

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ██████████		GRADE SRA ██████████	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 A94.05	INDEX NUMBER A67.10	EXHIBITS SUBMITTED TO THE BOARD				
		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 23 Sep 2003	CASE NUMBER FD-2003-00308		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
			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 ██████████		SIGNATURE OF BOARD PRESIDENT ██████████				
INDORSEMENT			DATE: 09/30/2003			
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-2003-00308

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: 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.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. He believes that the stain on his record is no longer warranted and requests that it be removed. The records indicated the applicant received an Article 15 for wrongfully using his government credit card for personal purposes. In addition, he received a Letter of Reprimand, twelve Records of Individual Counseling and two Letters of Admonishment for financial irresponsibility, violation of Tech Data, dereliction of duty, violation of AFOSH Standards, failure to perform tool box inspection, failure to properly inspect vehicle, late for duty, substandard workmanship, and for dress and appearance violations. 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

(Former SRA) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 27 Jul 98 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 15 Mar 74. Enlmt Age: 19 7/12. Disch Age: 24 4/12. Educ: HS DIPL. AFQT: N/A. A-82, E-86, G-76, M-93. PAFSC: 2A753 - Aircraft Structural Maintenance Journeyman. DAS: 1 Aug 95.

b. Prior Sv: (1) AFRes 22 Oct 93 - 20 Jan 94 (3 months)(Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 21 Jan 94 for 4 yrs. Ext: 29 Mar 95 for 9 months. Svd: 4 Yrs 6 Mo 7 Das, all AMS.

b. Grade Status: SRA - 21 Jan 97
A1C - 21 May 95
AMN - 21 Jul 94

c. Time Lost: None.

d. Art 15's: (1) 31 Oct 97, RAF Mildenhall, UK - Article 92. You, did, on multiple occassions, between on or about 30 May 97 to on or about 15 Aug 97 fail to obey a lawful general regulation, to wit: AFI 65-104, Section C, Paragraph 25.1 (Government Travel Charge Card Program), dated 1 May 96, by wrongfully using your government American Express card for personal purposes. Suspended reduction to A1C, and 45 days extra duty. (No appeal) (No mitigation)

e. Additional: RIC, 02 JUL 98 - Financial irresponsibility.
RIC, 31 MAR 98 - Violation of Tech Data.
MFR, 18 MAR 98 - Dereliction of duty.
RIC, 12 MAR 98 - Violation of AFOSH Standard 48-1.
RIC, 12 JAN 98 - Dereliction of duty.
RIC, 24 OCT 97 - Failure to perform tool box inspection.
RIC, 24 OCT 97 - Failure to properly inspect vehicle.
RIC, 22 AUG 97 - Dereliction of duty.
LOR, 03 JUL 97 - Dereliction of duty.
RIC, 30 MAY 97 - Late for duty.
RIC, 07 MAY 97 - Substandard workmanship.
LOA, 19 FEB 97 - Financial irresponsibility.
RIC, 10 FEB 97 - Dereliction of duty.

RIC, 10 FEB 97 - Dress and appearance below standards.
LOA, 08 NOV 96 - Financial irresponsibility.
RIC, 30 AUG 96 - Failure to obey Tech Data.

f. CM: None.

g. Record of SV: 21 Jan 94 - 28 Nov 95 RAF Mildenhall 4 (Initial)
29 Nov 95 - 28 Nov 96 RAF Mildenhall 3 (Annual)
29 Nov 96 - 28 Nov 97 RAF Mildenhall 2 (Annual)

(Discharged from Moody AFB)

h. Awards & Decs: AFLSAR, AFTR, NDSM, AFOUA W/1 DEV.

i. Stmt of Sv: TMS: (4) Yrs (9) Mos (6) Das
TAMS: (4) Yrs (6) Mos (7) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 26 Jun 03.
(Change Discharge to Honorable)

Issue 1: At the time of my discharge, I was less than 90 days from receiving an honorable discharge. The financial misconduct I exhibited during my term of service has since been rectified. I have been a contributing law abiding member of society in the four years since my discharge. I feel that the stain on my personal record is no longer warranted and request that it be removed.

ATCH
None.

