

SUMMARY: The Applicant was discharged on 31 October 2023 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Under Other Than Honorable Conditions Discharge for Misconduct (Drug Abuse). 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 requested the Board be completed based on a records only review. The Board was conducted on 20 February 2025. 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:

- Special Court Martial, violation of Article 112a, the wrong use of cocaine, a schedule II controlled substance.

The documentary evidence the Board considered as part of the review includes, 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 requested an upgrade of his military discharge from "Under Other Than Honorable Conditions" to "Honorable". According to the Applicant, his discharge was a result of a court-martial conviction for cocaine use in January 2023. The Applicant reported that he accepted responsibility for his actions and pleaded guilty to the offense. He also claimed to have had no prior disciplinary issues and asserted that his punishment was excessive. Additionally, the Applicant stated that he had completed a bachelor's degree and was currently employed as an Injury Claims Specialist since his discharge. The Applicant submitted letters from his former chain of command, peers, and superiors, which provided character references and descriptions of his military service.

The DRB determined that while a drug offense is undeniably serious, the original "Under Other Than Honorable Conditions" characterization was unduly harsh given it was a single, first-time offense. The Board recognized the Applicant's otherwise positive service record, including commendations and strong character references, and deemed a "General" characterization to be a more balanced reflection of their overall service.

However, the Board upheld the existing Narrative Reason of "Misconduct (Drug Abuse)" and Reentry Code "2B," finding them to be both accurate and appropriate representations of the discharge. These designations are standard for drug-related offenses and accurately reflect the reason for separation.

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.

FINDING: The DRB voted unanimously to ***approve*** the Applicant’s request to upgrade their discharge characterization, however voted unanimously to ***deny*** to change the discharge narrative reason and to change the reentry code.

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.

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

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 change to “Under Honorable Conditions - (General),” the narrative reason for separation shall remain “Misconduct (Drug Abuse),” and the reentry code shall remain “2B.” The DRB results were approved by the Presiding Officer on 3 March 2025. 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

Attachment:
Examiner's Brief (Applicant Only)

