

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

|  |                        |  |
|--|------------------------|--|
| <b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b><br>██ | <b>GRADE</b><br><br>AB | <b>AFSN/SSAN</b><br>██ |
|--|------------------------|--|

|                 |                            |          |                      |
|-----------------|----------------------------|----------|----------------------|
| <b>TYPE GEN</b> | <b>PERSONAL APPEARANCE</b> | <b>X</b> | <b>RECORD REVIEW</b> |
|-----------------|----------------------------|----------|----------------------|

|  |  |   |  |          |  |  |
|--|--|---|--|----------|--|--|
| <b>COUNSEL</b>   | <b>NAME OF COUNSEL AND OR ORGANIZATION</b> | <b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b> |  |          |  |  |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><b>YES</b></td> <td style="width:50%;"><b>No</b></td> </tr> <tr> <td></td> <td align="center"><b>X</b></td> </tr> </table> | <b>YES</b>                                 | <b>No</b>                                     |  | <b>X</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     |
|                       |                          |     |       |       | <b>X</b> |
|                       |                          |     |       |       | <b>X</b> |
|                       |                          |     |       |       | <b>X</b> |
|                       |                          |     |       |       | <b>X</b> |
|                       |                          |     |       |       | <b>X</b> |

|   |  |   |          |                            |          |                                     |          |                        |          |                         |  |                                |  |  |  |                                       |
|---|--|---|----------|----------------------------|----------|-------------------------------------|----------|------------------------|----------|-------------------------|--|--------------------------------|--|--|--|---------------------------------------|
| <b>ISSUES</b><br>A92.15<br>A01.13<br>A93.19<br>A93.09 | <b>INDEX NUMBER</b><br>A67.90                                | <b>EXHIBITS SUBMITTED TO THE BOARD</b>  |          |                            |          |                                     |          |                        |          |                         |  |                                |  |  |  |                                       |
|   |  | <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:5%; text-align: center;"><b>1</b></td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;"><b>2</b></td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;"><b>3</b></td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;"><b>4</b></td><td>BRIEF OF PERSONNEL FILE</td></tr> <tr><td></td><td>COUNSEL'S RELEASE TO THE BOARD</td></tr> <tr><td></td><td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td></tr> <tr><td></td><td>TAPE RECORDING OF PERSONAL APPEARANCE</td></tr> </table> | <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>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>HEARING DATE</b><br>27 Feb 2004 | <b>CASE NUMBER</b><br>FD-2003-00518 |  |
|------------------------------------|-------------------------------------|--|

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]

|  |   |
|--|---|
| <b>TO:</b><br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742 | <b>FROM:</b><br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7002 |
|--|---|

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2003-00518**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable and to change his 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 and change of reenlistment code are 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 infers discharge was inequitable because it was too harsh. He believes he was not given adequate supervision or assistance overcoming his challenges adjusting to a time change and the use of alcohol as a result of peer pressure. The records indicated the applicant received an Article 15, two Letters of Reprimand, and three Letters of Counseling for misconduct consisting of sleeping on duty, being late for work twice, failing to go on another occasion, being out of uniform for an extended period of time, being drunk on station resulting in personal injury and being uncooperative with medical personnel. Member was involved in various aspects of the alcohol rehabilitation program from August 1994 to January 1995, including in-patient rehabilitation and a subsequent hospitalization for detoxification at which time his blood alcohol content was .259 and he was diagnosed alcohol dependent. The DRB opined that through these administrative and rehabilitative actions, the applicant had ample opportunities to change his negative behavior and was unable or unwilling to do so. The Board found nothing to support his claims that his supervisor didn't provide adequate guidance or support, or that the applicant's stressors were in any way unique or unusual compared to other airmen stationed overseas who adhered to the standards expected of them and completed their terms of service without misconduct. The Board concluded applicant's misconduct was a significant departure from conduct expected of all military members and the characterization of the discharge received by the applicant was appropriate. The Board found no evidence of mitigation or extenuation to warrant an upgrade.

**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 AB) (HGH AMN)

MISSING DOCUMENTS AND MEDICAL RECORDS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 17 Feb 95 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 18 Jul 75. Enlmt Age: 18 1/12. Disch Age: 19 6/12. Educ: HS DIPL. AFQT: N/A. A-Unknown, E-Unknown, G-Unknown, M-Unknown. PAFSC: 2A333A - Tactical Aircraft Maintenance Apprentice. DAS: Unknown.

b. Prior Sv: (1) AFRes 18 Aug 93 - 2 Jan 94 (4 months 15 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Jan 03 for 4 yrs. Svd: 1 Yrs 1 Mo 15 Das, all AMS.

b. Grade Status: AB - 6 Sep 94 (Article 15, 6 Sep 94)  
 AMN - Unknown

c. Time Lost: None.

d. Art 15's: (1) 6 Sep 94, Kadena AB, Japan - Article 86. You, did, on or about 24 Aug 94, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to AB, and forfeiture of \$250.00 pay per month for two months. (No appeal) (No mitigation)

e. Additional: LOR, 13 JAN 95 - Intoxication on station resulting in personal injury, and uncooperative with medical personnel.

