

SUMMARY: The Applicant was discharged on 25 October 2022 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with a General Discharge for Misconduct (Minor Infractions). The Applicant appealed for an upgrade of their discharge characterization.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 29 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 Applicant's record of service included the following documented misconduct leading up to their discharge:

- Letter of Counseling (LOC) for failure to meet minimum standards during dorm inspection
- LOC for failure to report to appointed place of duty without proper authority, reporting 3 hours late
- Letter of Reprimand (LOR) for failure to report to appointed place of duty without proper authority, reporting 1 hour late
- LOR for arriving 30 minutes late to duty section
- LOC for speaking in a disrespectful manner to a Non-Commissioned Officer (NCO)
- LOR for failure to report at the prescribed time and in the proper uniform to appointed place of duty, late; third instance in the month
- LOR for failure to report on time to appointed place of duty
- LOC for failure to meet minimum standards during D-1 bag inspection
- LOR for failure to attend a mandatory appointment for unit deployment
- LOR for failure to use technical data when inspecting Joint Service Aircrew Mask Kit; dereliction of duty
- LOR for dereliction of duty due to an outstanding balance on the Government Travel Charge Card

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 did not dispute the propriety of their discharge but challenged the fairness of the characterization. While they agreed the process was accurate, they believed the discharge characterization was unjust. Since separation, they applied military values to daily life, earned an associate degree, and they were accepted to a four-year University. The Applicant acknowledged their prior actions but asserted that they did not define their military career, highlighting their service in the Honor Guard and winning the Base's Top 3 Airmen award five months before separation as reasons for an upgrade to an Honorable discharge.

The DRB found that the Applicant's service record included 11 administrative actions, including LOCs and LORs, reflecting repeated failures to meet standards, unauthorized absences, tardiness, and dereliction of duty. Despite multiple chances to improve, including support from their command and continued promotions, the Applicant did not show sustained improvement. Although the Applicant's achievements, such as awards and Honor Guard service, are commendable, they do not offset the consistent pattern of misconduct that led to their discharge. The Board considered the Applicant's positive post-service conduct, including higher education and self-improvement efforts, but these do not outweigh the ongoing disciplinary issues during service. An upgrade to an Honorable discharge would be inconsistent with military standards and the Applicant's documented record. Despite corrective actions, the Applicant's repeated infractions do not support the claim that their discharge was unfair or unjust, and the Board found no evidence of inequity in the "General" characterization.

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.

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 Presiding Officer on 25 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)