|  |  |
| --- | --- |
|  **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**  | CASE NUMBERFD-2020-00382 |
|  GENERAL: The applicant was discharged on 1 Aug 2011 in accordance with AFI 36-3208 with a General discharge for Misconduct (Drug Abuse). The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 16 Jul 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.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 one Article 15. His misconduct included: wrongfully using an intoxicating botanical incense or herbal mixture commonly referred to as spice. Due to evidence of post-traumatic stress disorder (PTSD) / a 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 made no contentions that the discharge was inequitable/improper. After reviewing the service record, the DRB found no evidence to indicate the applicant was unaware of the Air Force policy of zero tolerance for illegal drug use. The board found no evidence of impropriety or inequity to warrant any changes to the discharge.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 20 Jul 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) |