

## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE <b>A1C</b>	AFSN/SSAN <b>[REDACTED]</b>			
TYPE <b>GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>				
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	NO					
	<b>X</b>					
<b>MEMBERS SITTING</b>		<b>NOTE 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>A92.37, A93.01, 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>02-10-25</b>		CASE NUMBER <b>FD99-00424</b>				
<b>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>						
<b>REMARKS</b>						
<b>Case heard at Washington, D.C.</b>						
<b>Advise applicant of the decision of the Board and the right to a personal appearance with/without counsel and the right to submit an application to the AFBCMR.</b>						
SIGNATURE OF RECORDER <b>[REDACTED]</b>			SIGNATURE OF BOARD PRESIDENT <b>[REDACTED]</b>			
<b>INDORSEMENT</b>					<b>DATE: 02-10-25</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

FD99-00424

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, and by inference to change his reenlistment code.

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

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

**FINDINGS:** Upgrade of discharge and change of reenlistment code are denied.

The Board finds that neither the evidence of record or that provided by applicant substantiates an inequity or impropriety that would justify a change of discharge.

**Issues.** Applicant was discharged for minor disciplinary infractions. He had at least two verbal counselings, three Letters of Counseling, four Letters of Reprimand, an Article 15, and an Unfavorable Information File. His misconduct included two instances of failure to pay just debts, writing a non-sufficient fund check to a civilian creditor, failure to obey a lawful order, dress and appearance violations, failure to go, substandard duty performance, failure to maintain his on-base quarters in habitable condition, disrespect to his supervisor, and missing an official duty movement. At the time of the discharge, member consulted counsel and submitted a statement in his own behalf requesting probation and rehabilitation, characterizing his misconduct as minor in nature. Applicant now contends he was young and immature and associated with the wrong crowd, which contributed to his infractions. Applicant further provides an explanation for most of those infractions, although he does not dispute their occurrence. The Board noted that member was the same age as other airmen who adhere to the standards when his misconduct occurred, and he knew right from wrong. He was counseled repeatedly in an effort to help him correct his deficiencies. Although he was given numerous opportunities to improve his behavior, he failed to respond to those rehabilitative efforts. Contrary to his claim, he was mature enough to be responsible for his actions, and therefore was held accountable for them. No inequity or impropriety was found in this discharge in the course of the records review.

While the Board commends applicant on this desire his desire to return to military service, and is sympathetic to the impact a General discharge has on his reenlistment code, this is not a matter of equity or propriety that warrants an upgrade.

**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 of 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

[REDACTED]  
[REDACTED]  
(Former A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 98/07/09 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions. Appeals for Hon Disch.

2. **BACKGROUND:**

a. DOB: 77/05/22. Enlmt Age: 18 6/12. Disch Age: 22 1/12. Educ: HS DIPL.  
AFQT: N/A M-33, A-74, G-53, E-49. PAFSC: 3P031 - Security Apprentice.  
DAS: 96/11/19.

b. Prior Sv: AFRes 95/12/20 - 96/06/11 (5 months 22 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as A1C 96/06/12 for 4 yrs. Svd: 2 Yrs 0 Mo 28 Das, all AMS.

b. Grade Status: none.

c. Time Lost: none.

d. Art 15's: (1) 97/06/04, Malmstrom AFB, MT - You did, o/a 1 Jun 97, through neglect miss the movement of ----- Air Lines Flight #1163 with which you were required in the course of duty to move. Rdn to Amn (susp til 3 Dec 97), forfeiture of \$250.00 pay per month for 2 months. (No appeal) (No mitigation).

e. CM: none.

f. Record of SV: none.  
(Discharged from Malmstrom AFB)

g. Awards & Decs: AFTR.

h. Stmt of Sv: TMS: (2) Yrs (6) Mos (20) Das  
TAMS: (2) Yrs (0) Mos (28) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 99/06/29.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCHS

1. Applicant's Issues.

99/10/25/ia

ATTN  
9700 F  
St. Louis  
FORM

MD99-00424

27 Jun 99

From: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

To: SAF/MIBR  
550 C Street West, Suite 40  
Randolph AFB, TX 78150-4247

Subj: APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE  
ARMED FORCES OF THE UNITED STATES (DD Form 293)

Ref: (a) 10 USC 1553, E.O. 9397.

