

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**SUMMARY:**

The applicant was discharged on 30 April 2021 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airman* with a General Discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of his reenlistment eligibility code.

The applicant was not represented by counsel.

The applicant requested the board be completed based on a records only review. The Board was conducted on 10 August 2023.

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.

DISCUSSION: The Discharge Review Board (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 multiple Letters of Reprimand. His misconduct included: Involved in an accident that caused \$9,194 while operating a government vehicle; it was determined that the cause was due to negligence by not paying attention to surroundings. Made unwanted advances to co-worker by making inappropriate statements, touching her thigh despite her repeatedly demonstrating that she did not want it, and utilizing the red light in the patrol car to view and harass her. Was at the scene of a fight at the dorms, and security forces instructed him to remain in place, but he instead, fled the scene. Was on standby and was not to be consuming alcohol but found to be excessively intoxicated to the point of injuring himself when fleeing the scene. Involved in a large gathering in direct violation of COVID-19 protocols; once security forces arrived, member was confrontational. Operated a vehicle in a reckless manner by driving 175 km/h in a 100 km/h zone; when questioned, he indicated that a friend was responsible for operating a vehicle but later told his friend that it was a misunderstanding when he identified him as the driver.

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by applicant and/or counsel; the applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the applicant's service information and a summary of the case.

The applicant acknowledged that he was not the best Airman but would like another chance at serving in the Air Force.

The DRB reviewed the applicant's entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. It determined that through the administrative actions taken by his chain

of command, the applicant had ample opportunities to change his negative behavior before it resulted in a discharge. The board concluded the negative aspects of the applicant's service outweighed the positive contributions he made during his Air Force career.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade his discharge characterization, to change the discharge narrative reason, and to change the reentry code.

Should the applicant wish to appeal this decision, the applicant must request a personal appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, Air Force Board for Correction of Military Records, all applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the AFBCMR, otherwise their AFBCMR case will be administratively closed until such time that the applicant avails themselves of the available avenue of relief. Therefore, should the applicant wish to appeal this decision, they must first exercise their right to make a personal appearance before the AFDRB.

CONCLUSION: After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. Therefore, the awarded characterization of service shall remain "General," the narrative reason for separation shall remain "Misconduct (Minor Infractions)," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the board president on 25 August 2023. 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

Instructions on how to appeal an AFDRB decision can be found at
<https://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)