


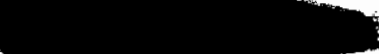







AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 		GRADE AB	AFSN/SSAN 		
TYPE	PERSONAL APPEARANCE		X RECORD REVIEW		
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION			
YES	NO	ADDRESS AND OR ORGANIZATION OF COUNSEL			
	X				
MEMBERS SITTING		VOTE OF THE BOARD			
		HON	GEN	UOTHC	OTHER
					X
					X
					X
					X
					X
ISSUES A93.01	INDEX NUMBER A67.50	EXHIBITS SUBMITTED TO THE BOARD			
HEARING DATE 27 JUN 03		CASE NUMBER FD2003-0030		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
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 			
INDORSEMENT			DATE: 27 JUN 03		
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 RD FLOOR ANDREWS AFB, MD 20762-7002			

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD03-0030

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 states that he was young and stupid during his time in the Air Force and that now he is the father of two, the head of a household and the primary source of financial support for his family. The record indicates the applicant received two Article 15s for failure to go and for wrongfully using marijuana. He also received two Letters of Reprimand for being late for work and for being late for an appointment wearing inappropriate attire. He also received five Records of Individual Counseling for being late for work (5 times), violation of appearance standards, and for refusal to perform assigned duty and for being disrespectful. The DRB recognized the applicant was 21 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 applicant's 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

(Former AB) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 27 Mar 89 UP AFR 39-10, Para 5-47a (Misconduct - Discreditable Involvement with Military or Civil Authorities). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 14 Oct 67. Enlmt Age: 18 4/12. Disch Age: 21 5/12. Educ: HS DIPL. AFQT: N/A. A-35, E-72, G-55, M-75. PAFSC: 45234D - Tactical Aircraft & Maintenance Specialist. DAS: 21 Jan 87.

b. Prior Sv: (1) AFRes 20 Feb 86 - 8 Sep 86 (6 Months 20 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 9 Sep 86 for 4 yrs. Svd: 2 Yrs 6 Mos 19 Das, all AMS.

b. Grade Status: AB - 28 Dec 88 (Article 15, 28 Dec 88)
A1C - 9 Jan 88
AMN - 9 Mar 87

c. Time Lost: None.

d. Art 15's: (1) 28 Dec 88, Bergstrom AFB, TX - Article 112a. You, did, on divers occasions, between on or about 1 Jan 87 and 1 Apr 87, wrongfully use marijuana. Reduction to AB, and forfeiture of \$100.00 pay per month for 2 months.
(No appeal) (No mitigation)

(2) 6 Jul 88, Bergstrom AFB, TX - Article 86. You, did, on or about 24 Jun 88, without authority, fail to go at the time prescribed to your appointed place of duty. Suspended reduction to AMN, suspended forfeiture of \$100.00 pay per month for 2 months, and 30 days correctional custody. (Appeal/Withdrawn) (No mitigation)

e. Additional: LOR, 22 FEB 89 - Late for an appointment wearing inappropriate attire.
STATEMENT, 24 JUN 88 - Late for duty, violation of dress and appearance standards on numerous occasions, and attitude towards duty performance.
LOR, 08 APR 88 - Late for work.
RIC, 15 MAR 88 - Late returning from lunch.
RIC, 15 MAR 88 - Late for work.
RIC, 29 JAN 88 - Late for work.

RIC, 19 JAN 88 - Violation of appearance standards.
RIC, 03 SEP 87 - Refusal to perform assigned duty and
disrespectful.
STATEMENT, UNDATED - Repeatedly late for work.

f. CM: None.

g. Record of SV: 8 Sep 86 - 8 Sep 87 Bergstrom AFB 8 (Annual)
9 Sep 87 - 8 Sep 88 Bergstrom AFB 8 (Annual)

(Discharged from Bergstrom AFB)

h. Awards & Decs: AFTR, SAEMR.

i. Stmt of Sv: TMS: (3) Yrs (1) Mos (8) Das
TAMS: (2) Yrs (6) Mos (19) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 15 Jan 03.
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF

ATCH

1. Applicant's Issues.

17Mar03/cr

03/01/15

To Whom It May Concern:

It is my request that my current discharge status of General Under Honorable Conditions be upgraded to Honorable.

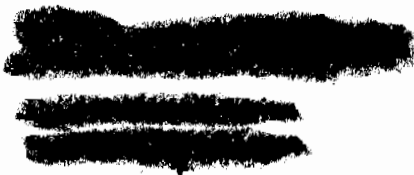
The reason for this request is that I currently have an opportunity to obtain employment at a very prestigious company in the area and feel that this upgrade would significantly increase my chances in securing the position.

The incident which occurred over ten years ago was a single occurrence and primarily due to immaturity, as well as allowing myself to associate with and be influenced by the wrong type of individuals. I made a conscious choice at that time to no longer involve myself with the activity in question and have carried that conviction through to this very day.

