

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT	CASE NUMBER FD-2023-00768
<p>SUMMARY: The Applicant was discharged on 5 April 2011 in accordance with Air Force Instruction 36-3208, <i>Administrative Separation of Airmen</i>, with a General discharge for Misconduct (Minor Infractions). The Applicant appealed for an upgrade of their discharge characterization, a change to the discharge narrative reason, and a change to the reentry code.</p> <p>The Applicant requested the Board be completed based on a records only review. The Board was conducted on 30 May 2024. The Applicant was not represented by counsel.</p> <p>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.</p> <p>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.</p> <p>The Applicant’s record of service included multiple Article 15s and multiple Letters of Counseling (LOC). His misconduct included: LOC for failing to shave before Physical Training (PT); having been warned on several occasions. Article 15 for disrespect toward a Captain and made a statement with intent to deceive a Captain. LOC for failing to properly clean the kitchen; again, on another date had not adhered to cleanliness standards with multitude of verbal counseling sessions. Article 15 for intent to deceive and make an official statement to a Staff Sergeant.</p> <p>The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, <i>Application for the Review of Discharge from the Armed Forces of the United States</i>, 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.</p> <p>The Applicant requested an upgrade to their Characterization of Service, Separation Code, and Reentry Code. The Applicant provided a state of California “Fire Fighter 1 (2019) California certificate, California Emergency Medical Technician identification card, and various character statements.</p> <p>The DRB determined the discharge was proper and equitable. The Board found that the Applicant did not provide an explanation for the requested change in his application and made no contentions that the discharge was inequitable or improper. The Board 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 found the seriousness of the Applicant’s willful misconduct offset the positive aspects of his service. The Board recommended the Applicant pursue a personal appearance application to provide the Board with further evidence and testimony.</p> <p>Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, <i>Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval</i></p>	

Records Regarding Equity, Injustice, or Clemency Determinations, dated 25 June 2018, known as the “Wilkie Memo.” The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum and found no evidence of inequity or impropriety.

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 DRB results were approved by the Presiding Officer on 3 July 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://afrbaportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)