

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY: The applicant was discharged on 01 October 2021 in accordance with Air Force Instruction 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*, with a General discharge for Misconduct (Pattern-Minor Disciplinary Infractions). The applicant appealed for a change to his reentry 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 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 a Letter of Reprimand for failure to follow orders.

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 he is a better fit now than when he was serving. He claimed he was mourning the loss of his father and other relatives as well as taking care of other family members. The applicant also contended he was mistreated in his unit and his chain of command was disgruntled with him. He requested a change to his reentry code to allow him to reenlist in the military.

A review of the applicant's record revealed he had several instances of misconduct that involved failure to follow orders and procedures. He failed to follow unit leave policy and traveled outside the unit's established mile radius without being on approved leave, resulting in him being unable to report for duty as scheduled due to his distance and vehicle problems. Also, while supporting the Presidential Inauguration in Washington DC he violated multiple procedures and again failed to follow orders. He entered a restricted area without permission twice, and both times was apprehended by the police. He also failed to follow orders issued to him by his command on multiple occasions. In his response to the discharge action, he accepted responsibility for his actions and provided an explanation for his actions that led to his discharge. The applicant submitted some character reference letters from fellow Airmen he served with that alluded he may have been mistreated in his unit based on either race or sexual orientation.

After a thorough review of the applicant's contentions and his records the DRB found no evidence the applicant was mistreated or improperly counseled for his misconduct and subsequently discharged. 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.

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

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 (Pattern-Minor Disciplinary Infractions," and the reentry code shall remain "6H." 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://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)