged on 05 Aug 2005 in accordance with AFI 36-3208 with a(n) General discharge for Misconduct. The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 17 Oct 2019. 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/ psychologist 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 unanimously to *deny* the applicant’s request to upgrade his 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 one Article 15, one vacation of suspended nonjudicial punishment, several Letters of Reprimand, and one Letter of Counseling. His misconduct included: multiple failure to go, disrespect towards superior/s.The applicant made no contentions that the discharge was inequitable/improper. Applicant states he had trouble in the military with his sleep patterns due to varied shift work. He’s seeking a change in characterization so he can qualify for the post 911 and go to school. The DRB reviewed the applicant’s entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. The board understood the applicant’s present service characterization renders him ineligible for Department of Veteran Affairs education benefits. However, this is not a matter of inequity or impropriety which would warrant an upgrade. The board determined that, through the administrative actions taken by the chain of command in this case, the applicant had ample opportunities to change his negative behavior. It found the seriousness of the applicant’s willful misconduct offset the positive aspects of his service. CONCLUSION: The board found insufficient evidence of an inequity or impropriety that would warrant a change to the applicant’s discharge. Therefore, the discharge received by the applicant was deemed to be appropriate and his request was not approved. The DRB results were approved by the board president on 7 Apr 20. If desired, the applicant can request a list of the board members and their votes by writing to: Air Force Review Boards AgencyAttn: Discharge Review Board3351 Celmers LaneJoint Base Andrews, NAF Washington, MD 20762-6602 Attachment:Examiner's Brief (Applicant Only) |