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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00023 |
| GENERAL: The applicant was discharged on 11 Jun 10 in accordance with AFI 36-3208 with a General discharge for Misconduct (Other). 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), with / without counsel, via video teleconference using VIDYO Cloud Connect between Joint Base Andrews, MD, and applicant’s home address on 18 Aug 20. A witness was were present and testified on the applicant’s behalf. The following additional exhibits were submitted at the hearing: Air Force Times article.  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 *approve* the applicant’s request to upgrade his discharge characterization to *Honorable*, and to 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 a guilty finding from a Special Court-Martial for operation of a passenger vehicle while drunk; and one Article 15 for failure to obey lawful order not to drive any vehicle upon any installation.  Due to evidence of post-traumatic stress disorder (PTSD), military sexual trauma (MST), and multiple 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 contended the discharge was inequitable because he suffered PTSD as a result of MST. The applicant believes the misconduct is mitigated by the trauma he sustained. The applicant states that he was sexually assaulted, sodomized with foreign objects, and beaten weekly for three years by five members of his unit. He insists that he was still able to perform his duties at a high level and volunteer with multiple outside agencies. The applicant states that he began to use alcohol to self-medicate. He states that after he returned from being hospitalized as a result of drunk driving, he was not in his right mind and drove to return an item to the fire house. He states his reasoning for disobeying the order is linked to the trauma because he was returning to the place with the trauma took place. The applicant states that he struggled with depression and suicidal ideations, and was hospitalized four times while in service. The applicant states that he has been receiving treatment and was sober for three years until he recanted the trauma to his counsel. The applicant is currently married with children, and believes it has helped with his sobriety.  The DRB reviewed the applicant’s entire record and found extensive documentation of mental health treatments, Alcohol Drug and Addiction Prevention Treatment (ADAPT), alcohol abuse disorder, and hospitalizations. The board determined multiple mental health diagnosis and alcohol abuse disorder mitigate the reason for discharge and affected the applicant’s ability to serve satisfactorily. The board concluded an inequity existed and an upgrade was warranted.    After a thorough review of the service record and inputs from the board’s psychiatrist, the DRB found conclusive indication that mental health issues had a direct impact on the applicant's misconduct or discharge.  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, and the discharge narrative reason was more accurately described as “Secretarial Authority.” The board did not change the discharge narrative reason or the reenlistment eligibility code.  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) | |