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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00572 |
| GENERAL: The applicant was discharged on 5 Aug 20 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 17 Sep 20.  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 two Article 15’s, and Record of Individual Counseling. His misconduct included: failure to go at prescribed time appointed place of duty; theft of food and other items from Walmart; and departed appointed place of duty under guise of appointments that did not exist.  The applicant contended the discharge was inequitable because there was no evidence to support a general discharge. The applicant states it was proven that he was not seen leaving the store with items, nor did he steal any items, but he still received a false charge of larceny from the Air Force. He insists the individual who actually stole the items remained in service, while he was discharged. The applicant admits there were issues with punctuality after the false charge, but does not believe the lateness was enough to support the characterization he received. The applicant states that there were no efforts made by leadership to support him during his career. He insists the commander recommended a general discharge due to the color of his skin, even though the rest of his leadership recommended an honorable. The applicant states the final decision to discharge was made by a board that was unfamiliar with him. The applicant states that he decided not to respond to the board findings in order to separate as soon as possible.  The DRB reviewed the applicant’s entire record, and found no evidence of a false charge of larceny. The Board noted the applicant did not provide evidence to support the false charge or racial contention. 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 negative aspects of the applicant’s service outweighed the positive contributions he made during his Air Force career.  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 2 Oct 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) | |