

**SUMMARY:** The Applicant was discharged on 16 October 2024 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Entry Level Separation (Uncharacterized) Discharge for Misconduct (Serious Offense). The Applicant appealed for an upgrade of their discharge characterization, a change to the discharge narrative reason, and a change to the reentry code.

The Applicant appeared and testified before the Discharge Review Board (DRB), with counsel, via video teleconference using Zoom on 03 December 2024. No witnesses were present to testify on the Applicant's behalf.

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 Reprimand for Assault
- Letter of Counseling for Failure to Obey Regulation, Consuming Alcohol while on Phase 1.

The documentary evidence the Board considered as part of the review included, but was 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 submitted to the Board that they would present their contentions during their hearing and provided supporting documents, including a character letter and a resume. During their testimony, the Applicant stated that their command made an error in judgment by failing to offer an opportunity for rehabilitation. They emphasized that their career was derailed by a three-day span of misconduct, during which no remedial steps were taken to address the situation.

The Applicant described personal turmoil contributing to their actions, including the loss of their aunt the previous summer and their mother's stage 4 cancer diagnosis, which they believed significantly impacted their behavior. They expressed frustration that their command did not provide support or a chance to overcome these challenges. Regarding the incident, the Applicant explained that they were placed in the wrong bed and were unaware they had struck an individual until informed by leadership. They noted that they had a good relationship with the victim prior to the incident.

Since their discharge, the Applicant has focused on self-improvement, attending online school and volunteering at their church through music programs and food drives. They highlighted their commitment to rebuilding their life, contributing positively, and demonstrating personal growth. The Applicant emphasized

that the misconduct over those three days did not reflect their true character and sought to show their potential to overcome challenges and succeed.

The DRB reviewed the Applicant's service record and found no evidence of impropriety or inequity to justify upgrading the discharge. The assault incident, involving alcohol consumption against policy and boundary violations, reflected significant lapses in judgment, discipline, and stress management. While the Applicant cited family grief and stress as mitigating factors, these were not adequately substantiated, and no evidence of meaningful post-service rehabilitation, such as therapy or anger management, was provided. Additionally, upgrading the uncharacterized Entry Level Separation to "Honorable" was not permitted under DoDI 1332.14, *Enlisted Administrative Separation*, which prohibits such upgrades for Airmen separated during their first 365 days of active service.

Although the discharge upgrade was denied, the Board acknowledged the Applicant's post-service efforts, including volunteering, pursuing education, and demonstrating a commitment to self-improvement. In recognition of the Applicant's potential for rehabilitation, the Board approved a reentry code change, allowing the Applicant the opportunity to reapply for military service. This decision balances the seriousness of the misconduct with the Applicant's demonstrated progress and potential for future success.

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, to change the discharge narrative reason. However, the Board voted unanimously to change the reentry code.

Should the Applicant wish to appeal this decision, the Applicant must seek relief before the Air Force Board for Correction of Military Records (AFBCMR) in accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*.

**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 "Entry Level Separation (Uncharacterized)," the narrative reason for separation shall remain "Misconduct (Serious Offense)." However, the reentry code shall change to "3K." The DRB results were approved by the Presiding Officer on December 19, 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)