

## 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>
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TYPE	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">COUNSEL</td> <td rowspan="3" style="padding: 5px;">NAME OF COUNSEL AND OR ORGANIZATION</td> </tr> <tr> <td style="padding: 5px;">YES</td> <td style="padding: 5px;">NO</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px; text-align: center;">X</td> </tr> </table>	COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION	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
					X
					X
					X
					X
					X

ISSUES <b>A93.01</b>	INDEX NUMBER <b>A67.10</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> <tr> <td style="width: 5%; text-align: center;">1</td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;">2</td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;">3</td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">4</td> <td>BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td>COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td>TAPE RECORDING OF PERSONAL APPEARANCE HEARING</td> </tr> </table>	EXHIBITS SUBMITTED TO THE BOARD		1	ORDER APPOINTING THE BOARD	2	APPLICATION FOR REVIEW OF DISCHARGE	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
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HEARING DATE <b>15 APR 03</b>	CASE NUMBER <b>FD2002-0441</b>																	

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

**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 RECORDER	SIGNATURE OF BOARD PRESIDENT

INDORSEMENT	DATE: <b>15 APR 03</b>
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<b>TO:</b> SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> 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

FD02-0441

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable.

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 discharge is 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.

**ISSUE:** Applicant does not contest his discharge. He states that it was too harsh because he made a huge mistake and was young and home sick. The record indicates the applicant received an Article 15 for failure to go. In addition, he received four Letters of Reprimand for failure to go, twice failing to report for duty on time, and for illegally storing firearms in the dormitory. In addition, he received six Letters of Counseling for reckless driving, failure to be at the appointed place of duty and failure to notify supervisor of his whereabouts, financial irresponsibility and being late for duty. The DRB recognized the applicant was 19 years of age when the discharge took place. However, there is no evidence he was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. 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. The Board found no evidence of any inequity or impropriety on which to base a decision to upgrade the discharge.

**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]

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 9 Oct 87 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 6 Jan 68. Enlmt Age: 18 0/12. Disch Age: 19 9/12. Educ: HS DIPL. AFQT: N/A. A-50, E-48, G-57, M-68. PAFSC: 54232 - Electric Power Production Specialist. DAS: 13 Jan 87.

b. Prior Sv: (1) AFRes 22 Jan 86 - 6 Aug 86 (6 Mos 16 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 7 Aug 86 for 6 yrs. Svd: 1 Yr 2 Mos 3 Das, all AMS.

b. Grade Status: A1C - 20 Sep 86

c. Time Lost: None.

d. Art 15's: (1) 3 Sep 87, Elmendorf AFB, Alaska - Article 86. You, did, on or about 26 Aug 87, without authority, fail to go at the time prescribed to your appointed place of duty. Suspended reduction to the grade of A1C, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 03 SEP 87 - Failure to go.  
RIC, 26 AUG 87 - Late for duty.  
LOR, 13 AUG 87 - Failure to report for duty on time.  
LOR, 07 AUG 87 - Failure to report for duty on time.  
RIC, 07 AUG 87 - Late for duty.  
RIC, 04 AUG 87 - Financial irresponsibility.  
RIC, 31 JUL 87 - Failure to be at appointed place of duty and failure to notify supervisor of whereabouts.  
LOR, 28 MAY 87 - Illegal storage of firearms in dormitory room.  
RIC, 26 MAY 87 - Illegal storage of weapons in dormitory room.  
RIC, 15 MAY 87 - Wreckless driving.

f. CM: None.

g. Record of SV: 7 Aug 86 - 5 Sep 87 Elmendorf AFB 6 (Annual) REF

(Discharged from Elmendorf AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yr (8) Mos (18) Das  
TAMS: (1) Yr (2) Mos (3) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 9 Oct 02.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.

29 Jan 03/cr

To the members of the Discharge Review Board. I made a huge mistake. I was stationed at Elmendorf Air Force Base being young and home sick I made some wrong decisions being older, wiser, and more mature I see that now. The whole reason for my requesting to be discharged was made in the heat of the moment and since the request came out of me mouth being young I wasn't going to change my mind I have regretted this for many years. I was assigned to the 5099<sup>th</sup> Diesel Shop in January of 1987 I spent a lot of time at the NCO Club since the Airmans Club had burnt, I did a lot of drinking and being depressed. I fell into the wrong crowd at the NCO Club and my problems escalated and my depression got worse.

