

809-00-4023

		PERSONAL APPEARANCE	X RECORD REVIEW										
<table border="1"> <tr> <td colspan="2">COUNSEL</td> </tr> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td></td> <td>X</td> </tr> </table>		COUNSEL		YES	NO		X	NAME OF COUNSEL AND OR ORGANIZATION NONE	ADDRESS AND OR ORGANIZATION OF COUNSEL				
COUNSEL													
YES	NO												
	X												

MEMBERS SITTING	NOTES OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

HEARING DATE 01.45/94,07/94.11	CASE NUMBER 67.10	EXHIBITS SUBMITTED TO THE BOARD				
		1 ORDER APPOINTING THE BOARD				
		3 LETTER OF NOTIFICATION				
		4 BRIEF OF PERSONNEL FILE				
		COUNSEL'S RELEASE TO THE BOARD				
		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE				
		TAPE RECORDING OF PERSONAL APPEARANCE HEARING				

APPLICANT'S PROSE AND WITHIN 30 DAYS OF DENIAL OF PATENT OR PATENT RIGHTS IN FORCE BY THE REVIEW BOARD DISCHARGE PATENT

REMARKS

Case heard at Washington, D.C.
Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.

SIGNATURE OF RECORDS: [REDACTED]
SIGNATURE OF BOARD PRESIDENT: [REDACTED]

TO: SAF/MIBR
550 C STREET WEST, SUITE 40
RANDOLPH AFB, TX 781504742

FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL
AIR FORCE DISCHARGE REVIEW BOARD
1535 COMMAND DR, EE WING, 3RD FLOOR
ANDREWS AFB, MD 20762-7002

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of/change of reason for discharge are denied.

The Board **finds** that neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

The applicant's issues are listed in the attached brief.

Issue 1. Applicant states that his discharge was improper due to an inaccurate **EPR** used in the discharge proceedings. After careful examination of the record, the Board found this to be without merit. The applicant received one EPR, closing on April 29, 1997. The report, an overall "2" (i.e., promotion not recommended at this time), was signed on April 30, 1997 and referred to the member for comment. Having failed to receive comments from the member within the required 10 day period, the Indorser closed the report out on May 12, 1997 supporting the assessment of the rater. While the applicant may believe the report focused too heavily on his shortcomings during the rating period versus his positive accomplishments, the Board found nothing wrong/improper with the report.

Issues 2 and 3. These issues are similar and will be addressed jointly. Applicant believes his discharge to be inequitable/too harsh because he knows of two other "similar" airmen who received honorable discharges and because of the "new DoD policy on maltreatment and harassment". A thorough review of the record showed that the applicant received one Article 15, four Letters of Reprimand, and one Letter of Counseling for multiple incidents of misconduct (e.g., failure to go, late for duty, dereliction of duty, carrying a concealed weapon, passing bad check, etc.). The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate. As the Board was not aware of the two other airmen or the specifics of their cases, it was unable to determine if they were similarly situated and treated less harshly. In regard to the DoD policy on harassment, the Board found no evidence in the record to substantiate maltreatment. However, if the applicant can provide additional documented information to substantiate his issues, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right to a personal appearance hearing, the applicant should be prepared to provide the Board with evidence of inequity and any exemplary post-service accomplishments as well as any contributions to the community.

CONCLUSIONS: The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade or change of reason for discharge, thus the applicant's discharge should not be changed.

**Attachment:
Examiner's Brief**

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

(Former A1C)

1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF 98/03/10 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch and to Change the Reason and Authority for Disch.

2. BACKGROUND:

a. DOB: 77/09/26. Enlmt Age: 17 10/12. Disch Age: 20 5/12. Educ: HS DIPL. AFQT: N/A. A-54, E-67, G-59, M-51. PAFSC: 2A632 - Aerospace Ground Equipment Apprentice. DAS: 95/06/05.

b. Prior Sv: AFRes 95/07/27 - 95/08/30 (1 month 4 days) (Inactive).

