

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN						
[REDACTED]		A1C	[REDACTED]						
TYPE	PERSONAL APPEARANCE		X RECORD REVIEW						
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; height: 20px; vertical-align: top;">YES</td> <td style="width: 50%; height: 20px; vertical-align: top;">NO</td> </tr> <tr> <td style="height: 20px; vertical-align: top;"></td> <td style="height: 20px; vertical-align: top; text-align: center;">X</td> </tr> </table>		YES	NO		X	ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	NO								
	X								
MEMBERS SITTING		VOTE OF THE BOARD							
[REDACTED]		HON	GEN	UOTHC	OTHER				
[REDACTED]		X							
[REDACTED]		X							
[REDACTED]		X							
[REDACTED]		X							
[REDACTED]		X							
ISSUES		INDEX NUMBER		EXHIBITS SUBMITTED TO THE BOARD					
A92.01, A92.05, A94.06		A67.10		1 ORDER APPOINTING THE BOARD					
				2 APPLICATION FOR REVIEW OF DISCHARGE					
				3 LETTER OF NOTIFICATION					
HEARING DATE		CASE NUMBER		4 BRIEF OF PERSONNEL FILE					
16 JUL 03		168 FD2003-00733		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									
Case heard at Washington, D.C.									
Change the narrative reason for separation to Secretarial Authority.									
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							
[REDACTED]		[REDACTED]							
A [REDACTED]		[REDACTED]							
INDORSEMENT		DATE: 16 JUL 03							
TO:		FROM:							
SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742		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

FD2003-00168

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

The applicant was offered a personal appearance before the Discharge Review Board but declined to exercise this right.

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

FINDINGS: The discharge is upgraded to Honorable. The Reason for discharge is changed to Secretarial Authority.

The Board finds that neither the evidence of record or that provided by applicant substantiates an impropriety that would justify upgrade of the discharge. However, based on the record, the Board finds that the applicant's character of discharge is inequitable.

Issue. The applicant was discharged with a General Discharge for Misconduct - Minor Disciplinary Infractions. After a thorough and complete consideration of the information submitted by applicant and contained in the records, the Board concluded there was sufficient mitigation to substantiate upgrade of the discharge. There was evidence in the record that suggested that the member did not receive proper counseling and that the leadership was not putting forth an effort to rehabilitate the member. Specifically, the Board found the characterization too harsh. However, they did not condone applicant's misconduct.

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 change of reason for discharge to 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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 1 Aug 01 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 16 Aug 80. Enlmt Age: 17 7/12. Disch Age: 20 11/12. Educ: HS DIPL. AFQT: N/A. A-99, E-51, G-48, M-15. PAFSC: 3S051 - Personnel. DAS: 9 Feb 01.

b. Prior Sv: (1) AFRes 8 Apr 98 - 17 Nov 98 (7 Months 10 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 18 Nov 98 for 4 yrs. Svd: 2 Yrs 8 Mos 15 Das, all AMS.

b. Grade Status: A1C - 18 MAR 00
AMN - 18 MAY 99

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 20 Jun 01 - Disrespectful to supervisor and unauthorized use of a government computer.
LOR, 21 Sep 00 - Failure to report for a scheduled appointment.
LOR, 18 Aug 00 - Failure to report as directed.
LOR, 23 Feb 00 - Unauthorized use of a government computer by using it to solicit for personal gain.
LOR, 07 Feb 00 - Sending pornographic material by e-mail on a government computer.

f. CM: None.

g. Record of SV: 18 Nov 98 - 21 Oct 00 Kirtland AFB 3 (Initial)

(Discharged from Kirtland AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (3) Yrs (3) Mos (25) Das
TAMS: (2) Yrs (8) Mos (15) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 31 Mar 03.
(Change Discharge to Honorable)

Issues: Due to the extensive amount of detail provided in my discharge appeal I have chosen not to submit any supporting documentation. However, I have recently applied to Georgia Military College and currently being faced with an educational issue due to receiving a "General" discharge. I am uneligible (sic) for benefits, which plays a key role in furthering my education. I am hopeful that upon reviewing my records, (though it will show I was repeatedly reprimanded), that you will conclude from (sic) the LOA's, character statements and customer critiques that I was truly an asset to the United States Air Force and upgrade my discharge to "honorable". God bless.

ATCH
None.

15May03/cr



FD2003-00168
DEPARTMENT OF THE AIR FORCE
377TH MISSION SUPPORT SQUADRON (AFMC)
KIRTLAND AIR FORCE BASE NEW MEXICO

19Jul01

MEMORANDUM FOR A1C [REDACTED], 377 MSS

FROM: 377 MSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct, specifically, minor disciplinary infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.49. 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 20 Jun 01, you received a Letter of Reprimand. See attached LOR for complete details. (Atch 1)

b. On 21 Sep 00, you received a Letter of Reprimand. See attached LOR for complete details. (Atch 1)

c. On 18 Aug 00, you received a Letter of Reprimand. See attached LOR for complete details. (Atch 1)

d. On 23 Feb 00, you received a Letter of Reprimand. See attached LOR for complete details. (Atch 1)

e. On 7 Feb 00, you received a Letter of Reprimand. See attached LOR for complete details. (Atch 1)

3. 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. Special pay, bonuses, or education assistance funds may be subject to recoupment.

4. 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 Captain [REDACTED] at building 20200, ext. 6-5554, on 20 Jul 01 at 1300 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me within **3 workdays** from today unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.
7. You must complete a medical examination at the 377th Medical Group (Physical Exams) on 23 Jul 91 at 1315 hrs.
check in 1300
8. 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 your unit orderly room.


Commander

Lt Col, USAF

2 Attachments:

1. Supporting Documentation
2. Other Derogatory Data