

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE	AFSN/SSAN <b>[REDACTED]</b>
TYPE	PERSONAL APPEARANCE	<b>X</b>	RECORD REVIEW
COUNSEL NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL	
YES	No		
	<b>X</b>		

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<b>[REDACTED]</b>					<b>X</b>
					<b>X</b>
					<b>X</b>
					<b>X</b>
					<b>X</b>

ISSUES <b>A93.01</b>	INDEX NUMBER <b>A67.90</b>	<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	
HEARING DATE <b>12 Nov 2003</b>	CASE NUMBER <b>FD-2003-00282</b>		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
			TAPE RECORDING OF PERSONAL APPEARANCE	

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL 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

*attn: [REDACTED]*

<b>INDORSEMENT</b>	<b>DATE: 11/13/2003</b>
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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
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## AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2003-00282

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, change the reason and authority for the discharge, and change their reenlistment code.

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:** Upgrade of Discharge, change of reason and authority for discharge and change of reenlistment code 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.

**ISSUE:** Applicant contends discharge was inequitable because of his age and maturity level at the time of discharge. The records indicated the applicant received an Article 15 for being derelict in the performance of his duties. Additionally, he received four Letters of Reprimand, two Letters of Counseling, and two Records of Individual Counseling for dereliction of duty, playing loud music in the dormitory, financial irresponsibility, being disrespectful to an NCO and for transmitting inappropriate information over a government computer. 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. Applicant contends that he should not be penalized indefinitely for a mistake he made when young. The DRB recognized the applicant was 20 years of age when the discharge took place. However, there is no evidence he was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. The DRB concluded that the characterization of the applicant's discharge was appropriate due to the misconduct.

**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

MISSING MEDICAL RECORDS  
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 31 Aug 00 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge, to Change the RE Code, Reason and Authority for Disch.

2. **BACKGROUND:**

a. DOB: 11 Sep 79. Enlmt Age: 17 7/12. Disch Age: 20 11/12. Educ: HS DIPL. AFQT: N/A. A-54, E-26, G-30, M-17. PAFSC: 2S051 - Supply Management Journeyman. DAS: 11 Dec 97.

b. Prior Sv: (1) AFRes 30 Apr 97 - 26 Aug 97 (3 months 28 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 27 Aug 97 for 4 yrs. Svd: 3 Yrs 0 Mo 4 Das, all AMS.

b. Grade Status: A1C - 27 Jun 99  
AMN - 27 Feb 98

c. Time Lost: None.

d. Art 15's: (1) 22 Mar 99, Little Rock AFB, AR - Article 92. You, who knew of your duties, on or about 6 Mar 99, were derelict in the performance of those duties in that you by culpable inefficiency failed to pull the correct property for two bench stock issues, as it was your duty to do. Suspended forfeiture of \$100 pay per month for 2 months (remitted 22 Jun 99), 45 days extra duty (23 days remitted 30 Mar 99), and a reprimand. (Appeal/Denied) (No mitigation)

e. Additional: LOR, 19 MAY 00 - Transmitting inappropriate information over a government computer.  
LOR, 18 MAY 00 - Disrespect to an NCO.  
RIC, 21 SEP 99 - Financial irresponsibility.  
TRAFFIC TICKET, 10 JUL 99 - Failure to stop at a stop sign.  
LOR, 21 SEP 98 - Dereliction of duty.  
LOR, 09 SEP 98 - Dereliction of duty.  
RIC, 07 AUG 98 - Dereliction of duty.  
LOC, 29 JUN 98 - Financial irresponsibility.  
RIC, 09 MAR 98 - Playing loud music in the dormitory.  
LOC, 10 JAN 98 - Dereliction of duty.

f. CM: None.

- g. Record of SV: 27 Aug 97 - 29 Jul 99 Little Rock AFB 3 (Initial)  
30 Jul 99 - 15 Jun 00 Little Rock AFB 2 (Dir by Cmdr) REF

(Discharged from Little Rock AFB)

h. Awards & Decs: AFTR, AFOUA.

- i. Stmt of Sv: TMS: (3) Yrs (4) Mos (2) Das  
TAMS: (3) Yrs (0) Mos (5) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 1 Mar 03.

(Change Discharge to Honorable, Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BREIF.

**ATCH**

1. Applicant's Issues.

14AUG03/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 314TH AIRLIFT WING (AETC)  
LITTLE ROCK AIR FORCE BASE, ARKANSAS

15 AUG 2000

MEMORANDUM FOR [REDACTED]

FROM: 314 SUPS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force IAW AFPD 36-32 and AFI 36-3208, paragraph 5.50.2, A Pattern of Misconduct, Conduct Prejudicial to Good Order and Discipline. If my recommendation for discharge is approved, the separation authority may characterize your service as either Honorable or Under Honorable Conditions (General). I will recommend characterizing your service as Under Honorable Conditions (General).

