

SUMMARY: The Applicant was discharged on May 5, 2020 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, 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 before the Discharge Review Board (DRB), without counsel, via video teleconference using Zoom on August 5, 2025. 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 refrain from consuming alcohol; assaulted a police officer.

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 that the misconduct was an isolated incident and submitted documentation to support this claim. They requested clemency from the Board, emphasizing that they had taken every step possible to demonstrate their growth and worthiness of a second chance. Acknowledging their past mistake, the applicant asserted they had learned from the experience and had remained committed to serving their country. They expressed a strong desire to become a legal officer in the Armed Forces and had spent the past five years, three of which were in ROTC, working to prove that they were more than what their record reflected.

The DRB found that the applicant accepted full responsibility for the misconduct, promptly apologized to those affected, and accepted the consequences, including loss of pay, rank reduction, and discharge. Since separation, the applicant has completed more than 700 hours of community service, volunteered with the Veterans of Foreign Wars, briefed Airmen on responsible alcohol use, earned a degree with a 3.9 GPA, and participated in competitive programs such as NASA internships. Multiple character statements from the applicant's former MTL (Military Training Leader), First Sergeant, and ROTC leaders described the applicant as the most improved Airman they had encountered, citing a proactive pursuit of redemption and continued mentorship of others. Over the past five years, including three in ROTC, the applicant demonstrated an unwavering commitment to returning to military service, developing as a leader, and preparing academically and professionally to serve as a Legal officer. The Board found testimony from the MTLs and First Sergeant particularly compelling, as both had direct knowledge of the incident, supported the applicant's retention at the time, and maintained contact after discharge, observing sustained growth firsthand. Considering the totality of

the service record, the singular nature of the misconduct, and the strong evidence of rehabilitation, the Board unanimously approved upgrades to the Service Characterization, Reentry Code, 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)(6)(l) and (7)(a)-(7)(r) of this memorandum:

a. It is consistent with military customs and practice to honor sacrifices and achievements, to punish only to the extent necessary, to rehabilitate to the greatest extent possible, and to favor second chances in situations in which individuals have paid for their misdeeds.

The applicant accepted full responsibility for the misconduct, promptly apologized, and accepted all imposed consequences, including loss of pay, rank reduction, and discharge. Post-service actions demonstrate sustained rehabilitation, including over 700 hours of community service, volunteer leadership, ROTC participation, and academic excellence.

d. Evidence in support of relief may come from sources other than a veteran’s service record.

Multiple character statements from the applicant’s former MTL, First Sergeant, ROTC leaders, and others provided direct, credible observations of rehabilitation and sustained good conduct.

e. A veteran’s or Service member’s sworn testimony alone, oral or written, may establish the existence of a fact supportive of relief.

The applicant’s sworn statements, corroborated by credible witnesses, established the isolated nature of misconduct and the extensive rehabilitation efforts undertaken.

f. Changes in policy, whereby a Service member under the same circumstances today would reasonably be expected to receive a more favorable outcome than the Applicant received, may be grounds for relief.

While no direct policy change was cited, testimony indicated disparate treatment compared to similarly situated Airmen, supporting equity-based relief.

i. Evidence submitted by a government official with oversight or responsibility for the matter at issue and that acknowledges a relevant error or injustice was committed, provided that it is submitted in their official capacity, should be favorably considered as establishing grounds for relief.

Multiple former leaders (MTL, First Sergeant, supervisors) submitted statements in support of relief.

j. Similarly situated Service members sometimes receive disparate punishments. A Service member in one location could face court-martial for an offense that routinely is handled administratively across the Service.

While a court-martial or a command would be within its authority to choose a specific disposition forum or issue a certain punishment, DRBs should nevertheless consider uniformity and unfair disparities in punishments as a basis for relief.

Witness testimony indicated that other Airmen with comparable misconduct were retained, suggesting the Applicant’s discharge was disproportionately harsh

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 inequitable. The DRB voted unanimously to **approve** the Applicant’s request. Therefore, the awarded Service Characterization shall change to Honorable, the Narrative Reason for separation shall change to Secretarial Authority, 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://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)