

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE AMN	AFSN/SSAN [REDACTED]			
TYPE	PERSONAL APPEARANCE	X RECORD REVIEW				
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	NO					
	X					
MEMBERS SITTING		NOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
ISSUES A94.05		INDEX NUMBER A67.90		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		
HEARING DATE 9 JUL 03		CASE NUMBER FD2003-0087		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 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 [REDACTED]				SIGNATURE OF BOARD PRESIDENT [REDACTED]		
INDORSEMENT						DATE: 9 JUL 03
TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742				FROM: SECRETARY OF THE AIR FORCE PERSONNEL CO 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

FD03-0087

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 his discharge was too harsh because it was based on an isolated period of time during his 29 months of service. The record indicates the applicant received an Article 15 for the purpose of avoiding service as an enlisted person, intentionally injured himself by cutting both forearms with a razor. He also received a Record of Individual Counseling for being late for work. This was not an isolated period. The record indicates the applicant has a history of self-mutilation, acts which were committed because he was trying to avoid continuing his military service obligation. The applicant was given the Article 15 after his second self-inflicted injury. The applicant's doctor noted that the applicant had expressed a strong desire to be discharged from the Air Force, and his self-inflicted injuries were nothing more than his way of trying to get out. 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

(Former AMN) (HGH A1C)

1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF 6 Dec 96 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. BACKGROUND:

a. DOB: 15 Dec 75. Enlmt Age: 18 5/12. Disch Age: 20 11/12. Educ: HS DIPL. AFQT: N/A. A-82, E-92, G-76, M-96. PAFSC: 2T332B - Special Vehicle Maintenance Apprentice. DAS: 16 Jul 96.

b. Prior Sv: (1) AFRes 3 Jun 94 - 30 Jun 94 (28 days) (Inactive).

3. SERVICE UNDER REVIEW:

a. Enlisted as AB 1 Jul 94 for 4 yrs. Svd: 2 Yrs 5 Mo 6 Das, all AMS.

b. Grade Status: Amn - 4 Nov 96 (Article 15, 4 Nov 96)
A1C - 1 Nov 95
Amn - Unknown

c. Time Lost: None.

d. Art 15's: (1) 4 Nov 96, Anderson AFB, Guam - Article 115. You, did, on or about 21 Oct 96, for the purpose of avoiding service as an enlisted person, intentionally injure yourself by cutting both forearms with a razor. Reduction to Airman, 45 days restriction, and 30 days extra duty. (No appeal) (No mitigation)

e. Additional: RIC, 15 OCT 96 - Late for work.

f. CM: None.

g. Record of SV: 01 Jul 94 - 29 Feb 96 Eglin AFB 5 (Initial)
01 Mar 96 - 05 Nov 96 Anderson AFB 2 (Cmdr Dir)REF

(Discharged from Anderson AFB)

h. Awards & Decs: AFAM, AFTR, AFOUA W/1 DEV.

i. Stmt of Sv: TMS: (2) Yrs (6) Mos (4) Das
TAMS: (2) Yrs (5) Mos (5) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 20 Feb 03.

3-00087

FD2003-00087

charge to Honorable)

NOV 1996

My discharge was inequitable because it was based on an isolated
during an otherwise distinguishingly (sic) honorable 29 months of
country.

I sincerely regret my conduct while stationed at Anderson AFB but
I am sure that I was of sound mind during my tour there.

During my tour at Eglin AFB I lived and breathed my job for the
United States Air Force. I took no leave while stationed there.
I performed my function at my post only one time and that day I returned to
reluctantly. I was consistently called upon to solve unfamiliar
problems relating to the equipment we maintained. At the end of my tour I was
decorated with the medal of achievement for my service.

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DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

11 NOV 1996

MEMORANDUM FOR AMN: [REDACTED]

FROM: 36 TRANS/CC

SUBJECT: Notification Letter

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct, specifically for conduct prejudicial to good order and discipline, according to AFI 36-3208, section H, paragraph 5.50.2, and for conditions that interfere with military service, specifically mental disorders, according to AFI 36-3208, section B, paragraph 5.11.1. If my recommendation is approved, your service will be characterized as general.

2. My reasons for this action are:

a. You, did, at Andersen Air Force Base, Guam, on or about 21 Oct 1996, for the purpose of avoiding service as an enlisted person, intentionally injure yourself by cutting both forearms with a razor, in violation of Article 115 of the UCMJ. For your actions, you received Article 15 Nonjudicial punishment consisting of reduction to the grade of airman, restriction for 60 days, and 30 days of extra duty, dated 4 Nov 96

b. On 15 Oct 96, you failed to report to work at the time prescribed to your appointed place of duty, in violation of Article 86 of the UCMJ, and subsequently received a Letter of Counseling (LOC), dated 15 Oct 96.

c. On 1 Oct 96, you made suicidal gesture in which you made superficial lacerations to your right wrist, in addition to self-mutilation of a written message, "Never too late", into your forearm. For your action, you received a verbal counseling, as indicted by the MFR, dated 4 Nov 96.

d. You recently underwent a mental health evaluation at my direction. My concern for your well-being and the well-being of others were key factors in my decision to request that evaluation. On 21 Oct 96, Capt [REDACTED] Chief, Psychology Services, found you to fit the diagnostic criteria for being an alcohol abuser. Additionally, you have been evaluated by the Substance Abuse Treatment program at which time, Track 2 substance abuse education, was recommended. The provider also stated you suffer from a personality disorder so severe as to significantly impair your ability to function in a military environment. In fact, this personality disorder has caused you to continue this self-mutilation--a pattern of misconduct which is prejudicial to good order and discipline. Therefore, I believe that it is in both the Air Force's and your best interest that you be to discharged from active duty military service.

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 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 counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Captain [REDACTED], the Area Defense Counsel, Bldg. 21000, Room 5-2-1, 366-2281 at 1400 hours on 14 NOV 96. 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 19 NOV 96 (3 duty days) 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 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 on 18 NOV 96 at 0730 hours, at the 36th Medical Operations Squadron, Physical Exams Section.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974 as explained in AFI 36-3208 and is available for your use in the Unit Orderly Room.

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

[REDACTED]
[REDACTED] Major, USAF

Commander

Attachments:

- A. Art 15, 4 Nov 96
- B. LOC, 15 Oct 96
- C. MFR, 4 Nov 96
- D. Mental Health Ltr, 31 Oct 96