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|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBER FD-2020-00217 |
|  GENERAL: The applicant was discharged on 17 Jun 19 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 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 18 Aug 20. No witnesses were present and testified on the applicant’s behalf. 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 four Letters of Reprimand, and one Letter of Counseling. His misconduct included: failure to adhere to leave policy; with intent to deceive, made a false statement (x2); departed duty section without authority; dereliction of duty; assault of civilian female by hitting her in the face, choking her, grabbing her neck while placing hand over her mouth impeding her breathing; and failure to go at prescribed time to appointed place of duty. Due to evidence of a mental health condition 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 it was based on a mental health condition that did not exist prior to military service. The applicant believes his short time training in the special forces career field contributed to a diagnosis of impulsive personality disorder. The applicant insists that favoritism was rampant in his unit, and as the youngest Airman in the unit he received stronger disciplinary actions than others. He believes that he was targeted by leadership, and attempted to contact Military Equal Opportunity office and the Inspector General. The applicant insists that after an investigation by local police, the domestic violence incident was dropped. He states that he is currently employed with an aircraft maintenance company and has not had any mental health issues since he separated. The applicant is requesting the upgrade in order gain access to access to the G.I. Bill.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 board concluded the negative aspects of the applicant’s service outweighed the positive contributions he made during his Air Force career. 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 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 AgencyAttn: Discharge Review Board3351 Celmers LaneJoint Base Andrews, NAF Washington, MD 20762-6602 Attachment:Examiner's Brief (Applicant Only) |