



**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

ADDENDUM TO RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2015-02651-2

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

The Board reconsider her request to upgrade her under other than honorable conditions (UOTHC) discharge to honorable.

RESUME OF THE CASE

The applicant is a former Air Force airman first class (E-3) who received an UOTHC discharge on 23 Jan 80 for misconduct-frequent involvement with civil/military authorities. She received two Article 15s in 1979 for theft under \$50.00 and possession of marijuana (67 grams).

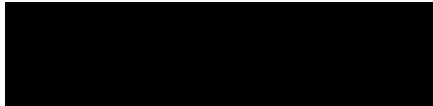
On 23 Jun 16, the Board considered and denied her request for a discharge upgrade to general (under honorable conditions) or honorable. The Board found insufficient relevant evidence presented to demonstrate the existence of an error or injustice. The Board also noted the applicant did not file the application within three years after the alleged error or injustice was discovered and therefore found the application untimely. The advisory from AFLOA/JAJM noted she accepted NJP on two occasions, was represented by counsel, and submitted matters to respond to those actions. Although she claimed she did not commit the offenses, her commander determined she did. The applicant also waived her right to a discharge board hearing unconditionally, meaning her waiver of board proceedings was not predicated on a more favorable service characterization. Her case was also heard by the Air Force Discharge Review Board (AFDRB) which determined the discharge and characterization should not be changed.

For an accounting of the applicant's original request and the rationale of the earlier decision, see the AFBCMR Letter and Record of Proceedings at Exhibit I.

On 6 Feb 25, the applicant requested reconsideration of her request for a discharge upgrade. She again contends she was falsely accused which resulted in nonjudicial punishment (NJP), two Article 15s. She appeals the decision of the Air Force which upheld the UOTHC discharge. She had two previous enlistments which resulted in honorable separations and she would like her honorable service acknowledged. She again submitted a lengthy statement of the events which led to her NJP. In her original application, she submitted a letter from local law enforcement confirming no criminal activity, dated 4 Dec 14 and three character reference letters from 2014

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CUI Categories: [REDACTED]
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from her pastor, a co-worker and a family friend attesting to her trustworthiness, work ethic, leadership and compassion.

The applicant did not submit any new evidence; however, her request requires reconsideration under fundamental fairness.

The applicant's complete submission is at Exhibit J.

APPLICABLE AUTHORITY/GUIDANCE

On 25 Jul 18, the Under Secretary of Defense issued supplemental guidance to military corrections boards in determining whether relief is warranted based on equity, injustice, or clemency. These standards authorize the board to grant relief in order to ensure fundamental fairness. Clemency refers to relief specifically granted from a criminal sentence and is a part of the broad authority Boards have to ensure fundamental fairness. This guidance applies to more than clemency from sentencing in a court-martial; it also applies to any other corrections, including changes in a discharge, which may be warranted on equity or relief from injustice grounds. This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. Each case will be assessed on its own merits. The relative weight of each principle and whether the principle supports relief in a particular case, are within the sound discretion of each Board. In determining whether to grant relief on the basis of equity, an injustice, or clemency grounds, the Board should refer to the supplemental guidance, paragraphs 6 and 7.

On 18 Sep 25, Board staff provided the applicant a copy of the clarifying guidance (Exhibit K).

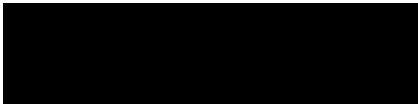
DAFI 36-3211, *Military Separations*, describes the types of service characterization:

Honorable. The quality of the airman's service generally has met Air Force standards of acceptable conduct and performance of duty or when a member's service is otherwise so meritorious that any other characterization would be inappropriate.

Under Honorable Conditions (General). If an airman's service has been honest and faithful, this characterization is warranted when significant negative aspects of the airman's conduct or performance of duty outweigh positive aspects of the airman's military record.

Under Other than Honorable Conditions. When basing the reason for separation on a pattern of behavior or one or more acts or omissions that constitute a significant departure from the conduct expected of airmen. The member must have an opportunity for a hearing by an administrative discharge board or request discharge in lieu of trial by court-martial. Examples of such behavior, acts, or omissions include, but are not limited to:

- The use of force or violence to produce serious bodily injury or death.
- Abuse of a special position of trust.
- Disregard by a superior of customary superior - subordinate relationships.



- Acts or omissions that endanger the security of the United States.
- Acts or omissions that endanger the health and welfare of other members of the Air Force.
- Deliberate acts or omissions that seriously endanger the health and safety of other persons.
- Rape, sexual assault, aggravated sexual contact, abusive sexual contact, rape of a child, sexual assault of a child, sexual abuse of a child, forcible sodomy and attempts to commit these offenses.

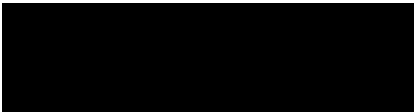
FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all other available administrative remedies before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board notes the applicant's explanations for the misconduct in which she states she was wrongfully accused but she provides no evidence to support her claims. The Board finds the discharge was consistent with the substantive requirements of the discharge regulation and was within the commander's discretion. The applicant provided no evidence which would lead the Board to believe her service characterization was contrary to the provisions of the governing regulation, unduly harsh, or disproportionate to the offenses committed. Nonetheless, in the interest of justice, the Board considered upgrading the applicant's discharge based on fundamental fairness. The Board considered the principles included in the Wilkie Memo to determine whether to grant relief based on an injustice or fundamental fairness to include the applicant's post-service conduct and achievements, length of time since the misconduct, her character and reputation, service to the community, job history and degree of contrition. While the applicant submitted the character references with her original application in 2015 attesting to her quality of work, compassion, and leadership, she did not submit any new evidence with her current application. Therefore, the Board finds insufficient evidence to warrant a discharge upgrade on the basis of fundamental fairness and recommends against correcting the applicant's record. The applicant retains the right to request reconsideration of this decision. The applicant may provide post-service evidence depicting her current moral character, occupational history, social advances, or other evidence indicating what impact her achievements have made on her community in the consideration for an upgrade of discharge characterization due to clemency based on fundamental fairness.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION





The following quorum of the Board, as defined in Department of the Air Force Instruction (DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2015-02651-2 in Executive Session on 18 Feb 26:

, Panel Chair
, Panel Member
, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit I: Record of Proceedings, w/ Exhibits A-H, dated 23 Jun 16.
- Exhibit J: Application, DD Form 149, w/atchs, dated 6 Feb 25.
- Exhibit K: Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Clemency Guidance), dated 18 Sep 25.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

3/5/2026



Board Operations Manager, AFBCMR
Signed by: USAF

