

SUMMARY: The Applicant was discharged on February 1, 2022 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with an Under Honorable Conditions (General) Service Characterization for Misconduct (Minor Infractions). The Applicant appealed for an upgrade of their Service Characterization.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on March 2, 2026. 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 disrespect to a Commissioned Officer and loitering on post
- LOR for failing to report on time to appointed place of duty
- LOC for failing to report for a mandatory formation and showing a trend of reporting late for duty
- LOR for negligently failing to report an illicit fire alarm activation caused by another airman

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 states the discharge was improper because they were dealing with the potential loss of custody of their son and allowed those circumstances to cloud their judgement resulting in unacceptable conduct when responding to commanding officers. Since discharge, they reflected on their choices and acknowledged the error in judgement and conduct. They now work as a Deputy at the County Sherriff's Office and continues to show professionalism and respect in daily interactions. They are requesting their discharge be upgraded to Honorable so they can continue to advance in their career and help people within the community.

A review of the applicant's record revealed they were discharged for minor disciplinary infractions at his first duty station. The misconduct involved failing to report an illicit fire alarm activation and multiple instances of reporting late to duty. Also, the applicant disrespected a Commissioned Officer and loitered on post for which they received an Article 15 that led to the administrative discharge for misconduct.

In making their decision regarding the applicant's request to upgrade his discharge, 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 concluded it is consistent with military custom 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. Additionally, the Board considered whether the applicant's misconduct may have been youthful indiscretion, his acceptance of responsibility, remorse, or atonement for the misconduct, and the length of time that had passed since his discharge. The applicant is currently a public servant in his county. An Honorable discharge characterization does not require flawless military service. Many veterans are separated with an Honorable characterization despite some relatively minor or infrequent misconduct.

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; however, to ensure fundamental fairness 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 remain Misconduct (Minor Infractions), and the Reentry Code shall remain 4H. The DRB results were approved by the Presiding Officer on March 5, 2026.

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://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)