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|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBER FD-2019-00629 |
|  The applicant was discharged on 30 Jul 2018 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 18 Jun 2020. 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 3 to 2 to *approve* the applicant’s request to upgrade his discharge characterization to Honorable and change the discharge narrative reason to “Secretarial Authority.”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 15s, a vacation of suspended nonjudicial punishment, and a Letter of Reprimand. His misconduct included: driving under the influence of alcohol, absent without leave, failure to report for duty, failure to obey orders, and false official statements. Due to evidence of mental health conditions 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 or improper. He claims he was suffering from PTSD caused by his diagnosis with a life threatening disease that caused his misconduct. He asserts the news of his disease took a toll on him mentally and he did not handle himself well and made foolish choices that he regrets. He requests an upgrade so that he may have access to VA educational benefits. The record indicates that the applicant was discharged in Jul 2018 for Misconduct after receiving punishment under Article 15, UCMJ, and a Letter of Reprimand for Absent Without Leave. A review of the applicant’s medical record revealed he began receiving mental health treatment services in 2015 for alcohol abuse problems. His mental health problems seem to have been aggravated by his HIV diagnosis. He experienced severe depression from learning about this diagnosis that caused him to go AWOL and attempt suicide. Therefore, the Board determined there was sufficient evidence in his records to corroborate the applicant’s contention that his mental health condition mitigated his misconduct. 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 discharge 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 24 Jun 2020. 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) |