1. Per ref (a) I am respectfully submitting subject form to the board, requesting review of my discharge from the United States Air Force on 10 July 1998. The events that led up to my receiving the discharge are as follows:

- a. Letter of Counseling (for sleeping on duty).
- b. Letter of Counseling (for not being at the appointed place at the appointed time).
- c. Letter of Reprimand (for disobedience of a lawful order).
- d. Article 15 (for missing movement).

2. The following is my justification for review of the aforementioned charges:

a. Letter of Counseling for sleeping on duty--I was standing guard on a missile site at Malstrom AFB. OP 4 was conducting aggressor-training exercises against my post, and ultimately overran my post. I was accused of sleeping on duty or at least, dozing off on duty. I learned from this experience the seriousness of the offense and the importance of being alert and watchful at all times during my duty. I never allowed the offense to be repeated.

b. Letter of Counseling for not being at the appointed place at the appointed time--I missed a dental appointment as a

Subj: APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE  
ARMED FORCES OF THE UNITED STATES (DD Form 293)

result of the dental department not having a record of me changing my appointment after my flight changed my primary and secondary days. As soon as I was made aware that my flight had changed my primary and secondary days, I called the dental department and changed my appointment to a secondary day. I then notified my immediate supervisor of the change, and he acknowledged the change. Due to short notice, an updated dental list did not reach my flight and I was unable to positively confirm that the change had been made. I understood that the change was accepted and confirmed by dental, however, the person whom I talked to on the phone apparently did not enter the change into the computer system. Consequently, my initial appointment passed and I was written up for missing the appointment. I did not miss the changed dental appointment that I had made.

c. Letter of Reprimand for disobedience of a lawful order-- When I returned home from participating in a five day field exercise, I was notified by my supervisor that while I was out in the field, the housing office had inspected my quarters and found it to be excessively dirty. I was then ordered by my supervisor to begin cleaning my quarters immediately. As soon as I returned from the field exercises, I returned to my quarters and began a complete field day. I had to return to my flight for the exercise debriefs. I asked my ex-wife if she would continue the field day so that I could attend the exercise debrief. When I returned to my quarters, my ex-wife had not continued the field day. I laid down to catch a couple hours of sleep, as I had not slept during the past 24 hours of the exercise. I asked my ex-wife to wake me in a couple of hours so that I could continue the field day. She did not wake me nor did she continue to clean our quarters. I woke up and returned to the task of cleaning our quarters. I was in the process of cleaning our quarters when the housing inspectors returned for a surprise inspection. Since I was still in the process of cleaning and had not yet finished, I failed the inspection. I was then told that I would have to vacate my quarters as a result of this second failure in five days. I understand that I

Subj: APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE  
ARMED FORCES OF THE UNITED STATES (DD Form 293)

should have cleaned my quarters myself before I went to sleep, but under the circumstances of being extremely tired, not thinking clearly, and believing that my ex-wife would continue the cleaning process while I slept, our quarters were not cleaned in a timely manner. I realize that I was accountable and responsible for my dependent's conduct and the condition of our base quarters. Although I could not have immediately resolved this situation, I feel that as soon as practical, I made an honest effort to correct the discrepancy.

