

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ████████████████████		GRADE	AFSN/SSAN ████████████████			
TYPE	PERSONAL APPEARANCE	X RECORD REVIEW				
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
████████████████████						X
████████████████████						X
████████████████████						X
████████████████████						X
████████████████████						X
ISSUES		INDEX NUMBER		EXHIBITS SUBMITTED TO THE BOARD		
A95.00		A69.00		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
HEARING DATE		CASE NUMBER		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE		
19 Aug 2003		FD-2003-00276		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						
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 ████████████████████		
INDORSEMENT				DATE: 08/19/2003		
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-2003-00276

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 that would justify a change of discharge.

ISSUE: The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity on which to base an upgrade of discharge. The records indicated the applicant received four Letters of Reprimand for being late for work, consuming alcoholic beverages underage, driving while intoxicated and for failing to obey a direct order not to consume alcoholic beverages. He also refused to participate in an alcoholic rehabilitation program. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the 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.

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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 30 Aug 02 UP AFI 36-3208, para 5.32 (Alcoholic Rehabilitation Failure). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 7 Nov 80. Enlmt Age: 19 8/12. Disch Age: 22 9/12. Educ: HS DIPL. AFQT: N/A. A-54, E-61, G-57, M-80. PAFSC: 3E731 - Fire Protection Apprentice. DAS: 11 Feb 01.

b. Prior Sv: (1) AFRes 14 Jul 00 - 23 Aug 00 (1 month 10 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 24 Aug 00 for 4 yrs. Svd: 2 Yrs 0 Mo 7 Das, all AMS.

b. Grade Status: A1C - 24 Dec 01
AMN - 24 Feb 01

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 01 AUG 02 - Failing to obey a direct order not to consume alcoholic beverages.
LOR, 01 JUL 02 - Driving while intoxicated.
LOR, 29 AUG 01 - Consuming alcoholic beverages underage.
LOR, 31 JUL 01 - Late for work.

f. CM: None.

g. Record of SV: 24 Aug 00 - 23 Apr 02 Whiteman AFB 3 (Initial)

(Discharged from Whiteman AFB)

h. Awards & Decs: AFAM, AFTR, NDSM, AFOUA.

i. Stmt of Sv: TMS: (2) Yrs (1) Mos (17) Das
TAMS: (2) Yrs (0) Mos (7) Das

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

NO ISSUES SUBMITTED.

FD2003-00276

ATCH
None.

8JUL02/ia



DEPARTMENT OF THE AIR FORCE
509TH CIVIL ENGINEER SQUADRON (ACC)
WHITEMAN AIR FORCE BASE, MISSOURI

MEMORANDUM FOR A1C [REDACTED]

FROM: 509 CES/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for failure in alcohol abuse treatment. The authorities for this action are AFPD 36-32 and AFI 36-3208, paragraph 5.32. If my recommendation is approved your service may be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).

2. My reason for this action is:

On 18 July 02, you were referred to the Abuse Prevention and Treatment (ADAPT) Program and were given a diagnosis of alcohol abuse. It was made clear to you that this is a command directed program and you were informed of the consequences of failure to complete treatment. On 7 Aug 02 you willfully refused treatment recommendations. Your refusal and unwillingness to cooperate with the counselor's recommendations constitutes failure in alcohol abuse treatment under AFI 36-3208 paragraph 5.32.1.2.

3. The following significant instances of misconduct outweigh any positive aspects of your military record and are additional factors in my decision to recommend an under honorable conditions (general) discharge.

- a. On 17 July 02, you were given a direct order from MSgt [REDACTED] to not consume any alcohol. You willfully ignored this order by consuming alcoholic beverages on the evening of 18 July 02. For this misconduct, you received an LOR date 1 Aug 02.
- b. On or about 23 Jun 02, you were observed running a stop sign by an officer of the Warrensburg Police Department. The officer then pulled you over and conducted several sobriety tests along with a preliminary breath test, which confirmed the presence of alcohol. For this misconduct, you received an LOR dated 1 July 02.
- c. On 23 Aug 01, you admitted to consuming alcohol while underage. For this misconduct, you received an LOR dated 29 Aug 01.
- d. On 28 July 01, you reported late to your appointed place of duty. For this misconduct, you received an LOR dated 31 July 01.

4. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising Special Court-Martial convening authority 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 and any special pay, bonus, or education assistance funds may be subject to recoupment.
5. 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] in Bldg 509 on _____ at _____. You may also consult civilian counsel at your own expense.
6. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 30 AUG 02 / 0730 unless you request and receive an extension for good cause shown. I will forward your statements to the separation authority.
7. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your rights to do so.
8. You have been scheduled for a medical examination. You must report to Physical Exams at 0845 on 29 Aug 02 for the examination.
9. 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's Orderly Room.
10. Execute the attached acknowledgment and return it to me immediately.

[REDACTED]

[REDACTED] Lt Col, USAF
Commander

Attachments:

1. Supporting documents --for the reason for discharge
 - a. Memorandum from MDOS/SGOMH, dated 7 Aug 02
 - b. LOR dated 1 Aug 02
 - c. LOR dated 1 July 02
 - d. LOR date 29 Aug 01
 - e. LOR dated 31 July 01
2. Documents containing derogatory information --which are not listed in the notification memorandum: None
3. Airman's receipt of notification memorandum, dated 28 AUG 02.