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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00504 |
| The applicant was discharged on 26 Jan 2016 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, a change to the discharge narrative reason, and a change to the reenlistment eligibility code. The board was conducted on 10 Sep 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 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 made no contentions that the discharge was inequitable or improper. He claims that the discharge he received is not a true reflection of his service and that he was going through a turbulent time in his life dealing with mental health problems. He submitted a disability rating letter from the VA that indicates he has been diagnosed with an anxiety/mood disorder post-service.  A review of the applicant’s medical records revealed the applicant was command referred to ADAPT after an alcohol related vehicle accident and that he did not complete the full recommended alcohol awareness course. The record also reflected he received mental health treatment for reported suicidal ideations. The applicant has sought mental health services from the VA and has been diagnosed with a mental health disorder and given a disability rating.  After a thorough review of the service record and input from the board’s psychiatrist/ psychologist, the DRB found that the applicant’s mental health condition may have been a mitigating factor to the applicant's misconduct, however, it could not completely explain or excuse the misconduct sufficiently to warrant upgrading the discharge. Therefore, the board determined there was no objective evidence to support the applicant’s claim that he used drugs to self-medicate for mental health symptoms.  Additionally, during the review of the applicant’s records it appears the date of separation on his DD Form 214 is incorrect, and correcting such errors is outside the scope of authority of the DRB. The applicant is encouraged to apply to the Air Force Board for Correction of Military Records should he elect to have his DD Form 214 corrected.  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 16 Sep 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) | |