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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00648 |
| GENERAL: The applicant was discharged on 02 Mar 2016 in accordance with AFI 36-3208 with a(n) General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of his discharge characterization to Honorable and a change to the discharge narrative reason.  The applicant appeared and testified before the Discharge Review Board (DRB), without counsel, via video teleconference using VIDYO Cloud Connect between Joint Base Andrews, MD, and applicant’s home address on 01 Sep 2020. No witnesses were present and testified on the applicant’s behalf. The following additional exhibits were submitted at the hearing: medical records with mental health evaluation.  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 2 to 1 to *approve* the applicant’s request to upgrade his discharge characterization to *Honorable*, to change the discharge narrative reason to *Secretarial Authority* and to change the reenlistment eligibility code to *2C*.  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, and Letters of Reprimand, Admonition, and Counseling. His misconduct included: several failure to go/late to work/report on time; failure to obey a lawful order and making unwanted sexual advances.  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 contended the discharge was inequitable because of his leadership’s disregard/dismissal of his mental health issue. He states that his issues started occurring after his fiancé ended their relationship, which he initially received support from his previous supervisor. He notes that when he had a change in supervision, they failed to understand his situation & began to receive formal paperwork for his tardiness. Due to this, he fell into deep depression & suffered from chronic migraines. He states that he was constantly nauseous and dizzy, which led to his oversleeping or lack of drive. He was also encouraged by his medical advisor not to complain about his mental health issues, as this would disqualify him from his AFSC. He did seek medical care multiple times for his migraines during his time in service. Since his discharge, he has become had continued to seek mental health treatment, gained stable employment and would like to move forward with his future.  A change of re-entry code to allow for re-enlistment could not be supported due to current policies. Under DoDI 6130.03, Medical Standards for Appointment, Enlistment, or Induction in the Military Services, under Learning, Psychiatric, and Behavioral Condition, the applicant’s reported history of mental health conditions or disorders prior to and during service are considered disqualifying conditions for induction into military service.  After a thorough review of the service record and input from the board’s psychiatrist/ psychologist, the DRB found that the applicant’s mental health condition was a mitigating factor for most of the applicant's 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 due to personal issues. 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.” Additionally, the reenlistment eligibility code was changed to “2C.”  The DRB results were approved by the board president on 8 Sep 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) | |