

## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE <b>AMN</b>	AFSN/SSAN <b>[REDACTED]</b>			
TYPE	<b>PERSONAL APPEARANCE</b>		<b>X RECORD REVIEW</b>			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL		
YES	NO					
	<b>X</b>					
<b>MEMBERS SITTING</b>		<b>VOICE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
<b>[REDACTED]</b>		<b>X</b>				
<b>[REDACTED]</b>		<b>X</b>				
<b>[REDACTED]</b>		<b>X</b>				
<b>[REDACTED]</b>		<b>X</b>				
<b>[REDACTED]</b>		<b>X</b>				
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A67.10</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
				<b>1</b>	ORDER APPOINTING THE BOARD	
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
				<b>3</b>	LETTER OF NOTIFICATION	
				<b>4</b>	BRIEF OF PERSONNEL FILE	
					COUNSEL'S RELEASE TO THE BOARD	
					ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
					TAPE RECORDING OF PERSONAL APPEARANCE HEARING	
HEARING DATE <b>20 DEC 02</b>		CASE NUMBER <b>FD2002-0257</b>				
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.						
REMARKS <b>Case heard at Washington, D.C.</b>  <p style="margin-left: 20px;">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.</p> <p style="margin-left: 20px;">The Board upgraded the discharge to Honorable and changed the Reason to Personality Disorder. The RE Code will not be changed.</p>						
SIGNATURE OF RECORDER <b>[REDACTED]</b>				SIGNATURE OF BOARD PRESIDENT <b>[REDACTED]</b>		
INDORSEMENT				DATE: <b>20 DEC02</b>		
TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742				FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002		

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD02-0257

**GENERAL:** The applicant appeals for upgrade of his discharge.

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:** The discharge is upgraded to Honorable and the reason for discharge is changed to Personality Disorder.

**ISSUE:** The applicant received a General discharge for minor disciplinary infractions. Applicant contends he was suffering from attention deficit disorder, unknowingly at the time. The record indicates the applicant received an Article 15 for disobeying a lawful order to wear a pressed uniform. He also received two Letters of Reprimand for being late for work and failing to fulfill his responsibility to maintain his dormitory room in a clean and orderly manner. After a thorough and complete consideration of the information submitted by the applicant, and information contained in the record, the Board concluded there was sufficient mitigation and extenuation to substantiate a change in the Reason for discharge, but did not change applicant's reenlistment code.

**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.

However, in view of the foregoing findings, the board further concludes that the overall Reason for discharge is more accurately reflected as Personality Disorder. The applicant's discharge should be upgraded to Honorable and the Reason for discharge should be changed to Personality Disorder.

Attachment:  
Examiner's Brief

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

[REDACTED]  
 [REDACTED]  
 (Former AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 89/11/03 UP AFR 39-10, para 5-46 (Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 67/02/01. Enlmt Age: 20 6/12. Disch Age: 22 9/12. Educ: HS DIPL. AFQT: N/A. A-32, E-80, G-66, M-70. PAFSC: 49131 - Apprentice Communications Computer Systems Operator. DAS: 88/12/11.

b. Prior Sv: (1) AFRes 87/08/05 - 88/06/02 (9 months 28 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 88/06/03 for 4 yrs. Svd: 01 Yrs 05 Mo 01 Das, all AMS.

b. Grade Status: AMN - 88/12/03

c. Time Lost: None.

d. Art 15's: (1) 89/08/16, Hickam AFB, HI - Article 92. You, having knowledge of a lawful order issued by Capt -----, to wit: an order to wear a properly cleaned and pressed uniform, dated 21 Apr 89, an order which it was your duty to obey, did, on or about 01 Aug 89, fail to obey the same by wearing an unpressed uniform. Suspended reduction to AB, and forfeiture of \$100.00 pay per month for 1 month. (No appeal) (No mitigation)

e. Additional: LOR, 21 SEP 89 - Failing to fulfill responsibility to maintain dormitory room in a clean and orderly manner.

LOR, 21 JUL 89 - Late for work and dereliction of duty.

f. CM: None.

g. Record of SV: None.

(Discharged from Travis AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (02) Yrs (02) Mos (29) Das  
 TAMS: (01) Yrs (05) Mos (01) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 02/06/14.  
(Change Discharge to Honorable)

Issue 1: My discharge was improper because I was accused of leaving a vault door open where upon I proved that the lock was broken.

