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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00331 |
| The applicant was discharged on 29 Aug 2013 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, a change to the discharge narrative reason, and a change to the reenlistment eligibility code. 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 unanimously to *deny* the applicant’s request to upgrade his discharge characterization to Honorable, to change the discharge narrative reason, and to change the reenlistment eligibility code.  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.  Due to evidence of post-traumatic stress disorder (PTSD) 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 has service connected PTSD due to incidents that occurred while on active duty. He contends his PTSD contributed to the incidents that led to his discharge and that he was in treatment for PTSD during the discharge process. A review of the military record indicated the applicant had multiple disciplinary infractions that he was counseled for and punished under Article 15, UCMJ. A review of the medical record revealed the applicant was diagnosed with PTSD post service by the VA based on his deployment experience, however, he was never diagnosed with PTSD in service; although he did report having PTSD like symptoms in service. Although there is evidence he experienced PTSD symptoms in service, it does not explain or mitigate most of his misconduct. Additionally, he admitted to repeated misconduct after being reprimanded, indicating a pattern of misconduct that was not impulsive, and was likely caused by poor judgment. Therefore, the DRB found that although the applicant’s mental health condition was a mitigating factor to his misconduct, it could not completely explain or excuse the misconduct sufficiently to warrant upgrading the 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 23 Jun 2020. 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) | |