3. SERVICE UNDER REVIEW:

a. Enld as A1C 95/08/31 for 4 yrs. Svd: 2 Yrs 6 Mo 10 Das, all AMS.

b. Grade Status: none.

c. Time Lost: none.

d. Art 15's: (1) 98/02/05, Hill AFB, UT - Article 86. You did, o/a 23 Jan 98, w/o authority, fail to go at the time prescribed to your appointed place of duty. Rdn to Amn (susptil 4 Aug 98), and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 29 JAN 98 - Bad check.
LOR, 17 OCT 97 - Late for duty.
LOC, 13 OCT 97 - Late for duty.
LOR, 04 SEP 97 - Carrying a concealed weapon.
LOR, 25 SEP 96 - Dereliction of duty.

f. CM: none.

g. Record of SV: 95/08/31 97/04/29 Hill AFB 2 (Initial)
(Discharged from Hill AFB)

h. Awards & Decs: NDSM, AFEM, AFTR.

i. Stmt of Sv: TMS: (2) Yrs (7) Mos (14) Das
TAMS: (2) Yrs (6) Mos (10) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 00/12/17.
(Change Discharge to Honorable and Change the Reason and Authority for Discharge)

Issue 1: My discharge was improper due to inaccurate and contrasting ratings on my EPR, my EPR rating was used in the discharge proceedings.

Issue 2: My discharge was inequitable because I know of two airmen who were in a similar situation and status who eventually recieved (sic) honorable discharges because their chain of command made sure they recieved (sic) help for their problems that interfered with their duties.

Issue 3: My discharge was inequitable because of the new DOD policy on maltreatment and harrassment. My verbal complaints to my chain of command and my written one would not have been ignored which would have made a dramatic difference in the outcome of my career. For any additional concerns please refer to document 2.

ATCH

1. Character Reference.
2. Applicant's Statement to the Discharge Review Board.

01/01/24/ia

13 November 2000

Greetings, Discharge Review Board Member(s)