d. Article 15 for missing movement--I enthusiastically volunteered to go to the Kingdom of Saudi Arabia to fill one of four billets. Government transportation was not available (public transportation was unavailable and the flight duty vehicle was only used to transport the Security Escort Team to the 341 maintenance building). I arranged for a civilian friend to take me from Malstrom AFB to Great Falls International Airport to catch my flight. I had arranged to be picked up two hours prior to my flight time. I had all my issued gear packed and was ready to leave. As the time for my friend to pick me up was at hand, I was desperately trying to reach her by phone to no avail. I was unaware that she had a family emergency at the last minute. When she finally arrived and told me the reason why she was delayed, we immediately loaded her car and departed. Traveling as fast as we safely could, we arrived at the terminal as the plane was leaving the gate. I immediately notified my supervisor of the situation, returned to my flight, and received an Article 15 hearing three days later. At my Article 15 hearing, my Commander asked me if I wanted to go to Saudi Arabia. I explained to him that I was not trying to evade going overseas, but rather was caught up in a civilian friend's personal emergency. I deeply regretted not having a backup plan for alternative transportation to the airport. Despite the Article 15 hearing, I eagerly volunteered to go to Saudi Arabia, and when the time came for me to depart, I asked my supervisor if he would take me to the airport, and he did.

3. I now fully realize that these charges are serious and should not be taken lightly. At the time of these events, I was young and very immature. I associated with the "wrong crowd", I got married without really knowing who or what that person was like, and as these events transpired, I did not have the wisdom to realize that I was setting myself up for failure. Since my discharge in July 1998, I reflect daily on those events, and my


FD97-00424

Subj: APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE  
ARMED FORCES OF THE UNITED STATES (DD Form 293)

immature choices, which I now deeply regret ever happened. I feel my service in the Armed Forces is an unfinished chapter in my life and I desire a second chance to return to the Armed Forces and complete the commitment that I initially volunteered for and swore to uphold. For these reasons, I appeal to this board to consider that my discharge be changed from General (Under honorable conditions) to Honorable.

4. Thank you for your time and consideration.

Very Respectfully,

A large, dark, irregular redacted area covering the signature of the sender.

FD99-00424



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 341ST SPACE WING (AFSPC)

JUN 24 1998

MEMORANDUM FOR 341 SW/CC

FROM: 341 SW/JA

SUBJECT: Legal Review, Administrative Discharge Action - [REDACTED]

1. ACTION: Administrative discharge action was initiated on 17 Jun 98 against [REDACTED] (the Respondent) under the provisions of AFI 36-3208, Chapter 5, Section H, paragraph 5.49, for Minor Disciplinary Infractions. Under AFI 36-3208, paragraph 6.2, the Respondent is not entitled to a board hearing. [REDACTED], 741 SFS/CCE, has recommended a General discharge without probation and rehabilitation.

2. PERSONAL DATA:

- a. Date and Term of Current Enlistment: 12 Jun 96; 4 years
- b. Age: 21 years
- c. Pay Date: 12 Jun 96
- d. TAFMSD: 12 Jun 96
- e. Overall Ratings on Performance Reports: None.

3. EVIDENCE FOR THE GOVERNMENT: The following provides the basis for discharge and may be considered on the issues of retention and service characterization.

a. On or about 13 Mar 97, the Respondent failed to report to a dental appointment. For this misconduct he received a Letter of Counseling (LOC) on 13 Mar 97.

b. On or about 5 May 97, the Respondent failed to adequately perform your duties in that, he did not observe the SET team as they approached his post, as well as his inability to answer the SET team's questions regarding his job duties. For this misconduct he received a Letter of Reprimand (LOR) on 5 May 97.

c. The Respondent, on or about 1 Jun 97, through personal neglect, missed the movement of Delta Air Lines Flight #1163 with which he was required to board in the course of his duty to move. For this misconduct he received an Article 15 on 2 Jun 97 which included reduction to the grade of airman, suspended until 3 Dec 97 and forfeiture of \$250.00 pay per month for 2 months. This action generated an Unfavorable Information File (UIF) and this action was placed in it.



