

SUMMARY: The Applicant was discharged on 09 July 2009 in accordance with Air Force Instruction, 36-3207, *Separating Commissioned Officers*, with an Honorable discharge for Misconduct (Serious Offense). The Applicant appealed for a change to the discharge narrative reason and a change to the reentry code (RE).

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 07 November 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 argued that their discharge was excessively punitive and unfair, resulting from a single procedural mistake for which they accepted responsibility. They contended that rehabilitation was not considered and referenced later Air Force reviews that advocated corrective measures over punishment for similar infractions. The Applicant believed this discharge reflected an abuse of command discretion, with lasting negative impacts on their life and career, limiting job opportunities and certain personal freedoms.

After facing initial challenges post-separation, the Applicant stated they earned a master's in architecture and built a successful career, asserting that the discharge's impact has been unjust given their strong overall performance. They further noted that, despite being the least experienced and committing a first-time infraction, their punishment was more severe than that of senior officers involved in the same incident.

The DRB determined that the Applicant's discharge was unduly harsh for a single procedural error by a junior officer, observing that rehabilitation had not been considered an alternative to punishment. Recognizing the Applicant's post-separation achievements, including a master's degree and a successful architectural career, the Board acknowledged clear evidence of rehabilitation. Although the incident involved mishandling classified information, the DRB deemed the "Serious Misconduct" label excessive. The Board also considered Wilke Factors for clemency, suggesting the Applicant's overall career and potential warranted an upgrade. No RE code adjustment was necessary as an officer without an RE code. Ultimately, the Board approved a revised narrative to reflect the Applicant's service more fairly.

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 *approve* the Applicant’s request 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 inequitable. Therefore, the awarded characterization of service shall remain “Honorable” and the narrative reason for separation shall change to “Secretarial Authority.” 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)

