

## 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>				
TYPE	PERSONAL APPEARANCE		<b>X</b> RECORD REVIEW				
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	NO						
	<b>X</b>						
MEMBERS SITTING			VOTE OF THE BOARD				
			HON	GEN	UOTHC	OTHER	DENY
							<b>X</b>
							<b>X</b>
							<b>X</b>
							<b>X</b>
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A67.90</b>		EXHIBITS SUBMITTED TO THE BOARD			
HEARING DATE <b>1 MAY 03</b>		CASE NUMBER <b>FD2003-0044</b>		<b>1</b>	ORDER APPOINTING THE BOARD		
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE		
				<b>3</b>	LETTER OF NOTIFICATION		
				<b>4</b>	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 <b>Case heard at Washington, D.C.</b>  <b>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 OF RECORDER			SIGNATURE OF BOARD PRESIDENT				
INDORSEMENT				DATE: <b>1 MAY 03</b>			
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				

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD03-0044

**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 his discharge was too harsh because it was due to inexperience and misunderstanding at what life has to offer. He also states that he was immature and did not fully understand his position of responsibility. The record indicates the applicant received two Article's 15 for wrongfully and falsely altering a military identification card and for failing to abstain from consuming alcohol beverages within twelve hours of a scheduled flight and for failing to abstain from consuming alcohol beverages before his twenty-first birthday. In addition, he also received two Letter's of Reprimand and Verbal Counseling for underage drinking and financial irresponsibility. The DRB noted the strong letters of support the applicant had in his package and the fact that he went to financial counseling and social actions. Also, the DRB noted that the applicant completed an in-patient abuse clinic for three weeks, but was then discharged a month later. If he 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. 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]  
[REDACTED]  
(Former AMN) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 30 Jun 97 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 30 Jul 76. Enlmt Age: 17 5/12. Disch Age: 20 11/12. Educ: HS DIPL. AFQT: N/A. A-77, E-57, G-46, M-41. PAFSC: X1A331 - Aircrew, Airborne, Communications Systems. DAS: 8 Dec 94.

b. Prior Sv: (1) AFRes 19 Jan 94 - 12 Jul 94 (5 months 24 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 13 Jul 94 for 4 yrs. Svd: 2 Yrs 11 Mos 18 Das, all AMS.

b. Grade Status: AMN - 9 Apr 97 (Article 15, 9 Apr 97)  
A1C - 13 Nov 95  
AMN - Unknown

c. Time Lost: None.

d. Art 15's: (1) 9 Apr 97, Tinker AFB, OK - Article 92. You, who knew of your duties at the Marine Corps Air Station, Yuma, Arizona, on or about 22 Mar 97, were derelict in the performance of those duties, in that you willfully failed to abstain from consuming alcohol beverages within twelve hours of a scheduled flight, as it was your duty to do. You, who knew of your duties at the Marine Corps Air Station, Yuma, Arizona, on or about 22 Mar 97, were derelict in the performance of those duties, in that you willfully failed to abstain from consuming alcohol beverages before your twenty-first birthday, as it was your duty to do. Reduction to the grade of Amn, and a reprimand. (No appeal) (No mitigation)

(2) 6 Nov 95, Shaw AFB, SC - Article 134. You, did, on or about 18 Oct 95, wrongfully and falsely alter by placing your photograph in another's military identification card. Thirty days correctional custody, suspended reduction to AB, and suspended forfeiture of \$427.00 per month for 2 months. 1 Dec 95, commander remitted correctional custody in excess of 23 days. (No appeal) (No mitigation)

- e. Additional: LOR, 09 JUL 96 - Financial irresponsibility.  
 VBC, 09 MAR 96 - Financial irresponsibility.  
 LOR, 02 OCT 95 - Underage drinking.
- f. CM: None.
- g. Record of SV: 13 Jul 94 - 12 Mar 96 Tinker AFB 3 (Initial)REF  
 13 Mar 95 - 12 Mar 97 Tinker AFB 4 (Annual)  
 13 Mar 97 - 16 Jun 97 Tinker AFB 1 (Cmdr Dir)REF
- (Discharged from Tinker AFB)
- h. Awards & Decs: AFTR, AFOUA.
- i. Stmt of Sv: TMS: (3) Yrs (5) Mos (12) Das  
 TAMS: (2) Yrs (11) Mos (18) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 24 Jan 03.  
 (Change Discharge to Honorable)

Issue 1: I would like to thank the board for taking the time and reviewing my request.