LOR, 03 AUG 94 - Late for duty.

LOC, 28 JUL 94 - Out of uniform, displaying incorrect rank.

LOC, 28 JUL 94 - Late for duty.

LOC, 20 JUL 94 - Sleeping on duty.

f. CM: None.

g. Record of SV: None.

(Discharged from Columbus AFB)

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

i. Stmt of Sv: TMS: (1) Yrs (6) Mos (0) Das

TAMS: (1) Yrs (1) Mos (15) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 21 Oct 03.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. DD Form 214.
3. Administrative Actions Received.
4. Copy of Medical Records while Active.
5. Training Records.
6. AF Certificates.
7. College Certificates.
8. College Transcripts.
9. Copy of Social Security Card, Licenses, and Diploma.
10. Letters of Recommendation.
11. Performance Reviews Received from Managers.
12. Training Records from Dyn Corp.
13. Resume.

12DEC03/ia

**7. SUPPORTING DOCUMENTS** (*X as applicable*) (Please print name and Social Security Number on each document.)

WILL NOT BE SUBMITTED. PLEASE COMPLETE REVIEW BASED ON AVAILABLE SERVICE RECORDS.

ARE LISTED BELOW AND ARE ATTACHED TO THIS APPLICATION: (Continue on a plain sheet of paper if more space is needed.)

- a. DOCUMENT 1:  
Copy of my DDform214
- b. DOCUMENT 2:  
Copy of Administrative Actions Received
- c. DOCUMENT 3:  
Copy of Medical Records while Active

**8. ISSUES**  
The Board will consider any issue submitted by you prior to closing the case for deliberation. The Board will also review the case to determine whether there are any issues that provide a basis for upgrading your discharge. However, the Board is not required to respond in writing to issues of concern to you unless those issues are listed or incorporated by specific reference below. Carefully read the instructions that pertain to Block 8 prior to completing this part of the application. If you need more space, submit additional issues on an attachment.

- 1. My discharge was improper and inequitable because it was based upon instances that happen within 3 months of my arrival to my duty station and an accidental instance that happen four months later with no other opposing action.
- 2. At my first duty station, I was not provided with an educational opportunity for early intervention during my orientation period. This would have provided me information and training on personal behavior, time management, and fitness education. This information would have seriously effected my decisions during peer presser situations related to off duty hours.
- 3. I believe that my discharge could have been prevented with more assistance and helpful guidance from MSgt. [redacted] the section chief of my squadron.
- 4. My first letter of counseling stated that I had fallen asleep during a review of my training records. I remember sitting in a relaxed position and nodding, I was startled by my action and proceeded to sit upright in the chair and continued with the review. This situation immediately initiated a sobriety examination by MSgt. [redacted]. The results showed that there were no illegal substances in my system. During the administrative action, I brought to MSgt. [redacted] attention that I was having a problem with adjusting to the time difference at Kadena, I did not receive any assistance on that matter.
- 5. My second letter of counseling was for reporting to work one hour late. This situation was my fault in relying on one alarm clock and being aware that I was not physically adjusted to the time difference. I asked MSgt. [redacted] if I could rotate to swing shift and received a negative response.

I HAVE LISTED ADDITIONAL ISSUES AS AN ATTACHMENT TO THIS APPLICATION.

I PREVIOUSLY SUBMITTED AN APPLICATION ON (Enter date) AND AM COMPLETING THIS FORM IN ORDER TO SUBMIT ADDITIONAL ISSUES.

THE ABOVE ISSUES SUPERSEDE ALL PREVIOUSLY SUBMITTED.

**9. CERTIFICATION**  
I make the foregoing statements as part of my application with full knowledge of the penalties involved for willfully making a false statement. (U.S. Code, Title 18, Section 1001, provides that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)

a. DATE (YYYYMMDD) **2003 10 21**

b. SIGNATURE [redacted]

UPON RECEIVING THIS APPLICATION TO APPLICABLE ADDRESS BELOW

| ARMY  | NAVY & MARINE CORPS  | AIR FORCE  | COAST GUARD   |
|---|--|--|---|
| Army Review Boards Agency<br>Support Division, St. Louis<br>ATTN: SFMR-RBR-SL<br>9700 Page Avenue<br>St. Louis, MO 63132-5200<br>(See <a href="http://arba.army.pentagon.mil">http://arba.army.pentagon.mil</a> ) | Naval Council of Personnel Boards<br>720 Kennon Street, S.E.<br>Rm. 309 (NDRB)<br>Washington Navy Yard, DC<br>20374-5023 | SAF/MIBR<br>550-C Street West, Suite 40<br>Randolph AFB, TX 78150-4742 | Commandant (G-WPM)<br>2100 Second Street, S.W.<br>Washington, DC 20593-0001 |

