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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00523 |
| GENERAL: The applicant was discharged on 02 Aug 2016 in accordance with AFI 36-3208 with a(n) Under Other Than Honorable Conditions discharge for Misconduct (Drug Abuse). 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 20 Aug 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, to change the discharge narrative reason to *Secretarial Authority* and to change the reenlistment eligibility code to 2C.  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 several Article 15’s for wrongful use of cocaine and with intent to deceive, make a false official statement to two special agents.  The applicant contends that the discharge was inequitable/improper. He states that he was originally told that if he cooperated with an investigation, he would receive a General/Honorable discharge and that there would be no mention of the “Drug Abuse” on his DD 214. He states that he had written proof for immunity regarding an investigation if he assisted with the case. Since his discharge, he has had stable employment and have not been in any legal trouble or had any drug test failure.  After reviewing the service record, the DRB found no evidence to indicate the applicant was unaware of the Air Force policy of zero tolerance for illegal drug use. The board took note of the applicant's duty performance as documented by his performance reports, awards and decorations, and other accomplishments. 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. The board concluded the applicant’s misconduct was a significant departure from the conduct expected of all military members.  If the applicant can provide additional information to substantiate his contentions, the board recommends he exercise the right to make a personal appearance before the DRB or appeal the DRB’s decision to the Air Force Board for Correction of Military Records.  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 8 Sep 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 (Applicant Only) | |