

SUMMARY: The Applicant was discharged on August 2, 2024 in accordance with Department of the Air Force Instruction 36-3211, *Military Separations*, with an Under Honorable Conditions (General) Service Characterization for Misconduct – (Drug Abuse). The Applicant appealed for an upgrade of their Service Characterization, a change to the Narrative Reason for separation, and a change to the Reentry Code.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on September 18, 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:

- Article 15 for wrongfully used THC-8, in violation of Article 92
- Letter of Counseling for failure of physical fitness assessment

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 stated they did not commit the offense of using Delta 8-Tetrahydrocannabinol (THC-8) and that their administrative discharge process was biased due to their First Sergeant not using their revised rebuttal with evidence in support of their defense.

The Discharge Review Board (DRB) upheld the Applicant's discharge as proper and equitable. This decision was based on a review of the Applicant's submitted documentation and administrative records, which revealed a positive drug test for THC-8 during a random urinalysis. Subsequent Bickel urinalysis also tested positive for THC-8, with higher levels than the initial test. The Applicant attributed the positive results to accidental ingestion from a contaminated Elf Bar (a nicotine vape product), which they continued to use. The Applicant provided photographs of these products, which were clearly labeled as either nicotine or THC products. Considering these findings and emphasizing the individual's responsibility for knowing what they ingest, the DRB denied the Applicant's request to upgrade their service characterization, change the narrative reason for separation, or alter the reentry code.

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 AND 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. The DRB voted unanimously to **deny** the Applicant’s request. Therefore, the awarded Service Characterization shall remain “Under Honorable Conditions (General),” the Narrative Reason for separation shall remain Misconduct – (Drug Abuse), and the Reentry Code shall remain 4H. The DRB results were approved by the Presiding Officer on September 19, 2025.

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>

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)