

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY:

The applicant was discharged on 06 November 2015 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a General Discharge for Misconduct (Serious Offense). The applicant appealed for an upgrade of her discharge characterization, a change to the discharge narrative reason, and a change to the 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 11 January 2024.

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 reentry 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 Summary Court Martial Report of Result of Trial and a Letter of Reprimand, and a/multiple Letter/s of Counseling. Her misconduct included: Conspired with other Airmen and Civilians to knowingly attempt to execute a scheme to obtain some amount of money from USAA, by means of fraudulent pretenses, and in order to affect the object of the conspiracy, supplied her debit card in furtherance of the scheme; With the intent to deceive, make a false official statement to a SNCO, that she didn't know the whereabouts of her debit card; Knowingly attempt to execute a scheme to obtain some amount of money owned by USAA, by means of fraudulent pretenses; Left the local area while on convalescent leave.

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 requested an upgrade so that she may enlist in the ANG. In her statement, she states she was forced to give up her bank account information by means of threats of physical and sexual violence. She indicated that a couple of weeks later, her bank sent a letter indicating that her account was overdrawn. She explained that she told her first sergeant that her card was stolen instead of the truth, that she'd given someone the information. She claimed that she didn't tell the truth how the money was lost because of the threats made to her. She concluded that the transgression was not indicative of her character, and it was a singular lapse in judgment.

The DRB reviewed the applicant's entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. The Board understood that the applicant felt the misconduct was isolated. However, the applicant's misconduct was a significant departure from the conduct expected of all military members and resulted in a court-martial, where she pled guilty to all charges. Furthermore, the applicant received a letter of reprimand for other misconduct, indicating that the discharge was not for an isolated incident.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade her discharge characterization and to change the discharge narrative reason. It voted 2 to 1 to *deny* an upgrade to 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 (Serious Offense)," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 19 January 2024. 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)