Issue 2: My discharge was improper because I was suffering from attention deficit disorder unknowingly. (Documents enclosed)

**ATCH**

1. DD Form 214 (Member-4).
2. Medical Evaluation.

02/09/19/ia

FD2002-0257



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 15TH AIR BASE WING (PACAF)  
HICKAM AIR FORCE BASE, HAWAII 96853-5000

1 8 OCT 1989

REPLY TO  
ATTN OF: JA

SUBJECT: Recommendation for Discharge - [REDACTED]

TO: CC

1. The recommendation for discharge of [REDACTED] initiated by the 1957th Communication Group (AFCC) has been reviewed and found legally sufficient. [REDACTED] is being recommended for separation through notification procedures under AFR 39-10, Paragraph 5-46, for misconduct. The unit recommends a General Discharge without probation and rehabilitation. The Respondent does not have a board entitlement. The letter of notification, dated 5 October 1989, reflects a scheduled physical date of 1 November 1989. That date is incorrect and should read 17 October 1989. The physical will be attached to the file upon completion.

2. [REDACTED] failed to repair on 20 July 1989, for which he received a letter of reprimand. On 1 August 1989, he failed to wear a clean uniform each day as ordered by his Squadron Section Commander, for which he received an Article 15, UCMJ. He was reprimanded on 20 September 1989 for failing to clean the bathroom adjoining his dormitory room.

3. [REDACTED] has continued to demonstrate an unwillingness to comply with Air Force standards after repeated attempts at rehabilitation. Suspension of a discharge for a period of probation and rehabilitation would probably not be successful in light of the past history. [REDACTED] has submitted a letter for your consideration after consultation with counsel (attachment 3). This case falls into a gray area where substandard performance in the areas of personal appearance and dormitory room hygiene has resulted in disciplinary action which serves as the main basis for the misconduct separation recommended. Misconduct separations normally carry a presumption of a General Discharge, while substandard performance often results in an Honorable Discharge separation; unless a concurrent disciplinary history exists. [REDACTED] has a documented failure to go in addition to the personal appearance and hygiene violations.

4. As separation authority you may:

- a. Separate the Respondent with an Honorable or General Discharge with or without probation and rehabilitation;
- b. Refer the Respondent's case to an administrative board for their recommendations; or,
- c. Disapprove the recommendation for discharge and retain the Respondent.

5. [REDACTED] has not abused drugs, committed thefts, shoplifted, or engaged in fights. However, his record does reveal sufficient misconduct evidencing an unwillingness to conform to standards to justify separation. While separation with a General Discharge is certainly not mandated by the Respondent's record, the unit has recommended a General Discharge and there are no positive aspects of the Respondent's service which compel me to recommend an Honorable Discharge. I recommend [REDACTED] be separated from the Air Force with a General Discharge without probation and rehabilitation.

[REDACTED]  
[REDACTED] USAF

Staff Judge Advocate



DEPARTMENT OF THE AIR FORCE  
 HEADQUARTERS 1957 COMMUNICATIONS GROUP (AFCC)  
 HICKAM AIR FORCE BASE, HAWAII 96853-6345

REPLY TO  
 ATTN OF: CCG

05 OCT 1989

SUBJECT: Notification Letter

TO: [REDACTED] 1957 CG

1. I am recommending your discharge from the United States Air Force for Minor Disciplinary Infractions. The authority for this action is AFR 39-10, paragraph 5-46. 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 20 Sep 89 you failed to maintain your dormitory room in a clean and orderly manner. For this you were given a letter of reprimand, dated 21 Sep 89.

b. On or about 1 Aug 89 you failed to obey a lawful written order, dated 21 Apr 89, to wear a clean pressed uniform to work. For this you were given an Article 15 dated 11 Aug 89.

c. On or about 20 Jul 89 you were late arriving to your place of duty. For this you were given a letter of reprimand, dated 21 Jul 89.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The Commander, 15 Air Base Wing, will decide whether you will be discharged or retained in the Air Force and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult [REDACTED] at Bldg 1113, 449-2149 on 6 Oct 89 at 0900. 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 11 Oct 89 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. You have been scheduled for medical examination. You must report to Hickam Air Force Base, Clinic, Medical Exam Center at 0815 on 1 Nov 89 for the examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of AFR 39-10 is available for your use in the orderly room.

8. Execute the attached acknowledgment and return it to me immediately.

 USAF  
Commander, Hq Sq Section

3 Atch

1. Letter of Reprimand, dated 21 Sep 89
2. Article 15, dated 11 Aug 89
3. Letter of Reprimand, dated 21 Jul 89