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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00573 |
| GENERAL: The applicant was discharged on 01 May 2012 in accordance with AFI 36-3208 with a(n) General discharge for Misconduct (Drug Abuse). The applicant appealed for an upgrade of his / her discharge characterization to Honorable and a change to the discharge narrative reason. The board was conducted on 24 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 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 3 to 2 to *approve* the applicant’s request to upgrade his discharge characterization to Honorable and to change the discharge narrative reason to *Secretarial Authority.* However, the board unanimously voted to *deny* to change the reenlistment eligibility code to 3K.  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 an Article 15 for dereliction of duty and wrongful possession of Ambien.  Due to evidence of / post-traumatic stress disorder (PTSD) / mental health condition/s / 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 and counsel contends that the discharge was inequitable because the applicant suffers from a serious medical condition which mitigated his ability to service. His counsel contends that he suffered from PTSD as a result of traumatic exposure to horrific accidents as part of duty. The symptoms manifested itself in nightmare and insomnia which resulted in constant exhaustion and deterioration of his judgement. This ultimately led to his discharge when he made some poor decisions and came into possession of Ambien as he struggled to deal with the symptoms on his own. His counsel draws a causal link between the PTSD, the deterioration in his judgement and his behavior resulting from the proceedings of the discharge, all of which mitigates his discharge. They also contend that the applicant’s post service history consists of the applicant having stable employment, obtaining a number of professional certificates and displaying selflessness through volunteerism.  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 due to personal problems. Therefore, the board determined the overall characterization of the applicant’s service was more accurately reflected by an Honorable and the discharge narrative reason was more accurately described as “Secretarial Authority.” The board did not change the reenlistment eligibility code.  The DRB results were approved by the board president on 10 Apr 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) | |