

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		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL	
YES	NO				
	X				
MEMBERS SITTING			VOTE OF THE BOARD		
			HON	GEN	UOTHC
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
ISSUES A94.05		INDEX NUMBER A67.10		EXHIBITS SUBMITTED TO THE BOARD	
HEARING DATE 24 JUN 03		CASE NUMBER FD2003-0188		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				
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: 24 JUN 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

FD03-0188

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 his discharge was inequitable because it was based on one isolated incident in 26 months of service. The record indicates the applicant received an Article 15 for failure to go. He also received a Letter of Reprimand and a Letter of Admonishment for dereliction of duty, a Verbal Counseling for financial irresponsibility, a Memorandum for Record for dereliction of duty, bad attitude, and being disrespectful to an NCO. He also received a traffic ticket for speeding and another Verbal Counseling for failure to follow procedures. These several minor disciplinary infractions are clearly not an isolated incident. The Board concluded the applicant's 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 18 Dec 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 29 Oct 69. Enlmt Age: 17 6/12. Disch Age: 20 1/12. Educ: HS DIPL. AFQT: N/A. A-51, E-30, G-52, M-52. PAFSC: 90550 - Pharmacy Specialist. DAS: 8 Jun 88.

b. Prior Sv: (1) AFRes 18 May 87 - 18 Nov 87 (6 months 1 day) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 19 Nov 87 for 4 yrs. Svd: 2 Yrs 1 Mo 0 Das, all AMS.

b. Grade Status: AMN - 19 Apr 89
A1C - 19 Mar 89
AMN - (APR Indicates): 19 Nov 87-18 Nov 88

c. Time Lost: None.

d. Art 15's: (1) 19 Apr 89, Taegu AB, Korea - Article 86. You, did, on 27 Mar 89, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to Airman, and 30 days correctional custody. (No appeal) (No mitigation)

e. Additional: LOR, 01 NOV 89 - Dereliction of duty.
LOA, 27 SEP 89 - Dereliction of duty.
VBC, 22 SEP 89 - Financial irresponsibility.
MFR, 07 AUG 89 - Dereliction of duty, bad attitude, and disrespectful to an NCO.
Traffic Ticket, 13 JUN 89 - Speeding.
VBC, 28 Jul 88 - Failure to follow procedures.

f. CM: None.

g. Record of SV: 19 Nov 87 - 18 Nov 88 Yokota AB 8 (Annual)
19 Nov 88 - 18 Jul 89 Yokota AB 3 (Initial)

(Discharged from Travis AFB)

h. Awards & Decs: AFTR, AFOSSTR.

i. Stmt of Sv: TMS: (2) Yrs (7) Mos (1) Das
TAMS: (2) Yrs (1) Mos (0) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 13 Apr 03.
(Change Discharge to Honorable)

Issue 1: I would like to fill out an application without shame, I remember my lifestyle of the co-ed dormitories, the medical barracks were loud music, daily to weekend partying of male and females. I learned about comradery (sic) and military pride, pride of being an american (sic), an american (sic) soldier in the far east, a learning time it was, but there was so much prejudice and its (sic) like. My discharge was inequitable because it was based on one isolated incident in 26 months of service. With regards to pride, am today a good neighbor and am well known in my city. A caring and watchfull (sic) citizen, I only want what is due to me. Thank you and may god bless us all.

ATCH

1. Training Certificate.
2. Certificate of Excellence.
3. Letter of Recommendation.
4. Two Character References.

27MAY03/ia

FD 2003-00/88



DEPARTMENT OF THE AIR FORCE
475TH MEDICAL GROUP (PACAF)
APO SAN FRANCISCO 96328-5300

20 Nov 89

REPLY TO
ATTN OF: SGQ

SUBJECT: Notification Letter

TO: Airman [REDACTED], 475 Medical Group/SGHP

1. I am recommending your discharge from the United States Air Force 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 honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. On 28 July 1988 you activated the pharmacy security alarm because you failed to follow proper procedures. As a result you received a verbal counseling from your First Sergeant.

b. On 20 April 1989, you failed to go, for which you received punishment under Article 15 of the UCMJ for Failure to Go. As a result you received 30 days correctional custody and reduction in grade to Airman.

c. On 13 June 1989 you exceeded the speed limit, for which you received a traffic citation for exceeding the speed limit. As a result you received a verbal counseling from your First Sergeant.

d. On 7 August 1989 you were disrespectful and failed to perform your assigned duties, for which you received a verbal counseling from your NCOIC.

e. Prior to 22 September 1989 you failed to pay your NCO club bills in a timely manner, for which you received a verbal counseling from your First Sergeant.

f. On 24 and 25 September 1989 you failed to follow proper procedures while dispensing controlled narcotics for which you received a letter of Admonishment from your NCOIC and a verbal reprimand from your Squadron Commander.

g. On 24 October 1989 you failed to follow proper procedures while dispensing controlled narcotics, for which you received a Letter of Reprimand that was filed in a UIF.

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] at Bldg 420, on 22 Nov 89, at 1400 hours. 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 24 Nov 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 the Physical Examination Section of the 475th Medical Group at Bldg 4405 on 21 Nov 89 at 0845 hours 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 Unit Orderly Room.

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


MAJOR, USAF, MSC
Medical Sqdrn Commander

8 Atchs

1. DD Form 1569 Incident Rpt
2. Article 15 dtd 19 Apr 89
3. Traffic Citation 13 Jun 89
4. Memo For Record 7 Aug 89
5. Memo For Record 22 Sep 89
6. Ltr of Admonishment 27 Sep 89
7. Ltr of Reprimand with UIF
1 Nov 89
8. Airman's Acknowledgement