

SUMMARY: The Applicant was discharged on 23 October 2023 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with a General Discharge for Misconduct (Drug Abuse). The Applicant appealed for an upgrade of their discharge characterization, and a change to the discharge narrative reason.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 1 August 2024. The Applicant was not represented by counsel.

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 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 to their discharge characterization and narrative reason, arguing that their military service was challenging and that they were set up for failure. The Applicant stated that they enlisted during COVID-19 when operations slowed, and expectations were unclear. Room inspections were not conducted for over a year, and their supervisor was deployed shortly after their arrival. The Applicant mentioned that they experienced hardship due to misunderstandings, such as spending \$3,000 on non-refundable gear for deployment and not receiving initial feedback or expectations until their supervisor returned six months later. The Applicant claimed that, under significant pressure to complete all seven volumes of their upgrade training, they failed a room inspection and felt sabotaged by those around them. The Applicant admitted that they succumbed to peer pressure and tried illicit drugs for the first time, resulting in a blood test that revealed an illegal amount of THC. They expressed regret for this mistake and acknowledged that they had not considered the long-term impact on their career.

Since their discharge, the Applicant stated that they had taken steps to rehabilitate themselves, including creating a plan to consolidate their debt, planning to complete the last two years of college, and being approved for a class and certification in electrical work. They emphasized that their prior misconduct, was a departure from their previous behavior, as they had never received judicial punishment for breaking the law, even in their hometown. The Applicant strove to influence their family members positively and believed that an upgrade would better enable them to support their family of seven financially.

The DRB determined that, while the Applicant acknowledges certain failures and misconduct during their service, they have not sufficiently demonstrated accountability for these actions. The Applicant's narrative focuses heavily on external factors, such as the absence of their supervisor and the pressures of completing upgrade training, but it does not adequately address their personal responsibility to seek assistance from the

available resources within the chain of command, such as the additional rater, section chief, or first sergeant. The Air Force provides a robust support system for Airmen, and the Applicant had multiple avenues to address their concerns, which they chose not to utilize. Considering the presumption of regularity, the Applicant has not provided enough evidence to overcome the assumption that military actions were conducted properly. While the Applicant's account of hardships and perceived lack of support is noted, it does not substantiate claims of impropriety or inequity in the discharge process. The illegal use of drugs, specifically THC in this case, is a serious offense that undermines the integrity and discipline essential to military service. The Applicant's admission to drug use, even under peer pressure, cannot be excused, as the military maintains a strict zero-tolerance policy toward drug abuse, which the Applicant knowingly violated. Although the Applicant's recent efforts towards rehabilitation are acknowledged, they are insufficient to justify a change in their discharge status. Therefore, the Board has determined that the Applicant's discharge status should remain as it currently stands.

Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, *Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval 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 their discharge characterization and to change 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 (Drug Abuse)," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 16 September 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)