

SUMMARY: The Applicant was discharged on 27 January 2020 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a Under Honorable Conditions - (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 24 October 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 reenry 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 Reprimand for failure to refrain from possessing alcohol while under the legal drinking age.
- Article 15 for failure to refrain from possessing alcohol while under the legal drinking age.

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 a change to their discharge to honorable. They highlighted their strong service record, including leadership roles, top performance in training, and extensive community involvement.

The Applicant stated that while flying on the AC-130J, they suffered from severe air sickness. Treatment with scopolamine resulted in temporary blindness and permanent vision issues, leading to a diagnosis of Accommodative Dysfunction. Feeling unsupported during this time, they reported being removed from their AFSC, which caused significant mental strain.

The applicant explained that, in a moment of poor judgment, they used marijuana to self-medicate and were caught during a random drug test. Acknowledging the Air Force's zero-tolerance policy, they took full responsibility for their actions. However, they noted that prior to this incident, their record was exemplary, and they deeply regretted their decision. They sought an honorable discharge to reflect the overall quality of their service.

The DRB found that the applicant's misconduct and limited supporting evidence for their mitigating circumstances were insufficient to justify an upgrade. The applicant admitted to using marijuana, which directly violated the Air Force's strict zero-tolerance policy. Despite expressing regret and highlighting a strong service record and community involvement, the board determined that these factors did not outweigh the seriousness of the offense.

The applicant also cited medical issues, including vision problems from prescribed scopolamine, as reasons for self-medicating with marijuana. However, the board noted that no medical documentation was provided to substantiate these claims. Without objective evidence, the board could not consider these circumstances as grounds for an upgrade, ultimately upholding the original General discharge for misconduct.

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 “Under Honorable Conditions - (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 25 November 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, MD 20762-6435

Instructions on how to appeal an AFDRB decision can be found at <https://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)