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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00585 |
| The applicant was discharged on 5 Oct 2016 in accordance with AFI 36-3208 with an Under Other Than Honorable Conditions (UOTHC) in lieu of trial by court-martial. The applicant appealed for an upgrade of his discharge characterization to Honorable and a change to the discharge narrative reason. 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 and to change the discharge narrative reason to.  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 contended his discharge was inequitable. He asserts there was not adequate evidence to charge him with the noted crimes, nor would he have jeopardized his career or his family by committing the charged offenses. The applicant received a UOTHC discharge in lieu of trial by court-martial. The Board concluded that the applicant made an informed decision when he requested the Chapter 4 discharge, that he was aware he may be discharged with a UOTHC service characterization, and he was aware of the adverse nature of such a discharge. The Board determined that the negative aspects of the applicant’s service outweighed the positive contributions he made in his Air Force career. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.  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 22 Apr 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) | |