

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

| NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED] | | GRADE AB | AFSN/SSAN [REDACTED] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|-----------------------------|------------------------|---------------------------------|--|------------------------------|---|---------------------------------------|-----|--------------------------|-------|---------------------------|--|--------------------------------|--|--|---|---|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|
| TYPE | PERSONAL APPEARANCE | | X RECORD REVIEW | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">COUNSEL</td> </tr> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;">X</td> </tr> </table> | | COUNSEL | | YES | NO | | X | NAME OF COUNSEL AND OR ORGANIZATION ADDRESS AND OR ORGANIZATION OF COUNSEL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| COUNSEL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| YES | NO | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MEMBERS SITTING | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="text-align: center;">VOTE OF THE BOARD</th> </tr> <tr> <th style="width: 15%;">HON</th> <th style="width: 15%;">GEN</th> <th style="width: 15%;">UOTHC</th> <th style="width: 15%;">OTHER</th> <th style="width: 15%;">DENY</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td style="text-align: center;">X</td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td style="text-align: center;">X</td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td style="text-align: center;">X</td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td style="text-align: center;">X</td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td style="text-align: center;">X</td></tr> </table> | | VOTE OF THE BOARD | | | | | HON | GEN | UOTHC | OTHER | DENY | | | | | X | | | | | X | | | | | X | | | | | X | | | | | X |
| VOTE OF THE BOARD | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HON | GEN | UOTHC | OTHER | DENY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | X | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ISSUES A93.01 | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">INDEX NUMBER A67.30</td> <td style="width: 90%;">EXHIBITS SUBMITTED TO THE BOARD</td> </tr> <tr><td> </td><td>1 ORDER APPOINTING THE BOARD</td></tr> <tr><td> </td><td>2 APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td> </td><td>3 LETTER OF NOTIFICATION</td></tr> <tr><td> </td><td>4 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> | | INDEX NUMBER A67.30 | 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 | | | | | | | | | | | | | | | | | | | |
| INDEX NUMBER A67.30 | 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HEARING DATE 9 APR 03 | | CASE NUMBER FD2003-0037 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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: 9 APR 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

FD03-0037

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 contends that he should not be penalized indefinitely for a mistake he made when young. The record indicates the applicant received an Article 15 for: with intent to defraud, falsely pretend to AT & T operators that certain telephone numbers were his home telephones and that he was authorized to charge long distance telephone calls to these numbers. He also received a Letter of Reprimand for being drunk on station and disorderly conduct and had his on-base driving privileges revoked due to driving with a suspended license. 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 DRB concluded that the characterization of the applicant's discharge was appropriate due to the misconduct. If the applicant can provide additional documented information to substantiate an issue, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise this right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

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 AB) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 9 Feb 88 UP AFR 39-10, para 5-49d (Misconduct - Commission of a Serious Offense). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 3 Oct 66. Enlmt Age: 19 5/12. Disch Age: 21 4/12. Educ: HS DIPL. AFQT: N/A. A-28, E-62, G-44, M-71. PAFSC: 42652 - Jet Engine Mechanic. DAS: 7 Oct 86.

b. Prior Sv: (1) AFRes 4 Mar 86 - 22 May 86 (2 Months 19 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 23 May 86 for 4 yrs. Svd: 1 Yrs 8 Mos 18 Das, all AMS.

b. Grade Status: AB - 30 Nov 87 (Article 15, 30 Nov 87)
A1C - 23 Sep 87
AMN - 23 Nov 86

c. Time Lost: None.

d. Art 15's: (1) 30 Nov 87, Loring AFB, ME - Article 134. You, did, between on or about 19 Aug 87 and on or about 18 Oct 87, with intent to defraud, falsely pretend to ----- Communications Operators either that the Government telephone numbers were your home telephones or that you were authorized to charge long distance telephone calls to these numbers, then knowing that the pretenses were false, and by means thereof did wrongfully obtain ----- Communications services of a value in excess of \$100.00, to wit: long distance telephone calls. Reduction to AB, forfeiture of \$150.00 pay per month for two months, and 45 days extra duty. (No appeal) (No mitigation)

e. Additional: LTR, 29 SEP 87 - Revocation of On-Base driving privileges due to driving with a suspended license.
LOR, 27 Feb 87 - Drunk on station and disorderly conduct.

