

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE A1C	AFSN/SSAN [REDACTED]			
TYPE	PERSONAL APPEARANCE	X RECORD REVIEW				
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING		VOICE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X	
[REDACTED]					X	
[REDACTED]					X	
[REDACTED]		X				
[REDACTED]					X	
ISSUES	INDEX NUMBER	EXHIBITS SUBMITTED TO THE BOARD				
A94.53	A67.10	1	ORDER APPOINTING THE BOARD			
A92.21		2	APPLICATION FOR REVIEW OF DISCHARGE			
		3	LETTER OF NOTIFICATION			
		4	BRIEF OF PERSONNEL FILE			
			COUNSEL'S RELEASE TO THE BOARD			
HEARING DATE	CASE NUMBER		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
19 Aug 2003	FD-2003-00263		TAPE RECORDING OF PERSONAL APPEARANCE			
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
<p>Case heard at Washington, D.C.</p> <p>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</p>						
SIGNATURE OF RECORDER [REDACTED]		SIGNATURE OF BOARD PRESIDENT [REDACTED]				
ENDORSEMENT		DATE: 8/19/2003				
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				

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2003-00263

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 that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge

Issues. Applicant was discharged for minor disciplinary infractions. The records indicated the applicant received two Letters of Reprimand, three Letters of Counseling, a Letter of Admonishment, and three Records of Individual Counseling. His misconduct included two missed appointments, twice failure to go, failed dormitory room inspection, breaking traction, driving on an expired license, and lying. Although the Board noted the medical records included entries for two commander-directed mental health evaluations, they failed to disclose any cause for applicant's misconduct. These evaluations in fact stated that member was capable of behaving responsibly although he had an immature personality style that included avoidance of taking responsibility for his actions. Member had one Airman Performance Report rated an overall "7" which stated his performance was marginal, he needed constant supervision, and needed to improve his self confidence and motivation. The DRB opined that through the administrative actions taken, the applicant had ample opportunities to change his negative behavior and was unable or unwilling to do so. The Board concluded the misconduct was a departure from conduct expected of all military members, therefore the characterization of the discharge received by the applicant was found to be appropriate.

Applicant cited his post-service conduct and good citizenship since discharge. However, this evidence is not relevant to the period of service under review and therefore, does not provide a basis for an upgrade. Although applicant has matured and his conduct may have improved, this alone is insufficient to overcome the factors that were the basis for discharge.

If he can provide additional documented information to substantiate an issue, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

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] (Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 9 Nov 88 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 11 Feb 69. Enlmt Age: 18 7/12. Disch Age: 19 8/12. Educ: HS DIPL. AFQT: N/A. A-29, E-56, G-46, M-69. PAFSC: 46230L - Aircraft Armament Systems Specialist. DAS: 1 Apr 88.

b. Prior Sv: None.

3. **SERVICE UNDER REVIEW:**

a. Enlisted as A1C 15 Sep 87 for 4 yrs. Svd: 1 Yrs 1 Mo 26 Das, all AMS.

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOA, 20 OCT 88 - Cited by Security Police for breaking traction and driving with an expired license.
LOR, 08 SEP 88 - Failure to attend a scheduled event and lying.
RIC, 24 AUG 88 - Failed dorm room inspection.
SEG LTR, 01 AUG 88 - Failure to wear seat belt.
RIC, 28 JUN 88 - Missed appointment.
LOR, 17 JUN 88 - Failure to go.
RIC, 06 JUN 88 - Missed appointment.

f. CM: None.

g. Record of SV: 15 Sep 87 - 14 Sep 88 Grand Forks AFB 7 (Annual)

(Discharged from Grand Forks AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (1) Mos (26) Das
TAMS: (1) Yrs (1) Mos (26) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 22 May 03.
(Change Discharge to Honorable)

Issue 1: I would like to update my discharge to honorable due to the dedication of bettering (sic) myself in knowledge and responsibility, I know my tour of duty was short and brief, I had alot (sic) of problems with responsibility and self respect. Over the years i (sic) have gained technical knowledge and recieved (sic) certifications for my accomplishments.

Currently I hold a position with Verizon Data Services as a Technical Analyst with growing potential for advancement and stronger knowledgebase (sic) of the technical industry.

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None.

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DEPARTMENT OF THE AIR FORCE
319th Munitions Maintenance Squadron (SAC)
Grand Forks Air Force Base, N.D. 58205-5000

FROM: 319 MMS/CC

1 November 1988

SUBJECT: Notification Letter

TO: AIC [REDACTED] 319 MMS

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. Your missing a scheduled appointment (FTD class) as evidenced by SAC Fm 845, dated 6 June 1988.

b. Your failing to attend a scheduled appointment (Change of Command Ceremony) as evidenced by a Letter of Reprimand dated 17 June 1988.

c. Your missing a scheduled appointment (AFRAT) as evidenced by AF Fm 174, dated 28 June 1988.

d. Your not wearing your seat belts while operating a POV on 29 July 1988 as evidenced by 42AD/SEG letter, dated 1 August 1988.

e. Your failing a dormitory inspection on 19 August 1988 as evidenced by AF Fm 174, dated 24 August 1988.

f. Your failure to attend a scheduled event expressly for which you were released from duty on 11 August 1988 as evidenced by LOR dated 8 September 1988.

h. Your breaking traction in a POV and driving on an expired license on 15 October 1988 as evidenced by LOA dated 20 October 1988.

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 Captain [REDACTED] at building 230, on 1 November 1988 at 1400 hours. You may consult civilian counsel at your own expense.

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4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me 4 November 1988, 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 USAF Hospital, Grand Forks AFB, ND, at 0700 hours on 2 November 1988 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 acknowledgement and return it to me immediately.



 Lt Col, USAF
Commander, 319 MMS

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1. SAC Fm 845, 6 Jun 88
2. Letter of Reprimand, 17 Jun 88
3. AF Fm 174, 28 Jun 88
4. 42AD/SEG ltr, 12 Aug 88
5. AF Fm 174, 24 Aug 88
6. UIF/Letter of Reprimand, 8 Sep 88
7. Letter of Admonishment/Armed Forces Traffic Ticket, 20 Oct 88