

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE AMN	AFSN/SSAN [REDACTED]
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TYPE	X	PERSONAL APPEARANCE	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">YES</td> <td style="width:50%;">No</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	YES	No				
YES	No					

MEMBER SITTING	VOICE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]	X+				
[REDACTED]	X+				
[REDACTED]	X+				
[REDACTED]	X+				
[REDACTED]	X+				

ISSUES	A94.06	INDEX NUMBER	A67.10	EXHIBITS SUBMITTED TO THE BOARD														
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HEARING DATE	06 Dec 2003	CASE NUMBER	FD-2003-00157
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE BE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard at Randolph AFB, Texas.
Advise applicant of the decision of the Board.

+ CHANGE REASON AND AUTHORITY TO SECRETARIAL AUTHORITY

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
INDORSEMENT	DATE: 12/6/2003

TO: SAF/MRBR 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, 3RD FLOOR ANDREWS AFB, MD 20762-7002
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2003-00157

GENERAL: The applicant appeals for upgrade of discharge to honorable.

The applicant appeared before the DRB with counsel, Mr. [REDACTED] from the Texas Veterans Commission on December 6, 2003.

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of Discharge and change of reason and authority for discharge is approved.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's reason and authority for discharge inequitable.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15 for being derelict in the performance of his duties for driving a forklift off the road. He also received one Letter of Reprimand and three Records of Individual Counseling for failure to go, being late for work, failure to follow established procedures by damaging a government vehicle and causing personal injury, and for violation of dress and appearance standards. The DRB recognized the individual was going through a very difficult time due to family health issues and the applicant apply for and was denied a Humanitarian reassignment. The applicant also had sufficient post-service that certainly impressed the DRB.

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 findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge and the reason for the discharge is more accurately described as Secretarial Authority under the provisions of Title 10, USC 1553.

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 13 APR 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 23 Jan 70. Enlmt Age: 18 3/12. Disch Age: 19 2/12. Educ: HS DIPL. AFQT: N/A. A-67, E-63, G-53, M-65. PAFSC: 64531 - Apprentice Material Storage and Distribution Specialist. DAS: 10 Sep 88.

b. Prior Sv: (1) AFRes 26 Apr 88 - 17 Jul 88 (2 months 22 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as A1C 18 Jul 88 for 4 yrs. Svd: 0 Yrs 8 Mo 27 Das, all AMS:

b. Grade Status: AMN - 31 Mar 89 (Article 15, 31 Mar 89)

c. Time Lost: None.

d. Art 15's: (1) 31 Mar 89, Malmstrom AFB, MT - Article 92. You, who knew of your duties, on or about 21 Mar 89, were derelict in the performance of those duties in that you willfully failed to operate a forklift in the prescribed manner of driving only on hard surfaces, as it was your duty to do. Reduction to Airman. (No appeal) (No mitigation)

e. Additional: RIC, 08 MAR 89 - Violation of dress and appearance standards.

LOR, 10 FEB 89 - Failure to follow established procedures by damaging a government vehicle and causing personal injury.

RIC, 25 JAN 89 - Late for work.

RIC, 12 JAN 89 - Failure to go.

f. CM: None.

g. Record of SV: None.

(Discharged from Malmstrom AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (0) Yrs (11) Mos (19) Das