d. On or about 24 Nov 97, and on or about 25 Nov 97, the Respondent failed to maintain his personal grooming, specifically, his facial hair was not in accordance with AFI 36-2903. For this misconduct he received a LOC on 26 Nov 97. This action was placed in his existing UIF.

e. On or about 25 Nov 97, the Respondent was approximately \$750.00 or more behind on his vehicle payments. For this misconduct he received a LOC on 26 Nov 97. This action was placed in his existing UIF.

f. On or about 26 Nov 97, the Respondent bounced a check to an undisclosed vendor. For this misconduct he received a LOR on 5 Dec 97. This action was placed in his existing UIF.

g. On or about 22 May 98, the Respondent was given a direct order from [REDACTED], the Assistant Flight Sergeant to the 741<sup>st</sup> Security Forces Squadron, to clean up his living quarters that, at that time, was covered with mounds of dog feces and puddles from his dog. On or about 26 May 98, it was discovered that he failed to carry out the order that had been given him to maintain his quarters, a direct violation of Article 92, Failure to Obey an Order or Regulation, of the Uniformed Code of Military Justice. For this misconduct he received a LOR on 14 May 98. This action was placed in his existing UIF.

h. On or about 27 May 98, [REDACTED] was notified of an outstanding debt of \$378.20 to Acme body shop for repairs to the Respondent's vehicle, of which he was requested to make arrangements to make payments. On 28 May 98, it was discovered that he failed to enact any type of payment arrangements with Acme body shop. For this misconduct he received a LOR on 4 Jun 98. This action was placed in his existing UIF.

4. EVIDENCE FOR THE RESPONDENT: The Respondent exercised his right to consult military counsel and chose to submit statements for your consideration. He states that his offenses are minor in nature. He wishes to receive probation and rehabilitation or receive an opportunity for reenlistment.

5. OPTIONS:

a. Disapprove the discharge action and direct the Respondent be retained in the United States Air Force.

b. Recommend to 20 AF/CC the Respondent be discharged for Minor Disciplinary Infractions, under the provisions of AFI 36-3208, Chapter 5, Section H, paragraph 5.49 with an Honorable discharge with or without probation and rehabilitation.

c. Approve the discharge and direct the Respondent be discharged for Minor Disciplinary Infractions, under the provisions of AFI 36-3208, Chapter 5, Section H, paragraph 5.49, with a General discharge with or without probation and rehabilitation.

d. Recommend the Respondent be discharged with an Under Other Than Honorable Conditions discharge with or without probation and rehabilitation. If you determine that this is the appropriate disposition of this case, you must return the file for discharge board processing.

6. DISCUSSION:

a. The file is legally sufficient to support 2nd Lt [REDACTED] recommendation that the Respondent be discharged for Minor Disciplinary Infractions. The Respondent was given ample opportunities for rehabilitation, yet he continued to violate Air Force policies. He received an Article 15, four LORs, and three LOCs. None of these attempts at rehabilitation worked.

b. A General discharge characterization is appropriate, as there have been significant negative aspects of the Respondent's conduct, on and off duty, which outweigh the positive aspects of his service.

c. The Respondent's section commander has recommended against probation and rehabilitation.

d. Despite the squadron's rehabilitative efforts as well as counseling from base agencies, there has been no sign of improvement or change in attitude. The Respondent's repeated misconduct indicates that he is not an appropriate candidate for probation and rehabilitation.

7. RECOMMENDATION: That you approve the discharge as recommended by 2nd Lt [REDACTED] and discharge [REDACTED] under the provisions of AFI 36-3208, Chapter 5, Section H, paragraph 5.49, for Minor Disciplinary Infractions with a General discharge without probation and rehabilitation.