After you reviewed **my** file you may have had the impression that I was not interested in preserving my military weer, I was a waste of the Air Force's time, I got what I deserved. It would have **seemed** wise to limit my training, time spent mentoring me and devote it to other "deserving" airmen because in your personal experience airmen like me don't change **so** it is a waste of time to try and get involved or refer me to an on base agency because it looks like I am going to get discharged anyway. I agree that it may be easy to feel that way but it violates standards for mentoring and leadership according to **AFP 36-2241**. (*paragraphs 5.3.3.1.3, 5.3.3.1.11, 5.3.3.3.2, 5.3.3.4.3, 6.6.3.2 and 10.4.7.1.3*). The fact is I had personal and emotional problems, my supervisor(s) **and** commander knew about it but did not take steps to intervene or refer me to the proper agencies in order to help me. My **supervisor** has even made a written statement which is a part of my permanent record about what attributed to my turbulent career in the Air **Force** highlighting the fact that my personal problems got in the way of **my** duty performance. If my commander was not aware of my personal problems before the day he started my discharge proceedings, then he knew when my supervisor and I both submitted documents pointing out the subject and he ignored them both and still moved for discharge without even making **an** inquiry to **see** if I **had** received help from Family Advocacy or Mental Health prior to these proceedings. (*Violation of paragraph 5.3.3.3.2 evidenced by lack of supporting paperwork in my personnel file, it should have become a permanent part of my file and would be a very important document showing that they made effort to mentor and reach out to me which they did not. Because I had a UIF opened at the time that document or agreement would have had to be documented as proof to clear them of responsibility for failure to lead but there is no document or conversation of that nature documented*) My chain of command just attacked the symptoms of my depression with paperwork, they failed to mentor and guide me **when** I needed their help. I was scared, confused and I did not know a lot about what on-base agencies I had **access** to but they knew because it was their job to know according to 39-2241 Paragraph 5.3.3.1.3 and to **do** what they were called to do in that **situation according to Paragraph 5.3.3.3.2 and 5.3.3.4.3, 5.3.4.5.2 and 5.3.4.5.5 (Supported by SSGT [REDACTED] statement about my emotional problems and how they interfered with me performing the mission but lacking was information on how he got involved or referred me to mental health)** Because of their failure to **assist** me, I self-destructed **and** eventually got discharged. This was a **grossly** negligent and very unfortunate situation which **was** placed in my lap and I was not provided a sincere opportunity to excel and flourish by my career being handled in an unethical and biased way through, inaccurate ratings and the denial of sufficient weer enriching opportunities comparable to my skill level. This is **NOT** acceptable conduct for Non-Commissioned **Officers** in a supervisory role according to **AFP 36-2241** chapters **5.3.3.1.3, 5.3.3.1.11**, I will go into greater detail below. **My** ratings were "low-balled" as proof of my general competence I have a letter from my employer on my **duty performance** that shows I **am** a quality caliber individual. Every area that I was rated for on my EPR received exaggeratedly low scores that were all somehow related to my Letters of Counseling and Reprimand according to my supervisor when I **confronted** him about it. I was never reprimanded for poor duty performance which did not reflect accurately **in** my EPR. I was **excluded** from receiving awards even though I had **often** out performed my co-workers **at** times for the month and the quarter by quality and quantity. I feel that if I had received an award or got an EPR that was more realistic then it would have been a harder case to make to discharge me. Some of the documents that are in my discharge package are based on testimony that is on a lie. I made verbal complaints to my supervisor and First Sergeant, mentioned it an LOR rebuttal and also had witnesses willing to make a statement to confirm my claims but they were never investigated. I was hesitant to file a Inspector general report due to reprisal. I was walking a fine line trying to salvage my career and if I got my chain of command investigated I was told by my supervisor at the time it would hurt me **in** the long run and the Inspector General wouldn't believe me anyway because of my record.

By allowing me to self-destruct from my acknowledged personal and emotional problems (in *SSGT [REDACTED] Background letter*) and discharge whatever was left was a waste-of-money and time, when with just as much effort, they could have mentored me and saved the Air Force thousands of wasted dollars in training all because they did not want to get involved. Though I am not able to prove why they neglected to mentor me and help me to get on the right track I can prove that they did not set up an infrastructure and guide me on how to turn my career around, something that important would have been documented. It is a supervisors and/or commanders choice how they will enforce rules but not whether to abide by them or not. If the basic procedures were followed in the guidelines for NCO leadership found in AFP 36-2241, I would have been referred to the proper on-base agency, with their help I would have been able to work out my problems on the job and I would have been able to get my career back on track. I "fell" in a sense, and needed help to stand up. My chain of command kicked me while I was down and gave me letters of counseling for not being able to perform when the same "you don't need help, pull yourself up by your bootstraps" mentality was not applied to other airmen in my work center who needed help. The articles for recognizing depression in AFP 36-2241 were written for airmen in my situation with my problems, if there were no such airmen and the Air Force did not want to see them helped and rehabilitated then there would be no use for those chapters. I am not implying that I did not deserve to be reprimanded for my actions because I did deserve to be reprimanded but if I was helped the reprimands would have eventually stopped. As I matured, under the guidance of a supervisor complying with Air Force policies, the reprimands would have faded away when compared with my accomplishments and I would have become a productive member as the two other airmen I have described below did that were in my situation.

