

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			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL	
YES	NO				
	X				
MEMBERS SITTING		VOTE OF THE BOARD			
		HON	GEN	UOTHC	OTHER
[REDACTED]		X			
[REDACTED]		X			
[REDACTED]		X			
[REDACTED]		X			
[REDACTED]		X			
ISSUES A94.06		EXHIBITS SUBMITTED TO THE BOARD			
		1	ORDER APPOINTING THE BOARD		
HEARING DATE 1 AUG 03					
		2	APPLICATION FOR REVIEW OF DISCHARGE		
INDEX NUMBER A67.90					
		3	LETTER OF NOTIFICATION		
CASE NUMBER FD2003-0152					
		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.					
SIGNATURE OF RECORDER [REDACTED]			SIGNATURE OF BOARD PRESIDENT [REDACTED]		
INDORSEMENT				DATE: 1 AUG 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

FD03-00152

GENERAL: The applicant appeals for an Honorable Discharge.

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 to Honorable is approved.

ISSUE: Applicant contends that his discharge was too harsh because it was based on one isolated incident in 36 months of service. The records indicate the applicant was discharged with a General discharge for Misconduct – conduct prejudicial to good order and discipline. After a thorough and complete consideration of the information submitted by the applicant and information contained in the record, the Board concluded there was sufficient mitigation and extenuation to substantiate upgrade of the discharge. Members are not normally discharged for DWI and it appears that there was a misunderstanding concerning the applicant's departure from the Correctional facility.

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.

However, in view of the foregoing finding, the Board further concludes that the overall quality of the applicant's service is more accurately reflected by an honorable discharge. The Board concluded that the Reason and Authority of the applicant's discharge should be changed to Secretarial Authority.

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 7 Feb 89 UP AFR 39-10, para 5-47b (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 31 May 67. Enlmt Age: 18 5/12. Disch Age: 21 8/12. Educ: HS DIPL. AFQT: N/A. A-65, E-65, G-64, M-74. PAFSC: 55255 - Plumbing Specialist. DAS: 8 Jul 87.

b. Prior Sv: (1) AFRes 26 Nov 85 - 26 Jan 86 (2 months 1 day) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 27 Jan 86 for 4 yrs. Svd: 3 Yrs 0 Mo 12 Das, all AMS.

b. Grade Status: AB - 11 Jan 89 (Article 15, 11 Jan 89)
Amn - 27 Jul 86

c. Time Lost: None.

d. Art 15's: (1) 11 Jan 89, Whiteman AFB, MO - Article 134. You did, while undergoing the punishment of correctional custody imposed by a person authorized to do so, did, on or about 29 Dec 88, breach the restraint imposed thereunder by leaving the correctional facility and proceeding to your dormitory room. Reduction to AB. (No appeal) (No mitigation)

(2) 23 Dec 88, Whiteman AFB, MO - Article 111. You did, on or about 1 Dec 88, at Gate #2 operate a vehicle, to wit: a passenger car, while drunk. Suspended reduction to Amn, forfeiture of \$200.00 pay per month for 1 month, and 30 days correctional custody. (No appeal) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV: 27 Jan 86 - 26 Jan 87 Gila Bend AFAF 9 (Annual)
27 Jan 87 - 14 Jun 87 Gila Bend AFAF 9 (CRO)
15 Jun 87 - 14 Jun 88 Whiteman AFB 9 (Annual)

(Discharged from Whiteman AFB)

h. Awards & Decs: AFAM, AFTR.

i. Stmt of Sv: TMS: (3) Yrs (2) Mos (13) Das
TAMS: (3) Yrs (0) Mos (12) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 14 Mar 03.
(Change Discharge to Honorable)

Issue 1: My undesirable discharge was inequitable because it was based on one isolated incident in 36 months of service.

Issue 2: I had received no discipline other than this in 36 months of service. I also not only performed well but also exceeded in many things. I received the Air Force Achievement (sic) Medal for the first 15 months of service.

ATCH

1. Applicant's Issues.
2. Certificate of Completion.
3. Certificate of Recognition.
4. DD Form 214.
5. Certificate of Recognition.
6. Air Force Achievement Medal.
7. Request for Three-Day Pass.
8. Four Letters of Appreciation.
9. DD Form 214.
10. Discharge Correspondence.

12MAY03/ia

FD 2003-00152



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 351ST COMBAT SUPPORT GROUP (SAC)
WHITEMAN AIR FORCE BASE, MISSOURI 65305-5000

REPLY TO
ATTN OF: 35# CES/CC

24 Jan 89

SUBJECT: Notification Letter

TO: Airman Basic [REDACTED]

1. I am recommending your discharge from the United States Air Force for Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFR 39-#0, paragraph 5-47b. 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 or about # December 88 you operated a vehicle while drunk, as evidenced by an Article #5 dated 23 December #988.

b. On or about 23 December 88 you breached correctional custody, as evidenced by an Article #5 dated ## January #989.

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 with [REDACTED] on 24 Jan 89 at 1300. 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 6 Feb 89 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 Base Hospital at 0700 on 25 Jan 89 for the examination.

UNITED STATES AIR FORCE



SEPTEMBER 18, 1947

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-40, attachment 6. A copy of AFR 39-40 is available for your use in your Orderly Room.

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



USAF
Commander, 35th Civ Engr Sq Section

- 3 Atch
- 1. AF 3070 dtd 23 Dec 88
- 2. AF 3070 dtd 14 Jan 89
- 3. Airman's Acknowledgment