

SUMMARY:

The applicant was discharged on 21 August 2020 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a General Discharge for Alcohol Rehabilitation Failure. The applicant appealed for an upgrade of his discharge characterization.

The applicant was not represented by counsel.

The applicant initially chose to have a personal appearance before the Discharge Review Board (DRB), but due to lack of responses from the applicant in regards to scheduling the appearance, the President of the AFDRB authorized to complete its review of the discharge, per DOD 1332.8, E3.2.6.2. The applicant did not have a prior records only review, therefore, the board deemed him eligible for one. The case was considered on 03 October 2023.

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.

DISCUSSION: The Discharge Review Board (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 reentry 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 an Article 15, a vacation of suspended non-judicial punishment, and an Memorandum for Record. His misconduct included: Failed ADAPT program due to multiple alcohol related incidents and non-adherence to the program rules and requirements; Physically controlled a vehicle while drunk; Violation of curfew during the hours of 0100 and 0500 and was drinking between 2400 and 0500.

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by applicant and/or counsel; the applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the applicant's service information and a summary of the case.

The applicant indicated that he joined while unknowingly having PTSD, and post-discharge, he received help and is now in better shape and is eager to rejoin the service.

The DRB reviewed the applicant's entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. After thorough review from the Board's medical advisor, there was no evidence of PTSD prior to or during service. However, the applicant does have current mental health diagnoses in the record. Therefore, the applicant's request to reenter the service could not be supported. Under DoDI 6130.03, Medical Standards for Appointment, Enlistment, or Induction in the Military Services, the applicant's reported history of mental health conditions or disorders prior to, during and post-service are considered disqualifying conditions for induction into military service.

LIBERAL CONSIDERATION:

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 (LC) standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a physician, clinical psychologist, or psychiatrist. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that boards should consider when weighing evidence in requests for modification of discharges due in whole or in part to mental health conditions, including post-traumatic stress disorder (PTSD); Traumatic Brain Injury (TBI); sexual assault, and sexual harassment. The Board considered the following:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

The applicant checked the box on the application for "PTSD". The applicant contended "I joined the Air Force unknowingly having PTSD. However, after separating from the Air Force with a General Discharge, I sought and received assistance for my PTSD. My mind, body, and spirit are in no better shape than they have ever been so I am eager to join back in the Air Force to assist the Nation in any way I can."

2. Did that condition exist/experience occur during military service?

A review of the applicant's in-service records reflects the applicant self-referred to the mental health clinic during his time in service and requested a stimulant medication by name from multiple providers. The applicant's records also reflected the applicant declined recommended interventions and was subsequently medically referred to the ADAPT program after presenting for a mental health appointment under the influence of alcohol. The applicant's records revealed the applicant informed ADAPT providers that he continued to use alcohol for the duration of his time in treatment with no intention of ceasing and requested to terminate substance use services. The applicant's records revealed the applicant received the diagnosis, in service, of alcohol dependence, moderate. There is no evidence the applicant received the diagnosis of PTSD during his time in service. There is no evidence the applicant endorsed or exhibited any clinically significant features of PTSD during his time in service.

3. Does that condition or experience actually excuse or mitigate the discharge?

The applicant's records reveal the applicant was discharged with a General character of service due to Alcohol Rehabilitation Failure with two years and twenty-eight days' time in service. There is no evidence the applicant received the diagnosis of PTSD during his time in service. There is no evidence the applicant endorsed or exhibited any clinically significant features of PTSD during his time in service.

Based on review the applicant's medical records, the applicant reported to the substance abuse treatment provider that he continued to use alcohol while enrolled in treatment, reporting his use of alcohol was related to a desire to socialize with peers who also used alcohol. The applicant's records revealed the applicant's mood symptoms were likely onset by applicant's heavy and maladaptive patterns of substance use. The applicant was discharged due to alcohol rehabilitation failure; the applicant made it known to his leadership and treatment providers that he did not want to engage in treatment and wanted to be discharged from service. Based on the available evidence in the applicant's records, there is evidence the applicant was having difficulty adjusting to military life and was dissatisfied with his career field and occupational assignment. The applicant's records revealed he chose to use alcohol in a way that was incompatible with military service, which may explain the applicant's drug use, but it does not mitigate the applicant's misconduct.

4. Does that condition or experience outweigh the discharge?

Because the applicant's discharge is not mitigated it is also not outweighed. No error was found in the review of the applicant's discharge.

Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, *Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations*, dated 25 June 2018, known as the "Wilkie Memo." The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum and found no evidence of inequity or impropriety.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade his discharge characterization, to change the discharge narrative reason, and to change the reentry code.

Should the applicant wish to appeal this decision, the applicant must request a personal appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*, all applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the AFBCMR, otherwise their AFBCMR case will be administratively closed until such time that the applicant avails themselves of the available avenue of relief. Therefore, should the applicant wish to appeal this decision, they must first exercise their right to make a personal appearance before the AFDRB.

CONCLUSION: After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. Therefore, the awarded characterization of service shall remain "General," the narrative reason for separation shall remain "Alcohol Rehabilitation Failure," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the board president on 10 October 2023. 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

Instructions on how to appeal an AFDRB decision can be found at

<https://afrbportal.azurewebsites.us>

Attachment:

Examiner's Brief (Applicant Only)