On the day of my hasty decision I had transportation problems Sgt. [REDACTED] was told to provide me with transportation to and from the shop on his first morning of this I got up, dressed and was ready for my ride at 15 minutes before time to report for duty I called the shop to see where my transportation was Sgt. [REDACTED] was already at the shop. [REDACTED] our shop NCOIC sent someone to pick me up where arriving at the shop I was told to report to [REDACTED]. When I reported to his office as ordered [REDACTED] was already in his office, I was told I would be receiving an Article 15 because I was not ready for duty at the appointed time. I stated that [REDACTED] failed to pick me up, which he denied I stated that I would take a polygraph test to prove I was telling the truth. [REDACTED] told me they didn't give polygraph tests and that since [REDACTED] out ranked me that it was his word they would take and not mine. It was at that moment I felt like had been called a liar and I said if this is the way things are I want out.

As I said I have regretted this decision for years [REDACTED] had told me that the Article 15 would be more or less suspended barring another incident. I know now that I should have chose that route and this would have worked out in the future. All I can say is that I have learned from this.

Since then I have worked and went to school at night to receive an Associates Degree. I sought counseling to help me deal with my mothers abuse and having to grow up in a foster home. I have four wonderful children and a loving wife. I am ashamed of the way I acted then and wished many times that I could change it. I ask you please upgrade my discharge to honorable, that young immature kid has grown up , matured and learned from his mistakes.

I thank you for your time.

[REDACTED]

FD2002-0441



DEPARTMENT OF THE AIR FORCE  
5099 CIVIL ENGINEERING OPERATIONS SQUADRON (AAC)  
ELMENDORF AIR FORCE BASE, ALASKA 99506-5000

SEP 18 1987

REPLY TO  
ATTN OF: CCQ

SUBJECT: Letter of Notification

TO:

[REDACTED]

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, Chapter 5, Section H, 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: Your pattern of misconduct consisting of minor disciplinary infractions as evidenced by the following:

a. You did on or about 26 Aug 87, fail to go to your appointed place of duty, as evidenced by an Article 15, dated 3 Sep 87, and a Letter of Reprimand, dated 3 Sep 87.

b. You did, on or about 3 Aug 87, fail to report to your appointed place of duty on time, as evidenced by a Letter of Reprimand, dated 13 Aug 87.

c. You failed to report to your appointed place of duty on time, on or about 7 Aug 87, as evidenced by a Letter of Reprimand, and a Record of Individual Counseling, both dated 7 Aug 87, and by an AF Form 1058 (UIF action) dated 11 Aug 87.

d. You reported late for duty on or about 26 Aug 87, as evidenced by a Record of Individual Counseling, dated 26 Aug 87.

e. On or about 29 Jul 87, you were not at your appointed duty section, as evidenced by an AAC Form 82, dated 31 July 87.

f. On or about 26 May 87, you were found to have unauthorized weapons and ammunition, stored in your dormitory room, as evidenced by a Letter of Reprimand, dated 28 May 87 and an AAC Form 82, dated 26 May 87.

g. On or about 6 May 87, you sped through the parking lot of the Diesel Shop, as evidenced by an AAC Form 82, dated 15 May 87.

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.

UNITED STATES AIR FORCE



SEPTEMBER 18, 1947

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 Capt [redacted] at the legal office on 21 Sep 87 at 0900. You may consult civilian counsel at your own expense.

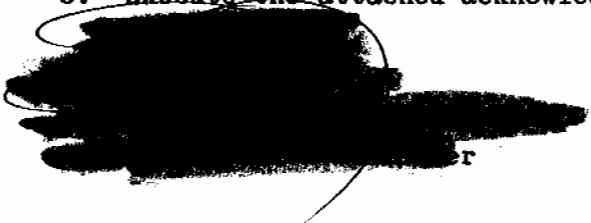
4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 23 Sep 87 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

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 a medical examination. You must report to Bldg 24-850 (across the street from the hospital) at 0715 on 22 Sep 87 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 Admin.

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



12 Atch

- 1. Article 15, dtd 3 Sep 87
- 2. LOR, dtd 3 Sep 87
- 3. LOR, dtd 13 Aug 87
- 4. LOR, dtd 7 Aug 87
- 5. UIF, dtd 11 Aug 87
- 6. AF Form 174, dtd 7 Aug 87
- 7. AF Form 174, dtd 26 Aug 87
- 8. AAC Form 82, dtd 31 Jul 87
- 9. LOR, dtd 28 May 87
- 10. AAC Form 82, dtd 26 May 87
- 11. AAC 191, dtd 28 Aug 87
- 12. AAC Form 82, dtd 15 May 87