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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00589 |
| GENERAL: The applicant was discharged on 29 Jun 2006 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 31 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 an Article 15, several Letters of Reprimand and Counseling, ecord of Counseling and ADAPT Program Failure. His misconduct included: communicating threats to another Airman, arriving to work fatigued due to lapse in judgement, underage drinking, arriving work incapacitated due to alcohol, failure to obey, dereliction of duty, refusal to enter mandated program, failure to complete ADAPT program.  Due to evidence of 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 made no contentions that the discharge was inequitable/improper. The applicant states that he was mentally ill and that due to the condition, they wouldn’t treat him while in service. He contends that he took the discharge for denying medical treatment for alcoholism. He has now been successfully treated for his mental health condition. His goal is to be a better example for his family and attend school by utilizing his G.I. bill.  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. The DRB 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. The DRB was pleased to see the applicant has been successful since leaving the Air Force. However, the board reviewed the applicant’s entire service record and found no evidence of impropriety or inequity to warrant any changes to the discharge. It found the seriousness of the applicant’s willful misconduct offset the positive aspects of his service.  After a thorough review of the service record and inputs from the board’s psychiatrist/ psychologist, the DRB found no conclusive indication that any mental health issues had a direct impact on the applicant's misconduct or discharge.  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 23 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) | |