

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]		<b>GRADE</b> A1C	<b>AFSN/SSAN</b> [REDACTED]			
<b>TYPE</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>				
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<b>YES</b>	<b>No</b>					
	<b>X</b>					
<b>MEMBER SITTING</b>		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
[REDACTED]		X				
[REDACTED]		X				
[REDACTED]		X				
[REDACTED]		X				
[REDACTED]		X				
<b>ISSUES</b> A93.10	<b>INDEX NUMBER</b> A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>				
		<b>1</b>	ORDER APPOINTING THE BOARD			
		<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE			
		<b>3</b>	LETTER OF NOTIFICATION			
		<b>4</b>	BRIEF OF PERSONNEL FILE			
			COUNSEL'S RELEASE TO THE BOARD			
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
			TAPE RECORDING OF PERSONAL APPEARANCE			
<b>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>						
<p>Case heard at Washington, D.C.</p> <p>Advise applicant of the decision of the Board.</p>						
<b>SIGNATURE OF RECORDER</b> [REDACTED]			<b>SIGNATURE OF BOARD PRESIDENT</b> [REDACTED]			
<b>INDORSEMENT</b>			<b>DATE: 08/21/2003</b>			
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002			

## AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2003-00225

**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 available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** The Board grants the requested relief.

The Board finds that neither the evidence of record or 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 failure to go and six Letters of Reprimand for a domestic disturbance, dereliction of duty, failing to properly secure his area badge, being late for work, and for failure to go. The Board realized the predicament the applicant was in when his then wife left him with a six-month-old baby. Although he tried to make a go of it between his military duties and being a parent, he could not balance the two. The Board opined that the characterization of the applicant's discharge should be changed to Honorable.

**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. The applicant's characterization and reason for discharge should be changed to Honorable, 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

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 29 Jun 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 2 Aug 67. Enlmt Age: 18 10/12. Disch Age: 21 10/12. Educ: HS DIPL. AFQT: N/A. A-63, E-52, G-48, M-67. PAFSC: 45451 - Aerospace Ground Equipment Mechanic. DAS: 9 Mar 87.

b. Prior Sv: (1) AFRes 4 Jun 86 - 10 Aug 86 (2 Months 7 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 11 Aug 86 for 4 yrs. Svd: 2 Yrs 10 Mos 19 Das, all AMS.

b. Grade Status: A1C - 11 Dec 87  
AMN - 11 Feb 87

c. Time Lost: None

d. Art 15's: (1) 29 Oct 87, Dyess AFB, TX - Article 86. You did, on or about 15 Oct 87, without authority, failed to go to your appointed place of duty. Suspended reduction to AB, and 14 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 12 JUN 89 - Failure to go.  
LOC, 05 JUN 89 - Dereliction of duty.  
LOR, 31 MAY 89 - Late for work and reported for duty without a line badge.  
LOR, 11 MAY 89 - Late for work.  
LOR, 11 FEB 89 - Security violation by failing to properly secure area badge.  
LOR, 07 DEC 88 - Dereliction of duty.  
LOR, 26 JUL 88 - Domestic disturbance.  
RIC, 11 JUL 88 - Late for work.

f. CM: None.

g. Record of SV: 11 Aug 86 - 10 Aug 87 Dyess AFB 7 (Annual)  
10 Aug 87 - 10 Mar 88 Dyess AFB 7 (CRO)  
11 Mar 88 - 25 Sep 88 Dyess AFB 9 (CRO)

(Discharged from Dyess AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (3) Yrs (0) Mos (26) Das  
TAMS: (2) Yrs (10) Mos (19) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 24 Apr 03.  
(Change Discharge to Honorable)

Issues: I request that my military discharge be upgrade(sic) to Honorable from General (Under Honorable Conditions). I recieved (sic) this type of discharge due to my divorce and the abandonment of my ex wife (sic) of me and my son. I was left with a six (6) month baby and been (sic) an elisted (sic) man, E-3, my finances were not enough to care for his needs and daycare. I had many problems with his health also and between trying to be the best parent possible I was unable to be at my assignments at times on time. I was discharged with this discharge and request consideration for an upgrade based on these circumstances. I still have custody of my son and remain a single parent trying my parental best.

**ATCH**

None.

7Jul03/cr



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 96TH BOMBARDMENT WING (SAC)  
DYESS AIR FORCE BASE, TEXAS 79607-5000



19 JUN 1989

REPLY TO: 96FMS/CC  
ATTN. OF:

SUBJECT: Letter of Notification

TO: ALC [REDACTED]

1. I am recommending your discharge from the United States Air Force for Misconduct--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. You did, at Dyess AFB TX, on or about 8 Jun 89, without authority, fail to go at the prescribed time to your appointed place of duty, as evidenced by a LOR dated 12 Jun 89 and AF Form 1058 dated 15 Jun 89.

b. You did, at Dyess AFB TX, on or about 3 Jun 89, fail to properly inventory tool kit number F323E as it was your duty to do, as evidenced by a LOC dated 5 Jun 89.

c. You did, at Dyess AFB TX, on or about 25 May 89, fail to go to your appointed place of duty at the prescribed time and did thereafter report for duty without your line badge, as evidenced by a LOR date 31 May 89.

d. You did, at Dyess AFB TX, on or about 11 May 89, without authority, fail to report to your appointed place of duty at the prescribed time, as evidenced by a LOR dated 11 May 89.

e. You did, at Dyess AFB TX, on or about 10 Feb 89, failed to properly secure your AF Form 1199B, restricted area badge, after completing your shift, as evidenced by a LOR dated 11 Feb 89.

f. You did, at Dyess AFB Tx, on or about 6 Dec 88, while in the performance of your duties -- performing maintenance on a MC-2A air compressor -- fail to follow proper procedures and technical data in dereliction of the performance of your duties, as evidenced by a LOR dated 7 Dec 88.

g. You did, in Abilene Tx, on or about 21 Jul 88, became involved in a domestic disturbance at your quarters and in your private auto resulting in physical violence, as evidenced by a LOR dated 26 Jul 88.

h. You did, at Dyess AFB TX, on or about 11 Jul 88, without authority, fail to report to your appointed place of duty, as evidenced by a LOC dated 11 Jul 88.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or 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], ADC at 0800 on 20 JUN 89. 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 22 JUN 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 medical examination. You must report to 96th Strategic Hospital, Physical Exams at 0700 hrs, on 21 JUN 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 Squadron Orderly Room.

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



Lt Col, USAF  
Commander, 96 FMS

- 8 Atch
- 1. LOR dtd  
12 Jun 89
- 2. AF Form  
174 dtd  
5 Jun 89
- 3. LOR dtd  
31 May 89
- 4. LOR dtd  
11 May 89
- 5. Lor dtd  
11 Feb 89
- 6. LOR dtd  
7 Dec 88
- 7. LOR dtd  
26 Jul 88
- 8. LOC dtd  
11 Jul 88