

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00955

COUNSEL: NONE

HEARING DESIRED: NOT INDICATED

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APPLICANT REQUESTS THAT:

The characterization of his discharge be changed from general (under honorable conditions) to honorable.

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APPLICANT CONTENDS THAT:

He believes an injustice has occurred. He was treated unfairly by the Air Force. While assigned to an overseas location he received an Article 15 for taking a vehicle as a prank on base. He drove the vehicle from the mess hall to the barracks. He was restricted to the base for three months. After about a month on restriction he and a friend went off base, to town, to meet some females. While returning to the base they were involved in a car accident. The accident was reported to his superiors. He was punished with a summary court-martial, reduced in rank and further restricted to the base for the rest of his tour. Giving him a general (under honorable conditions) characterization of service at discharge was not fair. He had a very good Air Force work record. He was a young man and had a couple of "indiscretions." He should have received a separation characterization of honorable. Other Airmen who got into trouble were not treated as harshly as he was. He served to the best of his ability.

Since his release from the Air Force he has lived an honorable life. He has been married to the same lady for 50 years and has raised four children whom are successful. He has had only two traffic tickets for minor traffic offenses.

In support of his request, the applicant provides copies of military documents, an undated personal statement and supporting documents relating to his post service activities.

The applicant's complete submission, with attachments is at Exhibit A.

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STATEMENT OF FACTS

As indicated in a copy of his DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, the applicant enlisted in the Regular Air Force on 13 September 1956. On 1 September 1960, he was discharged with a general (under honorable conditions) characterization of service and was credited with 3 years, 11 months and 19 days of active duty service. The applicant's grade at the time of discharge was Airman Basic (AB), E-1, with a date of rank of 27 April 1960.

The National Personnel Record Center (NPRC) is unable to provide the necessary military personnel records pertinent to the applicant's summary court-martial punishment and subsequent discharge from the Air Force. On 12 July 1973, the NPRC suffered a fire and the records in question would have been in the area that suffered the most damage and may have been destroyed.

Pursuant to the Board's request, the Federal Bureau of Investigation (FBI) provided a copy of an Investigative Report which is at Exhibit C. The incident in the report occurred prior to the applicant's release from active duty. With the constraints on documentation there are no available documents to determine if the incident was inclusive of his discharge.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.
3. Sufficient relevant evidence has been presented to demonstrate the existence of an error or an injustice. Even though the applicant has provided no evidence to show that his discharge was improper or not in compliance with appropriate directives, it is our opinion that relief is warranted, in this case, on the basis of clemency. It appears the applicant has led a stable and productive life and there is no evidence that he has had any subsequent serious involvement of a derogatory nature since his separation from the Air Force, considering the fact that his FBI report indicates no adverse information over the past 50 years. In light of the above, we believe that it would be an injustice for the applicant to continue to suffer the adverse effects of a general (under honorable conditions) discharge. Accordingly, we recommend his records be corrected as indicated below.

4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issue involved. Therefore, the request for a hearing is not favorably considered.

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THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show that on 1 September 1960, he was honorably discharged and furnished an Honorable Discharge certificate.

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The following members of the Board considered this application BC-2012-00955 in Executive Session on 21 August 2012, under the provisions of AFI 36-2603:

Panel Chair  
Member  
Member

The following documentary evidence was considered:

DD Form 149, dated 02 March 2012, w/atchs.

Panel Chair