

**SUMMARY:** The Applicant was discharged on October 20, 2023 in accordance with Department of the Air Force Instruction 36-3211, Military Separations, with an Under Honorable Conditions (General) Service Characterization for Misconduct – (Serious Offense). 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 appeared and testified/did not appear and testify before the Discharge Review Board (DRB), with counsel, via video teleconference using Zoom on 05 August 2025. 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: -Article 15 for failure to properly perform assigned duties by violating a lawful regulation, to include pointing a weapon at oneself and at fellow flight members while on duty.

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 requested an upgrade to their discharge characterization, asserting both impropriety and inequity. They pointed to several improprieties, including not being advised of their right to an administrative separation board, which was required when such a discharge was contemplated. They argued this misinformation affected their ability to respond. The Applicant also contended that they were the only Airman discharged for alleged weapon horseplay, despite multiple Airmen engaging in similar conduct, and that the investigation was incomplete, contained inconsistent testimony, and failed to meet the standard for "commission of a serious offense." They maintained the conduct involved unloaded or cleared weapons during casual role play, acknowledged it was inappropriate, and stated they had learned from the incident.

Since their separation at age 20, the Applicant maintained full time employment, volunteered with youth programs and the VFW, and pursued a college degree without VA education benefits. They asserted that the discharge and reentry code continued to create significant barriers to their law enforcement career goals, including an application with U.S. Customs and Border Protection. Counsel argued the ongoing impact was disproportionate to the offense and rendered the discharge unjust.

The DRB determined that the Applicant's pattern of misconduct, including repeated unsafe handling of an M4 rifle on duty over a span of several months, warranted retention of the original characterization. Testimony confirmed the behavior occurred five to ten times, involved pointing the weapon at themselves and others in a

non-training environment, and continued despite their prior knowledge of weapons safety and a previous Article 15 for sleeping on post. Board members also noted inconsistencies in the Applicant's statements, specifically an initial denial followed by a later admission to pointing the weapon at themselves, which raised credibility concerns.

While the Board acknowledged the Applicant's age at the time (20), demonstrated remorse, and post-service accomplishments, they emphasized the seriousness of repeated weapons safety violations and prior disciplinary history. They concluded the discharge characterization and narrative reason remained appropriate and proportionate to the offense. However, the Board adjusted the reentry code to remove an undue barrier and allow the Applicant another opportunity to apply for military service, while retaining the discharge characterization and narrative reason.

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 improper. The DRB voted unanimously to *partially approve* the Applicant's request. Therefore, the awarded Service Characterization shall remain "Under Honorable Conditions (General)," the Narrative Reason for separation shall remain Misconduct – (Serious Offense), and the Reentry Code shall change to 3K. The DRB results were approved by the Presiding Officer on August 22, 2025.

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*.

Instructions on how to appeal an AFDRB decision can be found at <https://afrbportal.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)