My Letters of Reprimand and Letters of Counseling are written as if my supervisor(s) and commander really put some effort forward and helped me to get on my feet and I just continued to mess up. There is NO documentation stating anything of that nature besides threats written into my Letters of Reprimand. They were just there when I messed up otherwise I got ignored. As an airman I was responsible for my conduct so with neglecting my responsibilities came a consequence but as Leaders my chain of command had a responsibility to make sure that I was being treated equitably, being trained and had the opportunities to grow in my Air Force Specialty. If these things had been done I would still be in uniform serving my country now. I would have matured and moved on to be more of an asset to the Air Force. Other airmen were afforded that chance but I was not though I was entitled to it I am looking for an upgrade to "involuntary convenience of the government" characterization and an Honorable Discharge and change my re-enlistment code to 3K according to AFI 36-2606 and all applicable designators so that I may continue to serve. My country. Following is an itemized list of upgrade issues that can also be found on the DD form 293.

-Inaccurate EPR ratings and the unethical use of those ratings in my discharge proceedings, upgrade on the basis of propriety. On my EPR I was scored Sow for things that it is shown I deserve a much higher rating for. I was not assigned sufficient career-progressive tasks by my supervisor though I frequently made inquiries and even a complaint as part of an Letter of Reprimand because there was no action taken. On occasion I was taken out to equipment and tasked with a progressive task or maintenance action and I demonstrated my competency. If you have access my training record you can see the documentations about my abilities as an apprentice and how my work and job knowledge was impressive. On my EPR it shows that I have mediocre skills and duty performance as a mechanic's apprentice when I am trained for and able to perform a journeyman's work (due to the amount of training objectives I achieved to receive my Journeyman rating and the only reason that I did not was because of my pending UIF and advanced Journeyman schools that I attended) which was annotated in my training record, I never was reprimanded for substandard work and I had met all but a few of the training criteria for promotion to a journeyman. I also submitted 25-30 items out of a longer list that my supervisor helped me to pick out and demanded that they be verifiable. Out of the 25-30 items, there were only a few weakly written bullets on my EPR that generalized the whole list that I had put together. I was also given my EPR when we were TDY on a training deployment during the spring of 1997 in El Paso Texas and I was not afforded the full amount of allotted time to pursue a rebuttal for my EPR and it's referral. Two days after I received my EPR we were still in our detached location off base and I had no access to legal c o d . The first duty day I had to pursue legal counsel was actually the fourth day (a Monday) of my allotted time to provide rebuttal but I could not

get an appointment with the Legal office **after** I had gathered proof and put together a rebuttal in the **next** following days. I told my supervisor about it and we talked with the issuing authority on Thursday approximately 2:30pm and I explained to him what happened **and** why I needed more time but he told me he would not grant me an extension because he felt I had a sufficient amount of time to prepare a rebuttal. I recently looked at my **EPR** and see that he did not even record our conversation. I could be trusted to do work without supervision **as** noted in the letter **from** my employer and **from** annotations in **my** training record. I was denied **the** opportunities to attempt **more** intellectually challenging tasks and **left** months at a time without a trainer and then I would have a trainer for a **only** a week and we would rush through months of training, **back-dating** training objectives **just so** it would **look** good on paper though my co-workers had a regular assigned trainer who worked with them almost everyday. **This** is relevant **because** it resulted in a low rating on my **EPR** and **my** **EPR** was used in the discharge proceedings. I was rated in the lower half of the **Air Force** in duty **performance** but my Career Development Pre Test and official **Test** Scores (in my personnel file), training evaluations (in my training record) and **job** knowledge (in my training record) was in the top 10th percentile for airmen in **my** career field (I scored a 97 on my pre-test and a 89 on my **final** Career Development test). I was not given **the** same opportunities to **try** challenging maintenance and troubleshooting operations. I had to **study** the technical order manuals to get up to speed on the things that I was supposed to learn when I was with **my** trainer or **supervisor** cramming 4 months of training into five days while **my** co-workers got regular hands on training with trips to the flight line to train with other mechanics and I would frequently **be** the only airman left in the shop answering **the** phones, mopping the floor, **cutting** the grass or doing very basic maintenance I had already mastered. I **was** being treated like a criminal or like I was in Correctional Custody. Even **though** I was not afforded the same hands on training with a trainer I was **viewed** as an airman who was knowledgeable and I **was** tasked with training **the** new airmen coming in on our equipment **because** I had **the** initiative to learn on my own. I received verbal praise **from** my peers and a written **statement** from [REDACTED] and occasional **verbal** praise from my supervisor(s) but that praise never made it to **my** **EPR**. I **was** chosen for 2 advanced schools that few in my career field got to attend, I went on deployments to **Nevada** and **was** hand picked to go to Kuwait **because** of my job knowledge and I **was** the **only** apprentice out of 8 apprentices in **my** work center who my chain of command felt would **perform** the **best** when it counted **because** **this** was a real-world operation. Everyone from my shop who went was a Craftsman or Journeyman which shows how well I was thought of **when** it came to **job** knowledge. Even though I had potential (*that my supervisor is documented as saying in the letter from [REDACTED] and it shows by my record I was being groomed for discharge while my co-workers were being groomed for success. As early as 18 months before my discharge my chain of command stopped investing time and energy on furthering my career which had a very large impact on how my career could have turned out (as stated in my LOR rebuttal which is a violation of paragraph 5.3.3.1.11 in AFP 36-2241) even though I was easy to work with (comments in the letter from military supervisor and co-workers), had the mechanical aptitude (based on my ASVAB scores) and was very willing to learn (as witnessed in the amount of training and schooling I completed) so there was no reason to get a rating as low as I had.*

