

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**

**SUMMARY:** The applicant was discharged on 01 June 2017 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of her discharge characterization.

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 14 September 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 an Article 15 for assault.

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 contended she has changed and matured since her discharge and requested her DD 214 to reflect that. She requested the Board show compassion for her and upgrade her discharge.

A review of the record revealed the applicant was punished under Article 15, UCMJ for assaulting another Airman by scratching her on the face, back, and chest. She also received a referral Enlisted Performance Report and was denied the Air Force Good Conduct medal. The applicant submitted several character reference letters with her application all praising her post-service accomplishments. She also submitted documentation that she has been admitted to law school and requested a discharge upgrade to have access to Department of Veterans Affairs (DVA) educational benefits.

The DRB recognized the applicant was fairly young when the discharge took place, but noted she was no younger than the vast majority of first-term Airmen who properly adhere to Air Force standards of conduct, and the Board found the applicant's misconduct egregious. The DRB was pleased to see the applicant has been successful since leaving the Air Force. However, the Board reviewed the applicant's entire service record and found no evidence of impropriety or inequity to warrant any changes to the discharge. Furthermore, the Board understood the applicant's present service characterization renders her ineligible for DVA education benefits. However, this is also not a matter of inequity or impropriety which would warrant an upgrade.

**FINDING:** The DRB voted unanimously to *deny* the applicant's request to upgrade her discharge characterization. The DRB also voted unanimously to *deny* changing the discharge narrative reason and 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 15 September 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://afrbaportal.azurewebsites.us>

Attachment:  
Examiner's Brief (Applicant Only)