

SUMMARY: The Applicant was discharged on 03 December 2015 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:

- Article 15 for intent to deceive by making multiple false official statements.
- Letter of Reprimand (LOR) for performing an unauthorized rocket pod installation on an aircraft.
- Article 15 for failure to go at the time prescribed to appointed place of duty.
- LOR for failure to go to scheduled monthly load training.
- Letter of Counseling for failure to go to scheduled weapons academics appointment.
- LOR for failure to meet original report no later than date.

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 acknowledged that altering the date on their military ID card was a serious mistake and regretted not being upfront about the issue. However, they argued that this minor infraction did not justify losing all their veteran benefits. The Applicant believed their discharge was excessively harsh, attributing it to unfortunate timing, as the base was dealing with multiple DUI incidents and the tragic death of a commander's daughter due to drunk driving. They stated that even their First Sergeant remarked that, under different circumstances, the Applicant might not have been discharged, but the discharge was imposed due to the need to set an example. The Applicant highlighted their honorable service, including a deployment to Afghanistan, and expressed a desire to further their education and pursue a position with Veterans Affairs to assist fellow veterans.

The DRB determined that the Applicant's documented pattern of misconduct demonstrated a consistent failure to uphold Air Force standards. Their disciplinary record included multiple offenses, such as unauthorized actions, missed duties, and falsifying an official document, cumulatively indicating a disregard for military protocols and responsibilities.

While the Applicant argued that the discharge was excessively harsh and influenced by unrelated incidents on the base, the command found that the infractions could not be rehabilitated despite several corrective actions. The Board acknowledged the Applicant's honorable deployment to Afghanistan but concluded that the repeated misconduct outweighed these positive contributions. Additionally, the Applicant provided no supporting documentation to substantiate their claims. Consequently, the Board upheld the General discharge as appropriate to maintain good order and discipline

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 28 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)