The issue that I would most like to review is the characterization of my discharge. I believe that at the time of discharge, the main reason for the conduct shown was due to inexperience and misunderstanding at what life has to offer. I was immature and did not fully understand my position of responsibility. I look back and cannot believe the foolish mistakes I made as a teenager and all the opportunities I had given up with my military career.

I would like the board to understand that my characterization has become one of goals and accomplishments. I had been accepted by ----- University to study architecture but instead choose a career in Air Traffic Control. After more than four years I am now venturing into computer networking and helping a friend grow his business.

I would like to request a change of discharge from General to Honorable. Thank you for your time.

**ATCH**

1. Letter of Appreciation.
2. Sixteen Character References.

21MAR03/ia



DEPARTMENT OF THE AIR FORCE  
552d OPERATIONS GROUP (ACC)  
TINKER AIR FORCE BASE, OKLAHOMA

FD 2003-00044

6 June 1997

MEMORANDUM FOR AMN [REDACTED]

FROM: 964 AACs/CC  
Tinker AFB OK 73145

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.50.2, Conduct Prejudicial to Good Order and Discipline. 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:

a. On 22 Sep 95, you were charged with drinking while under the legal age to do so. As a result, you received a Letter of Reprimand (LOR), dated 2 Oct 95. See Atch 1.

b. On 18 Sep 95, at Shaw AFB SC, you wrongfully and falsely altered another military person's identification card by inserting your own photograph thereon. As a result, you received an Article 15, dated 6 Nov 95. Punishment was 30 days correctional custody effective 8 Nov 95, reduction to the grade of airman basic (suspended until 5 May 96), and forfeiture of \$427 pay per month for two months (suspended until 5 May 96). See Atch 2.

c. On 9 Mar 96, AAFES reported that your account with AAFES was 60 days delinquent. The total amount of the account being \$561.83 and the delinquent amount being \$75.10. As a result, you did pay the overdue amount and you received an oral counseling. See Atch 3.

d. You utilized your government issued American Express card for official travel purposes. However, you did not reimburse American Express for those authorized purchases in a timely manner. You were 108 days past due for the amount of \$672.69. As a result, you received a Letter of Reprimand, dated 9 Jul 96, with Unfavorable Information File (UIF) action. See Atch 4.

e. On 9 Nov 96, AAFES reported that your account with AAFES was 60 days delinquent. The total amount of the account being \$474.37 and the amount of the delinquency being \$42.00. See Atch 5.

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f. On 9 Dec 96, AAFES reported your account with AAFES was 60 days delinquent. The total amount of the account being \$457.29 and the amount of delinquency being \$36.00. See Atch 6.

g. On 22 Mar 97, at the Marine Corps Air Station, Yuma AZ, you were derelict in the performance of your duties in that you willfully failed to abstain from consuming alcohol beverages within twelve hours of a scheduled flight. You were also derelict in the performance of your duties in that you consumed alcohol beverages while you were under the legal age to do so. As a result, you received an Article 15, dated 9 Apr 97. Punishment was reduction to the grade of airman, effective 9 Apr 97, and a reprimand. See Atch 7.

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.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made arrangements for you to consult [REDACTED] at Bldg 452, Tinker AFB OK on 6 June 1997, at 1300 hours. If it is necessary to change this appointment time, call Capt [REDACTED] office at 405/739-7713. 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 11 June 1997, 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 were scheduled for a medical examination on 3 Jun 97, and you should have reported to the Tinker AFB Hospital, Physical Exam Section, on that date for the examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in the orderly room.

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



Attachments:

- 1. LOR, dtd 2 Oct 95
- 2. Art 15, dtd 6 Nov 95
- 3. AAFES Notif, dtd 9 Mar 96
- 4. LOR, dtd 9 Jul 96, w/UIF
- 5. AAFES Notif, dtd 9 Nov 96
- 6. AAFES Notif, dtd 9 Dec 96
- 7. Art 15, dtd 9 Apr 97, w/Control Roster
- 8 Acknowledgment Ltr