

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]		<b>GRADE</b> A1C	<b>AFSN/SSAN</b> [REDACTED]			
<b>TYPE</b> UOTHC	<b>PERSONAL APPEARANCE</b>		<b>X RECORD REVIEW</b>			
<b>COUNSEL</b>		<b>NAME OF COUNSEL AND OR ORGANIZATION</b>				
<b>YES</b>	<b>NO</b>					
	X					
		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<b>MEMBERS SITTING</b> [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
<b>ISSUES</b> A93.17, A92.21, A92.37		<b>INDEX NUMBER</b> A66.00		<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
				1	ORDER APPOINTING THE BOARD	
<b>HEARING DATE</b> 03-05-21		<b>CASE NUMBER</b> FD2002-0494		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	
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
<b>REMARKS</b>  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.						
<b>SIGNATURE</b> [REDACTED]			<b>SIGNATURE</b> [REDACTED]			
<b>INDORSEMENT</b>			<b>DATE: 03-05-22</b>			
<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			

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b> <b>FD2002-0494</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to under honorable conditions (general).</p> <p>The applicant was offered a personal appearance before the Discharge Review Board but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDINGS:</b> Upgrade of discharge is denied.</p> <p>The Board finds that neither the evidence of record nor that provided by applicant substantiates an inequity or impropriety that would justify a change of discharge.</p> <p>Issues. Applicant was discharged for misconduct, drug abuse. Member provided a signed sworn statement to the Air Force Office of Special Investigations in which he admitted using crystal-methamphetamine (also known as "crank") over a 5-month period while on active duty in the Air Force. In this same statement, member also admitted using marijuana over a 1-year period while on active duty. Member's submission of a conditional waiver of his right to an administrative discharge board in return for a general discharge was denied. He met an administrative discharge board that determined he did commit the admitted drug abuse and should receive an under other than honorable conditions discharge, which he did. Applicant admits he made a stupid mistake years ago and it has been tough getting his life back together. Applicant also notes potential future employment options are adversely affected by his characterization of discharge. Because the member received an administrative discharge, not a punitive discharge, the Board must find an inequity or impropriety on which to base an upgrade; clemency is not available as a reason for upgrading an administrative discharge. The Board noted that member's repeated drug abuse over a lengthy period of time was serious misconduct and was not compatible with Air Force standards. The Air Force's drug policy was well publicized and all members were continually made aware that illegal drug use was not tolerated. The Board finds the discharge proper.</p> <p><b>CONCLUSIONS:</b> 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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	

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 UOTH Disch fr USAF 4 Jan 88 UP AFR 39-10, para 5-49c (Misconduct - Commission of a Serious Offense - Drug Abuse). Appeals for General Disch.

2. **BACKGROUND:**

a. DOB: 6 Jan 66. Enlmt Age: 19 4/12. Disch Age: 21 11/12. Educ: HS DIPL. AFQT: N/A. A-74, E-72, G-59, M-78. PAFSC: 57150 - Fire Protection Specialist. DAS: 5 Jan 86.

b. Prior Sv: (1) AFRes 14 May 85 - 2 Sep 85 (3 months 20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Sep 85 for 4 yrs. Svd: 2 Yrs 4 Mos 1 Das, of which AMS is 2 yrs 4 months 15 days(excludes 16 days lost time).

b. Grade Status: A1C - 5 Jan 87  
AMN - 1 Mar 86

c. Time Lost: 18 Dec 87 thru 3 Jan 88 (16 days).

d. Art 15's: None.

e. Additional: Traffic Ticket, 21 MAR 86 - Speeding.

f. CM: None.

g. Record of SV: 3 Sep 85 - 2 Sep 86 Edwards AFB 7 (Annual)  
3 Sep 86 - 2 Sep 87 Edwards AFB 6 (Annual)REF

(Discharged from Edwards AFB)

h. Awards & Decs: AFOUA, AFTR.

i. Stmt of Sv: TMS: (2) Yrs (7) Mos (6) Das  
TAMS: (2) Yrs (3) Mos (15) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 18 Nove 02.  
(Change Discharge to General)

Issue 1: On 4 Jan. 1988 I recieved (sic) an other than Honorable Discharge from the Air Force. Since then I have tried to get my life straightened out. I've entered drug rehabilitation (sic) programs as Inpatient at ---- Center of

Coolidge Arizona. I gave it a chance to help but all the staff wanted to do was substitute (sic) one addictive drug for the one I was hooked on. Consequently I left the program before I was supposed to do so. I started attending V.A. meetings on a regular schedule. Again I found that I could not continue because pushers used to wait for us after the meeting. I finally made a tough decision, I decided to go "Cold Turkey." That was over 5 years ago, today I'm clean and have had no brushes with the law as my arrest record and my driver's record will show. It's been tough getting my life together after making a stupid mistake years ago. Whether I get any assistance from you or not, I think I made the right decision 5 years ago and it's been worth it. I've found that with a bad discharge from the service I can't get a decent employment offer. So I am asking that you may reconsider my separation (sic) and strike out the reference to drug related separation (sic) to honorable. Any consideration by you would be deeply appreciated.

**ATCH**

1. Supplemental Information.
2. Personal Information.

18JAN03/ia



DEPARTMENT OF THE AIR FORCE  
6510TH CIVIL ENGINEERING SQUADRON (AFSC)  
EDWARDS AIR FORCE BASE, CALIFORNIA 93523

FD 2002-0494

REPLY TO  
ATTN OF: CC

30 SEP 1987

SUBJECT: Letter of Notification Board Hearing

TO:

██  
6510th Civil Engineering Squadron

1. I am recommending your discharge from the United States Air Force for drug abuse. The authority for this action is AFR 39-10, paragraph 5-49c. Copies of the documents to be forwarded to the separations authority to support this recommendation are attached.

2. My reasons for this action are:

a. Use and possession of a controlled substance. (14 July 87)  
Investigation revealed that while a member of the United States Air Force during your current enlistment, you used "crank" (amphetamines) and marijuana on numerous occasions. (Atch 1)

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The Commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged or retained in the Air Force.

4. This action could result in your separation with an other than honorable discharge. I am recommending that you receive an other than honorable discharge. The commander exercising SPCM jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force.

5. You have the right to:

- a. Consult Legal Counsel.
- b. Present your case to an administrative discharge board.
- c. Be represented by legal counsel at a board hearing.
- d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.
- e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

FD 2002-0494

6. You have been scheduled for a medical examination. You must report to the flight surgeons office at 0800 on 20 Oct 87

7. Military legal counsel, [REDACTED], Bldg 3700, extension 72809, has been obtained to assist you. An appointment has been scheduled for you to consult him on 1 Oct 87 0930 hrs. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFM 111-1. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

8. Confer with your counsel and reply, in writing within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

9. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 2. A copy of AFR 39-10 is available for your use in the Squadron Orderly Room.

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

[REDACTED], USAF  
Squadron Section Commander

2 Atch

1. OSI Investigation
2. Airman's Acknowledgement