5AUG03/ia

g. On 16 May 1997 and 27 May 1997, you reported late for duty. For these offenses, you received a Record of Counseling dated 30 May 1997.

h. On 1 July 1997, you conducted repairs on a MH-53 Input Drive Shaft Cowling. However, instead of removing a hinge to gain access to the repair area, you improperly bent the hinge to gain access. For your unsatisfactory workmanship, you also received a Letter of Reprimand dated 3 July 1997.

i. On 22 August 1997, you failed to follow established procedures for checking out tools from maintenance. For your dereliction of duty, you received a Record of Individual Counseling dated 22 August 1997.

j. On 24 October 1997, you ignored your supervisor's direction to perform a maintenance inspection on a government vehicle. For your disobedience, you received a Record of Individual Counseling dated 24 October 1997.

k. On 24 October 1997, after completing a repair in Hangar 775, you left behind some of your equipment. For your carelessness, you received a Record of Individual Counseling dated 24 October 1997.

l. Between 30 May 1997 and 15 August 1997, you disobeyed a lawful general regulation by wrongfully using your Government American Express Card for personal purposes. For this offense, you received Nonjudicial Punishment under Article 15 of the UCMJ. Your punishment included a suspended reduction to the grade of Airman First Class and 45 days extra duty.

m. On 8 January 1998, you failed to notice that a pair of safety goggles was missing when you conducted your weekly inspection. For this offense you received a Record of Individual Counseling dated 12 January 1998.

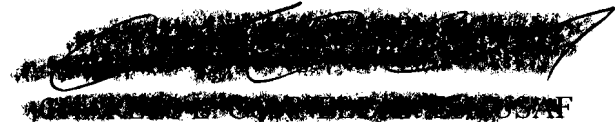
n. On 10 March 1998, during a monthly inspection, your respirator was found to be improperly stored in violation of AFOSH Standard 48-1. For this offense, you received a Record of Individual Counseling dated 12 March 1998.

o. On 26 March 1998, for your repeated substandard duty performance and misconduct, you were non-selected for reenlistment.

p. On 25 March 1998, you used chemicals to strip paint without the required eye protection. For your carelessness, you received a Record of Individual Counseling dated 31 March 1998.

q. On 2 July 1998, your AAFES DPP account was more than 60 days delinquent. For your financial irresponsibility, you received a Record of Individual Counseling dated 2 July 1998.

3. 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 be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.
4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. **I have made an appointment for you to consult the Area Defense Counsel, at Building 976, RAF Lakenheath, DSN 226-3608, on Thursday, 9 July 1998 at 0930 hours.** You may consult civilian counsel at your own expense.
5. You have a right to submit statements in your own behalf. **Any statements you want the separation authority to consider must reach me by 10 July 1998 unless you request and receive an extension for good cause shown.** I will send them to the separation authority.
6. **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.**
7. You have been scheduled for a medical examination. **You must report to Building 926, RAF Lakenheath, Physical Exams Section, on Wednesday, 8 July 1998 at 0730 hours, with your medical records.** You must be in uniform. If you have been prescribed glasses, you must wear your glasses to the appointment.
8. 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 at the unit orderly room or the Area Defense Counsel office.



Commander

Attachments:

1. Airmen's Acknowledgment
2. Record of Individual Counseling, dated 30 Aug 96
3. Letter of Admonishment, dated 8 Nov 96 w/ atchs
4. Record of Individual Counseling, dated 10 Feb 97
5. Record of Individual Counseling, dated 10 Feb 97
6. Letter of Admonishment, dated 19 Feb 97 w/ atchs
7. Record of individual Counseling, dated 7 May 97
8. Record of Individual Counseling, dated 30 May 97
9. Letter of Reprimand, dated 3 July 97
10. Record of Individual Counseling, dated 22 Aug 97

11. Record of Individual Counseling, dated 24 Oct 97
12. Record of Individual Counseling, dated 24 Oct 97
13. Article 15, dated 31 Oct 97
14. Record of Individual Counseling, dated 12 Jan 98
15. Record of Individual Counseling, dated 12 Mar 98
16. Memorandum For Record, dated 18 Mar 98
17. Denial of Reenlistment, AF Form 418, dated 26 Mar 98
18. Record of Individual Counseling, dated 31 Mar 98
19. Record of Individual Counseling, dated 2 Jul 98
20. EPRs
21. RIP