-There are airmen with a record similar to mine but they were mentored and are still in the Air Force, upgrade on **the** basis of equity. **As** I understand, if it is **shown** that an airman or airmen in my case have a **similar** record and got a different discharge then it will show **bias** in application of Air Force procedures. These two airmen **Stationed** at **separate** installations were AIC apprentices like I was, had a similar amount of counseling sessions, they had a control roster and/or an Unfavorable Information File opened up on **them** and **they** both had an Article 15 like I did. Right now with **the** help of their **respective** supervisors they have gotten past their immaturity and have **become** productive members of the Air Force **thanks** to direct involvement, their referral to mental health and or the family **service center** and outline a program to help them turn their financial and **emotional** problems around. **They** are both Senior **Airmen** now and have re-enlisted and **gotten** orders to **their** next duty station. The first airman's name is [REDACTED] and he was stationed at the 932nd Air Control Squadron, on NAS Keflavik Iceland working as a **tracking** technician and has re-enlisted and recently got orders to Germany. The second airman's name is [REDACTED] and he was stationed at Eglin Air Force base and he worked as a mechanic for a fighter squadron. I have a letter from [REDACTED] outlining his career and how the effort from his supervisor(s) helped him to become a productive member of the Air Force

(4)

-With this new Zero-Tolerance Policy for maltreatment and harassment by the DOD none of this would have continued. upgrade on the basis of equity. When I disclosed my concerns to the First Sergeant or when the commander read **my** comments that I made in my LOR rebuttal referring to being treated **unfairly** he could have taken **serious** action instead verbally counseling those NCOs which would up coming back to me much worse and encouraged me **to be quiet**. **Most** of the petty counseling sessions were not added **to** my discharge file or even my personnel file **after** I was discharged but it existed at **the** time of my military service and was the basis for the severity of the future actions that resulted in my discharge.

