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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00681 |
| GENERAL: The applicant was discharged on 15 Jul 14 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, and a change to the reenlistment eligibility code. The board was conducted on 16 Jan 20.  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 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 deny 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 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 two Article 15’s. His misconduct included: failure to go at prescribed time to appointed place of duty (x2); and with intent to deceive, make a false official statement.  The applicant contended the discharge was improper because the information received pertaining to the discharge was either incorrect or withheld. He insists that he was not informed of the repercussion of the minor misconduct. The applicant states that he was never informed of the discharge characterization, or that his reenlistment eligibility code prevented his return to military service. The applicant contends the discharge was inequitable because the disciplinary actions were unjust, and other Airmen did not receive reprimands for the same actions. He believes that an attempt to separate through force shaping led to otherwise minor infractions with enough collective weight to render him eligible for discharge. The applicant insists that he has matured since his separation and is requesting the upgrade in order to return to military service.  Upon review of the applicant’s service record, the board was not able to find any documentation regarding the discharge. Since the board relies on the presumption of regularity, it concluded the discharge received by the applicant was appropriate.  After a thorough review of the service record and inputs from the board’s psychiatrist, 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 10 Feb 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) | |