

## 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>
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<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">COUNSEL</td> <td style="padding: 2px;">NAME OF COUNSEL AND OR ORGANIZATION</td> </tr> <tr> <td style="padding: 2px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">YES</td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> </td> <td style="padding: 2px;">ADDRESS AND OR ORGANIZATION OF COUNSEL</td> </tr> </table>	COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">YES</td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table>	YES	NO		X	ADDRESS AND OR ORGANIZATION OF COUNSEL		
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YES	NO									
	X									

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<b>[REDACTED]</b>	X*+				
<b>[REDACTED]</b>	X*+				
<b>[REDACTED]</b>	X*+				
<b>[REDACTED]</b>	X*+				
<b>[REDACTED]</b>					X

ISSUES <b>A93.10, A92.21</b>	INDEX NUMBER <b>A67.10</b>	EXHIBITS SUBMITTED TO THE BOARD	
		1	ORDER APPOINTING THE BOARD
		2	APPLICATION FOR REVIEW OF DISCHARGE
		3	LETTER OF NOTIFICATION
HEARING DATE <b>03-01-24</b>	CASE NUMBER <b>FD2002-0371</b>	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 ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

**REMARKS**

\* Change reason and authority to Secretarial Authority. (SPD:JFF)

+ Change RE Code to 3K.

Case heard at Washington, D.C.

Advise applicant of the decision of the Board.

SIGNATURE OF RECORDER <b>[REDACTED]</b>	SIGNATURE OF BOARD PRESIDENT <b>[REDACTED]</b>
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INDORSEMENT	DATE: <b>03-01-24</b>
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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
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2002-0371

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change his reentry 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:** The Board grants the requested relief.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an impropriety that would justify upgrade of the discharge. However, after a thorough review of the record, the Board finds that the applicant's character of discharge and reason for discharge are inequitable.

Issues. The applicant was discharged with an under honorable conditions (general) discharge for minor disciplinary infractions. Member had three Letters of Reprimand, and five Letters of Counseling. His misconduct included dress and appearance violations, failure to obey orders, and unprofessional conduct. Member now attributes his behavior to grief over the sudden, unexpected death of his father due to stress-induced heart attack shortly after member arrived at his overseas duty station. Applicant noted his father was a law enforcement officer, and applicant had chosen the same career path, which heightened member's anxiety at that time. The distance away from his family exacerbated his bereavement process and his emotions were confused, causing him to believe he needed to separate from the military. Applicant states his misbehavior was a direct result of his inability to properly handle his grief, and was not indicative of his true character then or now. The passage of time has ameliorated the grief, and applicant now desires to return to military service. While the Board did not condone applicant's misconduct, which was a departure from conduct expected of all military members, they also noted applicant was not involved in serious criminal misconduct, and there were extenuating circumstances that may have predicated some of the incidents. But for these offenses, applicant was a good airman and citizen, and has continued to be a good citizen since his discharge. The Board felt it would have been more equitable to allow him a period of probation and rehabilitation, or to have completed his period of service with his service characterized as honorable. Therefore, the Board found sufficient mitigation at this time to render the characterization of the discharge received by the applicant too harsh. The Board found the evidence submitted by applicant sufficient to warrant an Honorable discharge, to change the reason and authority for the discharge, and to change the 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 also concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge and the reason for the discharge is more accurately described as Secretarial Authority. The applicant's characterization and reason for discharge should be changed to Honorable, and Secretarial Authority; under the provisions of Title 10, USC 1553.

Attachment:  
Examiner's Brief

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

MISSING DOCUMENTS

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 29 Oct 99 UP AFI 36-3208, para 5.45 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, Change to Reentry Code, and the Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 29 May 80. Enlmt Age: 18 0/12. Disch Age: 19 5/12. Educ: HS DIPL. AFQT: N/A. A-67, E-39, G-41, M-28. PAFSC: 3P031 - Security Forces Apprentice. DAS: 24 Nov 98.

b. Prior Sv: (1) AFRes 12 Jun 98 - 16 Jun 98 (5 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 17 Jun 98 for 4 yrs. Svd: 1 Yr 4 Mos 13 Das, all AMS.

b. Grade Status: AMN - 17 Dec 98

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOC, 20 JUL 99 - Unprofessional conduct.  
LOC, 19 JUL 99 - Late for duty.  
LOC, 16 JUN 99 - Violation of dress and appearance standards.  
LOR, 16 JUN 99 - Circumventing established procedures, failure to use chain of command, and lying to supervisor.  
LOR, 23 APR 99 - Failure to report damage to government vehicle and failure to annotate the proper forms to document the damage.  
LOC, 23 APR 99 - Violation of appearance standards.  
LOR, 22 APR 99 - Failure to go.  
LOC, 13 APR 99 - Disobeying a lawful order.

f. CM: None.

g. Record of SV: None.

(Discharged from Lackland AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yr (4) Mos (18) Das  
TAMS: (1) Yr (4) Mos (13) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 27 Jul 02.  
(Upgrade Discharge to Honorable, Change to Reentry Code, and the Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF

**ATCH**

1. Applicant's Issues.
2. Certificates of Recognition and Training.

3 Dec 02/cr

DEPARTMENT OF THE AIR FORCE  
48TH FIGHTER WING (USAF)

MEMORANDUM FOR [REDACTED]

5 Oct 99 <sup>25</sup>

FROM: 48 SFS/CC

SUBJECT: Notification Memorandum

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 General or Honorable. I am recommending that your service be characterized as General.