2. My reasons for this action are:

a. On or about 17 May 2000, you were derelict in the performance of your duties, in that you transmitted inappropriate information through the use of government e-mail system on a government computer. For your actions, you received a Letter of Reprimand, entry in your already established Unfavorable Information File (UIF), and placed on the Control Roster. (Atch 1-1)

b. On or about 2 May 2000, you were derelict in the performance of your duties, in that you were disrespectful towards your supervisor when asked to perform a work-related task. For your actions, you received a Letter of Reprimand (LOR). (Atch 1-2)

c. On or about 19 August 1999, you were derelict in the performance of your duties, in that you forgot to make a club card payment. For your actions, you received a Letter Counseling (LOC). (Atch 1-3)

d. On or about 4 March 1998, you were derelict in the performance of your duties, in that you failed to respond in your responsibility as storage and issue's standby person. That between 1900 - 1945 hours you failed to respond when your beeper was activated on several occasions. For your actions, you received an LOR, entry in your UIF, and a continued Control Roster. (Atch 1-4)

e. On or about 6 March 1999, you were derelict in the performance of your duties, in that you by culpable inefficiency failed to pull the correct property for two bench stock issues, as it

was your duty to do. For your actions, you received Nonjudicial Punishment Under Article 15, UCMJ, and entry in your UIF. (Atch 1-5)

f. On or about 28 August 1998, you were derelict in the performance of your duties, in that you failed to pull the correct property on a bench stock item, as it was your duty to do. For your actions, you received an LOR, and establishment of an UIF. (Atch 1-6)

g. On or about 31 July 1998, you were derelict in the performance of your duties, in that you failed to pull the correct property on bench stock items, as it was your duty to do. For your actions, you received an LOC. (Atch 1-7)

h. On or about 11 June 1998, you were derelict in the performance of your duties, in that you were delinquent in paying the amount of \$37.00 to your AFFES-DPP account, as it was your duty to do. For your actions, you received an LOC. (Atch 1-8)

i. On or about 8 March 1999, you were derelict in the performance of your duties, in that you failed to adhere to established music standards in the dormitory. For your actions, you received an LOC. (Atch 1-9)

j. On or about 10 January 1998, you were derelict in the performance of your duties, in that you drove a forklift through an unauthorized entrance and damaged the overhead door. For your actions, you received an LOC. (Atch 1-10).

### 3. OTHER DEROGATORY DATA:

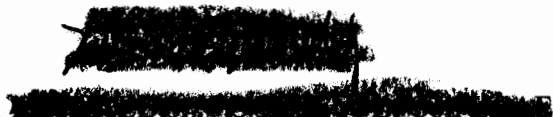
k. On or about 19 July 1999, you were derelict in the performance of your duties, in that you were cited by the Little Rock AFB Security Forces for failing to stop at stop sign. For your actions, you received a DD Form 1408 (Armed Forces Traffic Ticket). (Atch 1-11)

4. 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 discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.

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 ~~XXXXXXXXXXXXXXXXXXXX~~ Area Defense Counsel, Bldg 1255, Rm 201, Telephone 7-3260 on      August 2000 at      hours. You may 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 within (3) workdays unless you request and receive an extension for good cause shown. I will forward any statements you submit 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 right to do so.
8. You have been scheduled for a medical examination. You must report to Little Rock AFB Hospital at **0745** hours on **16 August 2000** 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 the Orderly Room.
10. Execute the attached acknowledgment and return it to me immediately.



Commander

Attachments:

- 1-1 LOR, 19 May 2000
  - Member's Response, not signed or dated
  - DD Form 1058, 1 Jun 2000
  - UIF Summary Sheet
  - Evidence
- 1-2 LOR, 18 May 2000
- 1-3 LOC, 21 Sep 99
- 1-4 LOR, 21 Sep 98
  - AF Form 1058, 22 Sep 98
  - UIF Summary Sheet
- 1-5 Art. 15, 31 May 99
  - AF Form 3212 (Remission), 30 Mar 99
  - AF Form 3212 (Remission), 22 Jun 99
  - MFR (██████████), 17 Jun 99
  - UIF Summary Sheet
- 1-6 LOR, 9 Sep 98
  - AF Form 1058
  - UIF Summary Sheet
- 1-7 LOC, 7 Aug 98
- 1-8 LOC, 29 Jun 98
  - DPP Service Center Manager Ltr, 21 Jun 98
- 1-9 LOC, 9 Mar 98
- 1-10 LOC, 10 Jan 98
- 1-11 DD Form 1408, 10 Jul 99