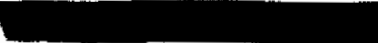






## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 	GRADE <b>AB</b>	AFSN/SSAN 
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TYPE	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">COUNSEL</td> <td rowspan="3" style="padding: 5px;">NAME OF COUNSEL AND OR ORGANIZATION</td> <td rowspan="3" style="padding: 5px;">ADDRESS AND OR ORGANIZATION OF COUNSEL</td> </tr> <tr> <td style="padding: 2px;">YES</td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table>	COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL	YES	NO		X		
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YES	NO									
	X									

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOHC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES <b>A95.00</b>	INDEX NUMBER <b>A67.10</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="padding: 2px;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr> <td style="width: 5%; padding: 2px; text-align: center;">1</td> <td style="padding: 2px;">ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="padding: 2px; text-align: center;">2</td> <td style="padding: 2px;">APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="padding: 2px; text-align: center;">3</td> <td style="padding: 2px;">LETTER OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px; text-align: center;">4</td> <td style="padding: 2px;">BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td style="padding: 2px;">COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td style="padding: 2px;">ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td style="padding: 2px;">TAPE RECORDING OF PERSONAL APPEARANCE HEARING</td> </tr> </tbody> </table>	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		TAPE RECORDING OF PERSONAL APPEARANCE HEARING
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HEARING DATE <b>1 AUG 03</b>	CASE NUMBER <b>FD2003-00170</b>																	

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, 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 
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INDORSEMENT	DATE: <b>1 AUG 03</b>
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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
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00170

**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:** Upgrade of discharge is denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any.

**Issue.** The applicant submitted no issues and requested that the review be completed based on the available service records. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. Applicant was discharged for minor disciplinary infractions. Member received two Articles 15, one Letter of Reprimand, and four Records of Individual Counseling. His misconduct included failure to meet scheduled appointments, failure to perform at expected standards, reporting late to work and smelling of alcohol, driving while drunk, and failure to obey an order not to drive. The Board noted member was age 18 when his misconduct occurred, essentially the same age as other airmen who complete their enlistments without disciplinary infractions, and there was no evidence he did not know right from wrong. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative/repetitive behavior. The Board concluded the disciplinary infractions were a significant departure from the conduct expected of all military members. The Board found no evidence of impropriety or inequity in this case on which to base an upgrade of 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 AB) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 3 Oct 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 27 Sep69. Enlmt Age: 17 9/12. Disch Age: 20 0/12. Educ: HS DIPL. AFQT: N/A. A-72, E-67, G-59, M-66. PAFSC: 45730C - Apprentice Strategic Aircraft Maintenance Specialist. DAS: 30 sep 88.

b. Prior Sv: (1) AFRes 30 Jun 87 - 11 Apr 88 (9 Months 13 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 12 Apr 88 for 4 yrs. Svd: 1 Yr 5 Mos 22 Das, all AMS.

b. Grade Status: AB - 13 Sep 89 (Vacation of Article 15, 13 Sep 89)  
AMN - 12 Oct 88

c. Time Lost: None.

d. Art 15's: (1) 13 Sep 89, Vacation, Pease AFB, NH - Article 92. You did, having knowledge of a lawful order issued by Lt Col [REDACTED], to wit: you were not to drive on Pease AFB until 29 Apr 90, an order which was your duty to obey, did, on or about 2 Sep 89, fail to obey the same by wrongfully driving on Pease AFB, NH. Reduction to AB. (No appeal) (No mitigation)

(2) 5 May 89, Pease AFB, NH - Article 111. You did, on or about 30 Apr 89, on Sherburne Road adjacent to Sherburne Gate operate a vehicle, to wit: a passenger car, while drunk. Suspended reduction to AB, suspended 15 days correctional custody, and forfeiture of \$125.00 pay per month for two months. (No appeal) (No mitigation)

e. Additional: LOR, 15 FEB 89 - Late to work and smelling of alcohol.  
RIC, 15 FEB 89 - Reported to work smelling of alcohol.  
RIC, 11 JAN 89 - Dereliction of duty.  
RIC, 20 DEC 88 - Failure to perform at expected standards and improvement in attitude.  
RIC, 02 NOV 88 - Failure to meet a scheduled appointment.

f. CM: None.

g. Record of SV: 12 Apr 88 - 11 Apr 89 Pease AFB 8 (Annual)

(Discharged from Pease AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (2) Yrs (3) Mos (4) Das  
TAMS: (1) Yrs (5) Mos (22) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 20 Mar 03.  
(Change Discharge to Honorable)

NO ISSUES SUBMITTED

**ATCH**

None.

19 May 03/cr



DEPARTMENT OF THE AIR FORCE  
 HEADQUARTERS 509TH BOMBARDMENT WING (SAC)  
 PEASE AIR FORCE BASE, NEW HAMPSHIRE 03803-5000



REPLY TO  
 ATTN. OF: FMS/CC

18 September 1989

SUBJECT: Notification Letter

TO: AB [REDACTED], FMS

1. I am recommending your discharge from the United States Air Force for misconduct, specifically for minor disciplinary infractions. The authority for this action is AFR 39-10, paragraph 5-46. If my recommendation is approved, your service will be characterized as general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. On 1 Nov 88 you failed to go to a scheduled training appointment which you received a Letter of Counseling, on 2 Nov 88. (LOC, 2 Nov 88, atch 1)

b. During the week of 20 Dec 88 your performance of your duties was substandard for which you received a Letter of Counseling on 20 Dec 88. (LOC, 20 Dec 88, atch 2)

c. On 10 Jan 89 you were given the responsibility of checking equipment in which your performance was substandard, for this you received a Letter of Counseling on 11 Jan 89. (LOC, 11 Jan 89, atch 3)

d. On 14 Feb 89 you reported to work late with the smell of alcohol on your breath, for which you received a Letter of Counseling, Letter of Reprimand and Unfavorable Information File entry on 15 Feb 89. (LOC, 15 Feb 89, atch 4), (LOR, 15 Feb 89, atch 5), (UIF entry, 15 Feb 89, atch 6)

e. On 30 Apr 89 you operated a vehicle while drunk for which you received Article 15 punishment on 5 May 89. (Art 15, W/atch, 5 May 89, atch 7)

f. On 2 Sep 89 you violated an order by driving on base while your driving privileges were revoked, for which you received a vacation of the suspension on your 5 May 89 Article 15 punishment and were reduced in rank on 13 Sep 89. (Vacation Action, 13 Sep 89, atch 8)

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 Capt [REDACTED], 3350 at Bldg 79, Rm 333 on 19 Sep at 1000 . 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 separations authority to consider must reach me by 21 Sep 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 509 Strategic Hospital at 0930 hours on 11 Sep 89 for the examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of AFR 39-10 is available for your use in the 509 Field Maintenance Squadron Orderly Room.

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

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] FMS

[REDACTED] USAF

9 Atch

1. LOC, 2 Nov 88
2. LOC, 20 Dec 88
3. LOC, 11 Jan 89
4. LOC, 15 Feb 89
5. LOR, 15 Feb 89
6. UIF Entry, 15 Feb 89
7. Art 15, w/atc, 5 May 89
8. Vacation Action, 13 Sep 89
9. Ann's Receipt of Notification Ltr