Instructions applicable to this case under AFP 39-2241

Paragraph 5.3.3.1.3 General NCO Responsibilities

*Develop and maintain a thorough understanding of Air Force leadership and supervisory techniques and **apply** these techniques to support mission objectives.*

Paragraph 5.3.3.1.11

*Actively support the Air Force's policy of "zerotolerance" for discrimination and sexual harassment. **You must** create an environment free of **any** behaviors that hinder performance- **one that** allows each member to achieve his **or** her **full** potential and maximizes his **or** her contributions.*

Paragraph 5.3.3.3.2 Self-Involvement and Assistance

*Resolve personal problems by direct assistance **or** referral to appropriate agencies.*

Paragraph 5.3.3.4.3 Senior NCO Role and Use

***Must** be alert to detect adverse morale trends and provide feedback to commanders, first sergeants, immediate supervisors, officers and **staff chiefs**. **They must** devote total **effort** in resolving the causes **of** any problem before it becomes a major issue and adversely impacts readiness.*

Paragraph 5.3.4.5.2 Specific NCO Responsibilities

*Remaining alert to detecting adverse morale **trends** and initiating corrective action within their control and providing the appropriate feedback to those appointed over them,*

Paragraph 5.3.4.5.5

*Ensuring people are treated fairly by all **on-** and **off-duty** agencies **and** initiating corrective action in **any** instance which violates this principle.*

Paragraph 6.6.3.2 Attitudes/Compassion and Understanding

*Compassion and understanding are extremely important. **The** human psyche bruises easily and most subordinates will withhold their feelings, **often to the point of** distress....*

Paragraph 10.4.7.1.3 Discipline

*Along these same lines, fair and equitable punishment for military members depends on a clear understanding of the **offender** and the circumstances **surrounding** the offense.*



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS OGDEN AIR LOGISTICS CENTER (AFMC)
HILL AIR FORCE BASE, UTAH**

MEMORANDUM FOR 75 ABW/CC

23 FEB 1998

FROM: OO-ALC/JA

SUBJECT: Legal Review - Administrative Discharge Under AFPD 36-32 and AFI 36-3208, Paragraph 5.49, [REDACTED] 729 ACS.

1. Basis for Action. On 13 February 1998, the Commander, 729th Air Control Squadron, notified the Respondent that he was recommending his discharge from the Air Force for minor disciplinary infractions, under AFPD 36-32 and AFI 36-3208, Paragraph 5.49. The Commander recommended a general discharge. This case is being processed by the notification procedure and the characterization range is honorable through General Under Honorable Conditions.

2. Evidence for the Commander. The evidence supporting the Commander's recommendation consists of the following:

a. On or about 23 ~~January~~ 1998, the Respondent failed to go at the time prescribed to his appointed place of duty. For this he received an Article 15. His punishment was reduction to the grade of airman (suspended). (Atch 1a)

b. On or about 17 December 1997, the Respondent wrote a check to the 20th Comptroller Squadron, Shaw AFB. The check did not clear the Respondent's bank due to insufficient funds. For this he received a letter of reprimand. (Atch 1b)

c. On or about 16 October 1997, the Respondent failed to report for duty at the prescribed time for a scheduled clean-up detail. He was approximately 1 hour late. This was the third incident in one week. For this he received a Letter of Reprimand. (Atch 1c)

d. On or about 13 October 1997, the Respondent reported late for duty. He was approximately 1 hour late. This was the second time in one week, despite a verbal counseling on 10 October 1997. For this he received a Letter of Counseling. (Atch 1d)

e. On or about 17 August 1997, the Respondent was apprehended for carrying a concealed weapon in his vehicle and failing to register this weapon on base. The Respondent also admitted that he was aware of the fact that he was required to store all weapons at the 75 SFS armory. For this he received a Letter of Reprimand. (Atch 1e)

f. On or about 19 September 1996, the Respondent failed to use the proper safety equipment in the performance of his duties, even after given specific orders to do so. The

Respondent was required to wear the proper protective gear before he began equipment-washing operations. (Atch 1f)

3. Evidence for the Respondent. The Respondent consulted counsel and has submitted statements on his behalf. The Respondent is requesting that his discharge characterization be honorable. Statements from other individuals have also been submitted. (Atch 4)

4. Errors or Irregularities. None

5. Discussion. Under AFPD 36-32 and AFI 36-3208, Paragraph 5.49, an airman may be administratively discharged in the current enlistment for minor disciplinary infractions. The Respondent was given many opportunities to correct his behavior and did not. These actions clearly show a responsibility level below the standards required of airmen in the Air Force.