2. My reasons for this action are:

a. On 20 Jul 99, you received a Letter of Counseling for requesting "gas money" from three of the "summer hire" personnel placed in your charge. You also informed one of the "summer hire" employees that he owed you \$15.00 for the clean up of a paint spill in your privately owned vehicle.

b. On 19 Jul 99, you received Letter of Counseling for reporting late for duty.

c. On 16 Jun 99, you received a Letter of Counseling for failing to meet dress and appearance standards.

d. On 16 Jun 99, you received a Letter of Reprimand for failing to use your chain of command and for making, and attending an on duty appointment without prior authorization from your supervisor.

e. On 23 Apr 99, you received a Letter of Reprimand for failing to report damage to a Government vehicle and for failing to annotate the proper forms to document the damage.

f. On 23 Apr 99, you received a Letter of Counseling for violating dress and appearance standards.

g. On 22 Apr 99, you received a Letter of Reprimand for failing to report to your supervisor after being told to do so.

h. On 13 Apr 99, you received a Letter of Counseling for failing to report to you place of duty and for failing to report your location to your supervisor.

3. 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.
4. You have the right to consult counsel. [REDACTED] Area Defense Counsel, has been obtained to assist you. An appointment has been scheduled for you to consult him at **0900 hrs on 7 Oct 99**. He is located in **Building 976** and his extension is **7-3608**. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 12 Oct 99 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. 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.
7. You have been scheduled for a medical examination. The medical examination will be in two parts. For the first part, you must report to 48th Medical Group, Physical Exam Section at **0800 hrs on 12 Oct 99**. (If you wear glasses you need to take them along at the time of your appointment.) For the second part, you must report to the Family Practice clinic at **1000 hrs on 13 Oct 99**.
8. The Privacy Act Statement covers any personal information you furnish in rebuttal. A copy of AFI 36-3208 is available for your use in your unit orderly room.
9. Execute the attached acknowledgment and return it to me immediately.



Attachments:

1. LOC, dated 20 Jul 99
2. LOC, dated 19 Jul 99
3. LOC, dated 16 Jun 99
4. LOR, dated 16 Jun 99
5. LOR, dated 23 Apr 99
6. LOC, dated 23 Apr 99
7. LOR, dated 22 Apr 99
8. LOC, dated 13 Apr 99

  
Attachment to DD Form 293

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## 8. ISSUES

In 1998, I enlisted in the Air Force as a Security Force Specialist. I successfully completed the Basic Training and entered Tech School. During my 10<sup>th</sup> week in training program, my father passed away as a result of a massive heart attack. He died on September 27, 1998. My father's sudden and unexpected death affected me tremendously. I was planning to see my father after graduation from technical school, which, at that time, was only weeks away. I was looking forward to seeing my father and showing him my newborn son for the first time.

My father was a career Police Officer from California. Prior to becoming a Police officer, he was a Military Police officer in the Army. I chose to become a Security Force Specialist to follow in his footsteps. Soon after his death, I was informed that the stress from my father's job significantly contributed to his death. This information added to my grief and my own stress. Because I was following the same path, I feared that my chances of heart attack and death would increase, along with the possibility of inheriting congenital heart conditions.

After my father's funeral, I returned to technical school and graduated. I was then assigned to RAF Lakenheath, Great Britain. The distance away from my family during this period was too much to bear. I felt as if I had no support network for my grief and loss. I attempted to utilize the Chaplains, but never felt that I was overcoming my anxiety and emptiness in losing my father.

Working and studying as a Security Force Specialist reminded me of my father and interfered with my ability to perform my duties. Although I wanted very much to be an Airman and Security Officer, my emotions became so confused that I felt I needed to leave the military. Obviously I was not thinking rationally at the time. Upon clearer reflection, I understand that my stress and grief prevented me from attaining my career goals. Consequently, I was separated from the Air Force in October 1999 for "misconduct", with a General (under honorable conditions) Discharge. I was given a reenlistment code of 2B, which I have been told prevents me from reentering active duty in the Air Force.

The "misconduct" referred to in my discharge, and forming the basis for my separation, was a series of Letters of Concern and Letters of Reprimand during the short period of time between April, 1999 and July, 1999. These acts of misconduct were not due to any animosity or disrespect toward the Air Force or my superiors. Instead, these letters reflect a behavior pattern that was, and still is, inconsistent with my personality and character. The events forming the basis of my discharge were a direct result of my

  
**Attachment to DD Form 293****Page 2 of 2**

father's death and my inability to grapple with my grief and anxiety in a rational manner. I can state with certainty that this behavior will never be repeated.

After being separated from the Air Force, I entered the Job Corps, where I successfully completed training in Rail Freight Service and Rail Passenger Service. I was also recognized for outstanding service in the Job Corps. Please refer to the enclosed certificates of completion and recognition. It is evident from these materials that I have made every effort to remain productive and to grow with experience.

The passage of time has allowed me a chance to overcome my grief and to regret my discharge from the Air Force. My career aspirations in the Air Force remain the same. However, I now want to reenlist in the Air Force as a Supply Specialist. It is my goal to complete a career and retire from the Air Force. Unfortunately, I cannot reenter the Air Force due to the discharge characterization and reenlistment code. Therefore, I am respectfully requesting that you consider the extraordinary events that resulted in my separation, including my grief and increased stress. I request that my discharge be upgraded to Honorable and that my reenlistment code be changed to allow my reenlistment in the Air Force. An appeal under this regulation is appropriate because allowing a General Discharge and detrimental reenlistment code to stand would be inequitable.

I am willing to respond to any questions that will assist the Board in its consideration of my request.