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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00583 |
| GENERAL: The applicant was discharged on 27 Oct 2008 in accordance with AFI 36-3208 with a General discharge for Misconduct. The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 14 Jan 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.  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.  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 an Article 15 and several Letters of Reprimand and Counseling. His misconduct included: failure to report for duty, failure to obey lawful orders, failure to pay debts, dereliction of duty, operating a vehicle without a valid driver’s license, sleeping on duty and drunk on duty.  The applicant made no contentions that the discharge was inequitable or improper, he requested an upgrade for employment purposes. The applicant stated at the time of his discharge he was young and made mistakes. The DRB recognized the applicant was 21 years old when the discharge took place, but noted he was no younger than the vast majority of first-term Airmen who properly adhere to Air Force standards of conduct. The DRB determined that, through the administrative actions taken by the chain of command in this case, the applicant had ample opportunities to change his negative behavior. It found the seriousness of the applicant’s willful misconduct offset the positive aspects of his service.    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 10 Feb 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 | |