## Issues (Cont.)

6. My third letter of counseling was for being in direct violation of AFR 35-10. This was questioned as a doubled strike on me since I received letter of counseling for being late from MSgt. [REDACTED]. I commented to MSgt. [REDACTED] that I was only handed the letter of promotion, but was not directed by my section chief or trainer of the severity of the time limitations that I had in sewing on my second strip. Also, I discussed with MSgt. [REDACTED] that I was in the process of getting both the nametag and the strip on at the same time.
7. My first letter of reprimand was for reporting to work one hour late again. This action caused me to purchase additional alarm clocks to solve this matter. I again approached MSgt. [REDACTED] with the request to rotate to second shift, of which I was approved. Once on second shift I did not receive any more administrative action for not reporting on time.
8. My second letter of reprimand was for being intoxicated and having cuts on my hands and feet. The medical report shows that I did not receive any cuts to my feet. I only had two cut's, one on the inside of my index finger and middle finger both on my left hand. These cuts were less than one inch in length. The cuts were caused by broken glass in my sink. Earlier in the evening I had been drinking alcoholic beverage with a friend. I returned to my room and decided to get some rest. I woke up later to get a glass of water. I carelessly dropped the glass into the sink breaking the glass. After seeing the blood I then proceeded to try and get help.

**Issues (Cont.)**

Since I did not have a telephone in the room, I knocked on a SSgt.'s door and then she place a call to the SP's which involved the First Shirt and the emergency personnel. This was a careless accident on my part. After a day or two, I was then ordered to a mental health evaluation. I volunteered to take an anti-abuse medication and go to alcohol awareness courses. I was doing what I was ordered. I talked to my first shirt and ask if this was going to cause a discharged and was told not to worry, but to just do what was ordered. Within a few days I received a recommendation letter from command requesting my discharge.

9. From June to February I was stationed at Kadena AFB. The first week I arrived there my roommate and his friends had a welcome party which involved alcohol. This was my first experience with alcohol or even being around people who drank alcohol. I did not know what to do. I was younger than them and felt some peer presser, initially thinking that they were befriending me.
10. Another reason that I feel that my discharge was inequitable was due to personally witnessing one of the airmen in a different squadron that I socialized with get a DUI a few months prior to my second LOR. He received a letter and a few weeks of extra duty but no discharge.

FD2003 -  
0057

JAN 23 1995

MEMORANDUM FOR AB [REDACTED]

FROM: 67 FS/CC  
Unit 5182  
APO AP 96368-5182

SUBJECT: Notification Letter

1. I am recommending your discharge from the United States Air Force for a Pattern of Misconduct-Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.50.2. 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, specifically:

a. On or about 20 Jul 94, you fell asleep during a review of your training records. As a result, you received a Letter of Counseling on 20 Jul 94 (Tab 1-1).

b. On or about 28 Jul 94, you failed to go at the time prescribed to your appointed place of duty. As a result, you received a Letter of Counseling on 2 Aug 94 (Tab 1-2).

c. On or about 28 Jul 94, you reported to work wearing the wrong rank insignia. As a result, you received a Letter of Counseling on 2 Aug 94 (Tab 1-3).

d. On or about 3 Aug 94, you failed to go at the time prescribed to your appointed place of duty. As a result, you received a Letter of Reprimand on 3 Aug 94 (Tab 1-4).

e. On or about 24 Aug 94, you failed to go at the time prescribed to your appointed place of duty. As a result, you were punished under Article 15 on 6 Sep 94. Punishment consisted of reduction to the grade of AB and forfeiture of \$250.00 pay per month for two months (Tab 1-5).

f. On or about 3 Jan 95, you were drunk on station which resulted in your being injured. Additionally, you were uncooperative with medical personnel and had to be admitted to Lester Hospital for treatment and detoxication. As a result, you received a Letter of Reprimand on 13 Jan 95 which was placed in your existing Unfavorable Information File on the same day (Tab 1-6).

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 CAPT [REDACTED] at the Area Defense Counsel at Building 1460 on 24 JAN at 1030 hours. 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 26 Jan 95 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 previously been scheduled for a medical examination on 19 Jan 95 at the Physical Exams Section, 18th Medical Group, Kadena AB, Japan.
7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement of 1974. A copy of AFI 36-3208, is available for your use at the Area Defense Counsel office.
8. Execute the attached acknowledgment and return it to me immediately.

[REDACTED]  
[REDACTED] Lt Col, USAF  
Commander, 67th Fighter Squadron

**Attachments:**

1. 20 Jul 94, LOC;
- 2 Aug 94, LOC; 2 Aug 94, LOC;
- 3 Aug 94, LOR; 6 Sep 94, Article 15;
- 13 Jan 95, LOR/UIF
2. Airman's Receipt of Notification Letter