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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00458 |
| GENERAL: The applicant was discharged on 23 Jul 13 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, and a change to the discharge narrative reason. The board was conducted on 13 Aug 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/ 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, 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 Special Court Martial with a guilty finding for wrongful use of marijuana.  Due to evidence of post-traumatic stress disorder (PTSD) 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 he suffered from undiagnosed PTSD, and used marijuana to self-medicate. The applicant admits to using marijuana and believes that he was in a compromised emotional state at the time. The applicant states after an attack while deployed to Afghanistan resulted in the death of nine people, he was never the same. He states that once he returned he began to consume a lot of alcohol, sometimes all night, and sob uncontrollably. The applicant states his roommate reported his drinking and behavior to a SNCO in the unit who asked if he needed assistance. He admits that he declined the offer and decided to maintain a low profile so that he would not be forced to go mental health. The applicant states that his alcohol consumption worsened after he moved to Nellis AFB, NV because he felt more depressed, anxious, and aggressive. The applicant insists he finally sought assistance from mental health after he was aggressive towards a coworker while on duty. He states the Airman who conducted the intake interview downplayed his deployment experience, and attributed his mental health state to depression. He believes the Airman informed the therapist that he should be seen for depression, so the therapist kept the rest of the sessions short and he eventually stopped attending. The applicant states that he was finally diagnosed with PTSD by the VA over three years after his separation, and is receiving treatment. He is requesting the upgrade because he believes that if the Hagel memo were in place at the time of his misconduct that his discharge would not have been the same.  The DRB reviewed the applicant’s entire record and found he presented having trouble coping with grief and loss over member in his unit that died down range on his health screening upon return from Afghanistan. It was also discovered that the applicant informed the mental health personnel of increased alcohol use, difficulties adjusting after returning from the deployment, and depression due to a recent divorce. The board noted the applicant was seen by a Behavioral Health Consultant who may have not had the experience to work with individuals with PTSD or PTSD symptoms. The board determined that consideration may also be given to whether the individual met normal military standards of acceptability for military service and similar indicators of an individual's ability to serve satisfactorily, as well as ability to adjust to military service. The DRB concluded that the applicant’s history of decompensation effected the applicant’s ability to serve satisfactorily 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 25 Aug 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) | |