6. Options. As SPCM authority, you have the following options:

a. Direct retention and order the action terminated.

b. Recommend to the GCM authority that he discharge the Respondent with an honorable discharge characterization with or without P & R.

c. Order that the Respondent be discharged with a general discharge characterization, with or without P & R.

7. Recommendation. We recommend that you order the Respondent's separation from the Air Force with a general discharge without P & R under AFI 36-3208, paragraph 5.49, for minor disciplinary infractions.

[Redacted signature block]

(Concur) (Nonconcur)

[Redacted signature block]

Chief, Military and Civil Affairs Division

DEPARTMENT OF THE AIR FORCE
729th AIR CONTROL SQUADRON (ACC)
HILL AIR FORCE BASE, UTAH

MEMORANDUM FOR [REDACTED]

13 Feb 98

FROM: CC

SUBJECT: Notification Letter

1. I **am** recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFPD 36-32 and **AFI** 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable or general. I **am** recommending that your service be characterized **as** general.

2. My reasons for this action are:

a. On or about 23 January 1998, you failed to go at the time prescribed to your appointed place of duty. For this you received an Article 15, dated 29 January 1998. Your punishment was reduction to the grade of Airman (suspended). (Atch 1a)

b. On or about 17 December 1997, you wrote a check to the 20th Comptroller Squadron, Shaw AFB. The check did not clear your bank because of insufficient funds. For this you received a Letter of Reprimand, dated 29 January 1998. (Atch 1b)

c. On or about 16 October 1997, you failed to report for duty at 0715 for a scheduled clean-up detail, you were approximately 1 hour late. This was the third incident in one week. For this you received a Letter of Reprimand, dated 17 October 1997. (Atch 1c)

d. On or about 13 October 1997, you reported late for duty. You were approximately 1 hour late. This was the second time in one week, despite a verbal counseling on 10 October 1997. For this you received a Letter of Counseling, dtd 13 October 1997. (Atch 1d)

e. On ~~or~~ **about** 17 August 1997, you were apprehended for carrying a concealed weapon in your vehicle and failing to register this weapon on base. You also admitted you were aware that you were required to store all weapons at the 75 SFS armory. For this you received a Letter of Reprimand, dated 4 September 1997. (Atch 1e)

f. On or about 19 September 1996, you failed to use the proper safety equipment in the performance of your duties, even after being given specific orders to do so. You

were to wear the proper protective gear before you began equipment washing operations. This could have caused permanent injury to your eyes. For this you received a Letter of Reprimand, dated 25 September **1996**. (Atch 1f)

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction, or a higher authority, will decide whether you will be discharged or retained in the Air Force. If you are discharged, you will be ineligible for reenlistment in the Air Force.

3. You have the right to consult counsel. I have made an appointment for you with the Area Defense Counsel's Office, Building **1205**, 17 Feb 98 at 1030. You may consult civilian counsel at your own expense.
4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 30 Feb 98, unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.
6. Your medical examination/review **has** been scheduled for 17 Feb 98 at 1330, in the Physical **Exams** Section.
7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in the unit orderly room.



Attachments:

1. Notification Letter
 - 1a. Article **15**, dtd 29 Jan 98
 - b. Letter of Reprimand, dtd 29 Jan 98/Notification of Dishonored Check, dtd 17 Dec 97
 - c. Letter of Reprimand, dtd 17 Oct 97/Response, dtd 20 Oct 97
 - d. Letter of Counseling, dtd 13 Oct 97
 - e. Letter of Reprimand, dtd 4 Sep 97
 - f. Letter of Reprimand, dtd 25 Sep 96/Statements, dtd 23 Sep 97 & 30 Sep 96
2. Airman's Receipt of Notification Letter