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

### RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03346

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COUNSEL: NONE

HEARING REQUESTED: YES

### APPLICANT'S REQUEST

His general (under honorable conditions) discharge be upgraded to honorable and separation code changed from "(GKK) Drug Abuse" to reflect a more favorable code.

### APPLICANT'S CONTENTIONS

He made a mistake at age 21 after a deployment and it has taken a toll on him after spending time and energy over many years to forget it happened. His discharge was harsh and unjust because the Office of Special Investigations lied and accused him of taking Percocet when he told them he took Tylenol 3. Also, the person who gave him the medication was allowed to remain in the Air Force. He owned up to his mistake and has become a successful law enforcement officer, father, husband and college graduate. He initially indicated his desire to reenlist in the active duty or reserves/guard, and in an update to the Board on 18 Feb 25, he stated he was currently processing with the Navy Officer Candidate School and had been approved to take a military entrance processing physical the following month.

In support of his request for a discharge upgrade, the applicant provides personal statements, in-service character statements and awards/certificate, his civilian resume, performance evaluations and position description for his job as a corrections and custody officer, his college transcript, and a Federal Bureau of Investigation (FBI) Identity History Summary Check.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is a former Air Force airman (E-2).

In an undated memo for record, the applicant's commander recommended the applicant be discharged from the Air Force, under the provisions of AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.54, for Drug Use. The specific reasons for the action were:

a. Between on or about 18 Nov 05 to on or about 30 Nov 05, he wrongfully possessed Percocet, a scheduled II controlled substance; and

b. Between on or about 15 Nov 05 to on or about 15 Dec 05, he wrongfully used Percocet, for which he received an Article 15, dated 11 May 06. Punishment consisted of a reduction to the grade of Airman.

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On 13 Jul 06, the applicant's Administrative Discharge Review Board met and determined that he did wrongfully use Percocet and recommended a general (under honorable conditions discharge).

On 11 Aug 06, the discharge authority directed the applicant be discharged for Drug Use with a general (under honorable conditions) service characterization. Probation and rehabilitation was considered, but not offered.

On 18 Aug 06, the applicant received a general (under honorable conditions) discharge. His narrative reason for separation is "Misconduct," and he was credited with 2 years, 4 months, and 5 days of total active service.

For more information, see the excerpt of the applicant's record at Exhibit B.

## POST-SERVICE INFORMATION

On 19 Aug 25, the Board sent the applicant a request for post-service information (Exhibit C). The applicant already submitted an FBI background check with his application which showed he had no arrests since discharge. The applicant did not respond with any additional post-service information outside of what he provided with his application.

## APPLICABLE AUTHORITY/GUIDANCE

On 25 Jul 18, the Under Secretary of Defense for Personnel and Readiness issued supplemental guidance, known as the Wilkie Memo, 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 paragraphs 6 and 7 of the Wilkie Memo.

On 19 Aug 25, the Board staff provided the applicant a copy of the clemency/fundamental fairness guidance (Exhibit C).

Department of the Air Force Instruction (DAFI) 36-3211, *Military Separations*, describes the authorized service characterizations.

**Honorable.** The quality of the airman's service generally has met Department of the 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.

**General (Under Honorable Conditions).** 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 member's military record.

**FINDINGS AND CONCLUSION**

1. The application was not timely filed but the untimeliness is waived because it is in the interest of justice to do so. Therefore, the Board declines to assert the three-year limitation period established by 10 U.S.C. Section 1552(b).
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 the victim of an injustice. While the Board finds no error in the original discharge process, the Board recommends relief based on fundamental fairness. In particular, the applicant expressed sincere regret for his mistake at age 21 and has since graduated from college with a bachelor’s degree and led a successful career in law enforcement for over 13 years. Therefore, the Board recommends the applicant’s records be corrected as indicated below.
4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board’s understanding of the issues involved.

**RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show on 18 August 2006, he was discharged with service characterized as honorable, and a separation code and corresponding narrative reason for separation of JFF (Secretarial Authority).

**CERTIFICATION**

The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2021-03346 in Executive Session on 20 Nov 25:

Work-Product	, Panel Chair
Work-Product	Panel Member
Work-Product	Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 12 Jan 25.
- Exhibit B: Documentary Evidence, including relevant excerpts from official records.
- Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Liberal Consideration Guidance), dated 19 Aug 25.

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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.

1/30/2026

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Board Operations Manager, AFBCMR  
Signed by: USAF

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