I am a father of two, head of household and the primary source of financial support for my family. Due to a layoff from my most recent employer over six months ago, it is imperative that I obtain employment suitable in meeting my family's financial needs. The opportunity before me is exactly that. My intense efforts at obtaining such employment over these past months has proved extremely frustrating as the manufacturing industry has been one of the sectors hardest hit by today's struggling economy.

Your sincerest consideration and understanding of this request and the reasons supporting it are greatly appreciated. Thank you in advance for your prompt attention to this matter.

Very truly yours,

A large, dark, irregularly shaped redaction mark covering the signature area of the letter.

03/01/15

To Whom It May Concern:

I believe that my discharge was inequitable because it was solely based on one isolated incident during my time of service which occurred 2.5 years prior to it actually being brought to my attention and then investigated. This incident occurred due to my interactions with a specific individual on one occasion. After that occasion I chose to no longer be in contact with that individual and did not allow myself to be put into that position again. This incident did not repeat itself during the remainder of my time of service.

When first approached about this infraction, it was difficult for me to even recall the individual by name or to recall the actual incident my superiors were referring to because it was such a brief encounter and more than 2 years prior. However, after considerable thought, I did vaguely remember the incident and reiterated that, by personal choice, I no longer associated with that individual after that one time of coming in contact with him as it would be detrimental to my obligation to the US Air Force.

I feel that my record of service proves that I willfully and honorably intended to fulfill my obligation with the United States Air Force to the best of my ability had it not been terminated based on this one incident. I feel that my performance during my time duly notes my commitment and effort put forth.

Your consideration of my honorable intensions, efforts and performance during my time of service is sincerely appreciated. I look forward to a positive decision to change my discharge from General Under Honorable Conditions to Honorable.

Thank you.





DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 67TH TACTICAL RECONNAISSANCE WING (TAC)
BERGSTROM AIR FORCE BASE TX 78743-5001

REPLY TO
ATTN OF: 67 EMS/CCQ

6 MAR 1989

SUBJECT: Letter of Notification

TO: [REDACTED]

1. I am recommending your discharge from the United States Air Force for A Pattern of Misconduct--Discreditable Involvement with Military or Civil Authorities. The authority for this action is AFR 39-10, Section H, paragraph 5-47a. If my recommendation is approved, your service will be characterized as honorable, general, or under other than honorable conditions. I am recommending that your service be characterized as general.
2. The specific reasons for this action are:
 - a. On or about 3 September 1987, you refused to obey a lawfully given order by a superior NCO. For this misconduct, you received a Letter of Counselling (LOC).
 - b. On or about 19 January 1988, you reported to your duty section with your personal appearance in violation of AFR 35-10. For this misconduct, you received a LOC.
 - c. On or about 29 January 1988, you failed to go to your assigned place of duty at the prescribed time. For this misconduct, you received a LOC.
 - d. On or about 14 March 1988, you failed to go to your assigned place of duty at the prescribed time. For this misconduct, you received a LOC.
 - e. On or about 15 March 1988, you failed to return to your assigned place of duty within the time limit permitted for lunch. For this misconduct, you received a LOC.
 - f. On or about 8 April 1988, you failed to go to your assigned place of duty at the prescribed time. For this misconduct, you received a Letter of Reprimand (LOR).
 - g. On or about 24 June 1988, you failed to go to your assigned place of duty at the prescribed time. For this misconduct, you received nonjudicial punishment on 6 July 1988.
 - h. Between on or about 1 January 1987 and 1 April 1987, you wrongfully used marijuana. For this misconduct, you received nonjudicial punishment on 28 December 1988.
 - i. On or about 27 February 1989, you failed to go to a mandatory scheduled appointment at the time prescribed as well as in improper attire. For this misconduct, you received a LOR.



Readiness is our Profession

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.

3. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. You have an appointment to consult the Area Defense Counsel (ADC) at Bergstrom AFB, Texas, Building 207 on 7 March 1989 at 0800. 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 within 3 days from the date of this letter, 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 within the 3 days, your failure will constitute a waiver of your right to do so.
6. You are scheduled to receive a medical examination at Physical Exams, Bergstrom AFB, Hospital at 0730, on 9 March 1989.
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 at the Area Defense Counsel's Office, Building 207.
8. Execute the attached acknowledgment and return it to me immediately.


 USAF
 Squadron Section Commander, 67 EMS

3 Atch

1. Supporting Documents for the Reason for Discharge
 - a. Ltr of Counselling (LOC), dtd 3 Sep 87
 - b. LOC, dtd 19 Jan 88
 - c. LOC, dtd 29 Jan 88
 - d. LOC, dtd 15 Mar 88
 - e. LOC, dtd 15 Mar 88
 - f. LOR, dtd 8 Apr 88
 - g. AF Form 3070, dtd 6 Jul 88
 - h. AF Form 3070, dtd 28 Dec 88
 - i. LOR, dtd 22 Feb 89
2. Other Supporting Derogatory Documents
 - a. Statement, 
undated
 - b. Statement, 
dtd 24 Jun 88
3. Airman's Receipt of Letter of Notification