f. CM: None.

g. Record of SV: 23 May 86 - 22 May 87 Loring AFB 8 (Annual)

(Discharged from Loring AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yr (11) Mos (6) Das
TAMS: (1) Yr (8) Mos (18) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 10 Jan 03
(Change Discharge to Honorable)

Issue 1: I am requesting that my discharge from the Air Force be upgraded from General to Honorable. At the time of my discharge, I was a 20 year old kid away from home for the first time. There was nothing in my background or upbringing to prepare me for service life in the desolate conditions of Loring A.F.B. in Maine. I was a flight line jet engine mechanic working out in the harsh elements. I made several attempts to get a transfer out of that area but was denied. I was young and immature, and that is reflected (sic) in the decision that I made at the time to leave the Air Force.

Issue 2: I have spent the past 6 years as a civilian contract mechanic to the Army National Guard. I regret the decision I made years ago not to satisfy the terms of my enlistment. It is embarrassing to have the mistake I made as an immature kid follow me around to this day. My success today is direct result of the tools that the Air Force provide (sic) me back then. It is my regret that I was too young to appreciate it at the time. My record will show that I was an outstanding and hard working Airman. My dissatisfaction with my location never affected my work product or work ethic. I have learned alot (sic) since then and would change the past if I could, but since that is not an option, I am asking for my discharge to be upgraded.

Issue 3: I greatly appreciate the time that will be taken to review my request.

ATCH
None.

19Mar03/cr



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 42D BOMBARDMENT WING (SAC)
LORING AIR FORCE BASE, MAINE 04751-5000

FD2003-00037

REPLY TO
ATTN OF:

42 OMS/CC

126 JAN 1988

SUBJECT:

Letter of Notification

TO:

AB [REDACTED]

1. I am recommending your discharge from the United States Air Force for the Commission of a Serious Offense, Other Serious Offenses. The authority for this action is AFR 39-10, paragraph 5-49d. If my recommendation is approved, your service will be characterized as either honorable or general. I am recommending that your service be characterized as general.

2. My reason for this action is your commission of a serious offense and minor disciplinary infractions:

a. You did, at Loring Air Force Base, Maine, between on or about 19 August 1987 and on or about 18 October 1987, with intent to defraud, falsely pretend to AT&T Communications Operations either that the Government telephone numbers [REDACTED], were your home telephones or that you were authorized to charge long distance telephone calls to these numbers, then knowing that the pretenses were false, and by means thereof did wrongfully obtain AT&T Communications services of a value in excess of \$100.00, to wit: long distance telephone calls. This is evidenced by the Article 15 you received on 30 Nov 87, and the attached Security Police Report of Investigation #245/G-9, at attachment 1.

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 and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.

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 [REDACTED] at Building 6000 on 22 JAN 88 at 0800. You may consult civilian counsel at your own expense.

UNITED STATES AIR FORCE



SEPTEMBER 18, 1947

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 29 JAN 88 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 the Physical Exam Unit, USAF Hospital, Loring 0700 on 26 JAN 88 for the examination.

7. Any personal information you submit in rebuttal is covered by the Privacy Act as explained in AFR 39-10, Atch 6. A copy of AFR 39-10 is available for your use at 42d OMS Orderly Room.

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



3 Atchs

1. Article 15, dated 30 Nov 87, w/Report of Investigation #245-G9.
- 2a. Letter of Reprimand, dtd 27 Feb 87, w/Incident Report #02-177-87.
- 2b. Ltr, 42 CSG/CD, acknowledged 29 Sep 87, with Incident Report #09-830-87.
3. Airman's Receipt of Letter of Notification.