[REDACTED], Major, USAF  
Staff Judge Advocate

Attachment:

Case File - [REDACTED]



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 341ST SPACE WING (AFSPC)

FD99-00424

MEMORANDUM FOR 741 SFS

ATTN: [REDACTED]

JUN 17 1998

FROM: 741 SFS/CCQ

SUBJECT: Notification Memorandum - A1C [REDACTED] FR [REDACTED]

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, Section H, para. 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 13 Mar 97, you failed to report to a dental appointment. For this misconduct you received a Letter of Counseling (LOC) on 13 Mar 97.

b. On or about 5 May 97, you failed to adequately perform your duties in that, you did not observe the SET team as they approached your post, as well as your inability to answer the SET team's questions regarding your job duties. For this misconduct you received a Letter of Reprimand (LOR) on 5 May 97.

c. You, on or about 1 Jun 97, through personal neglect, missed the movement of Delta Air Lines Flight #1163 with which you were required to board in the course of your duty to move. For this misconduct you received an Article 15 on 2 Jun 97 which included reduction to the grade of airman, suspended until 3 Dec 97 and forfeiture of \$250.00 pay per month for 2 months. This action generated an Unfavorable Information File (UIF) and this action was placed in it.

d. On or about 24 Nov 97, and on or about 25 Nov 97, you failed to maintain your personal grooming, specifically, your facial hair was not in accordance with AFI 36-2903. For this misconduct you received a LOC on 26 Nov 97. This action was placed in your existing UIF.

e. On or about 25 Nov 97, your supervisor, Staff Sergeant [REDACTED], was informed that you are approximately \$750.00 or more behind on your vehicle payments. For this misconduct you received a LOC on 26 Nov 97. This action was placed in your existing UIF.

f. On or about 26 Nov 97, your supervisor, Staff Sergeant [REDACTED], was informed that you bounced a check to an undisclosed vendor. For this misconduct you received a LOR on 5 Dec 97. This action was placed in your existing UIF.

g. On or about 22 May 98, you were given a direct order from SSgt [REDACTED], the Assistant Flight Sergeant to the 741<sup>st</sup> Security Forces Squadron, to clean up your living quarters that, at that time, was covered with mounds of dog feces and puddles from your dog. On or about 26 May 98, it was discovered that you failed to carry out the order that had been given you to maintain your quarters, a direct violation of Article 92, Failure to Obey an Order or Regulation, of the Uniformed Code of Military Justice. For this misconduct you received a LOR on 14 May 98. This action was placed in your existing UIF.

h. On or about 27 May 98, SSgt [REDACTED] was notified of an outstanding debt of \$378.20 to Acme body shop for repairs to your vehicle, of which you were requested to make arrangements to make payments. On 28 May 98, it was discovered that you failed to enact any type of payment arrangements with Acme body shop. For this misconduct you received a LOR on 4 Jun 98. This action was placed in your existing UIF.

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 and any special pay, bonus, or education assistance funds may be subject to recoupment.

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 the Area Defense Counsel, 7015 Goddard Drive, Bldg 145, Room 144 on 17 JUN 98 at 0930. 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 22 JUN 98 unless you request and receive an extension for good cause shown. I will send all submitted statements 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 must receive a medical examination. You are scheduled for a medical examination at the 341st Medical Group Physical Examination Section on 18 JUN 98 at 0730+1100 hours. You **MUST** be in uniform for this appointment. If you wear glasses, you must also bring them to this appointment.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFI 36-3208, Atch 6. A copy of AFI 36-3208 is available for your use at your Orderly Room.

  
2Lt, USAF  
Squadron Section Commander

**Attachments:**

1. Supporting documents:
  - a. LOC, 13 Mar 97
  - b. LOR, 5 May 97
  - c. Article 15/UIF, 2 Jun 97
  - d. LOC/UIF, 26 Nov 97
  - e. LOC/UIF, 26 Nov 97
  - f. LOR/UIF, 5 Dec 97
  - g. LOR/UIF, 27 May 98
  - h. LOR/UIF, 4 Jun 98
2. Airman's Receipt of Notification Memorandum