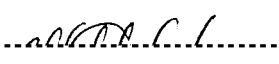


AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ██████████		GRADE AB	AFSN/SSAN ██████████			
TYPE GEN	X	PERSONAL APPEARANCE	RECORD REVIEW			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION				
YES	No	ADDRESS AND OR ORGANIZATION OF COUNSEL				
	X					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES	A94.05	INDEX NUMBER	A69.00	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	
					ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
					TAPE RECORDING OF PERSONAL APPEARANCE	
HEARING DATE	17 Jun 2004	CASE NUMBER	FD-2004-00024			
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, and the right to submit an application to the AFBCMR						
						
INDORSEMENT				DATE: 6/21/2004		
TO:			FROM:			
SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			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-2004-00024

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

The applicant appeared and testified before the Discharge Review Board (DRB), without counsel, at Andrews AFB, MD on January 17, 2004. The folloiwnt witness also testified on the applicant's behalf. Mr RF, applicants father .

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 are denied.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15, a Vacation action on a suspended reduction in grade under the UCMJ, two Letters of Reprimand, and an AF Form 3545 for driving under the influence of alcohol. 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 states that his discharge did not take into account the good things he did while in the service. The DRB took note of the applicant's duty performance as documented by his accomplishments. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

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 AB) (HGH AMN)

MISSING MEDICAL RECORDS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Eglin AFB, FL on 7 Nov 02 UP AFI 36-3208, para 5.32.1.2 (Alcohol Abuse Treatment Failure). Appeals for Honorable Discharge, to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 12 Aug 80. Enlmt Age: 20 4/12. Disch Age: 22 2/12. Educ: HS DIPL. AFQT: N/A. A-50, E-69, G-62, M-68. PAFSC: 3E731 - Fire Protection Apprentice. DAS: 27 Sep 01.

b. Prior Sv: (1) AFRes 22 Dec 00 - 27 Mar 01 (3 months 6 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 28 Mar 01 for 4 yrs. Svd: 1 Yrs 7 Mo 11 Das, of which AMS is 1 Yr 7 Mos 9 Days (excludes 2 days lost time).

b. Grade Status: AB - 2 Apr 02 (Vacation of Article 15, 21 Jun 02)
Amn - 28 Sep 01

c. Time Lost: 24 Jan 02 thru 26 Jan 02 (2 days).

d. Art 15's: (1) 21 Jun 02, Vacation, Eglin AFB, FL - Article 86. You did, on or about 1 Jun 02, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to Airman Basic. (No appeal) (No mitigation)

(2) 2 Apr 02, Eglin AFB, FL - Article 86. You did, on or about 24 Jan 02, without authority, absent yourself from your place of duty at which you were required to be, and did remain so absent until on or about 25 Jan 02. Article 107. You did, on or about 25 Jan 02, with intent to deceive, make to MSgt [REDACTED], an official statement, to wit: "that you were in Denver, Colorado," or words to that effect, which statement was totally false, and was then known by you to be so false. Suspended reduction to Airman Basic. Forfeiture of \$200.00 pay per month for two months, 45 days extra duty, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 27 SEP 02 - Drinking while entered into the Alcohol/Drug Abuse/Prevention and Treatment program, and reporting for duty with alcohol in his system.

LOR, 20 SEP 02 - Failed room inspection, evidence of alcoholic use while enrolled in the Alcohol/Drug Abuse/Prevention and Treatment program, and damage to closet door.

AF FORM 3545, 28 JAN 02 - Driving with a suspended driver's license and apprehended for driving under the influence of alcohol.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (1) Yrs (10) Mos (15) Das
TAMS: (1) Yrs (7) Mos (9) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 22 Jan 04.
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. DD Form 214 (Member-4).

3MAR04/ia

FD2004-00824

To: Armed Forces Discharge Review board.

From: [REDACTED]

Subject: Discharge Upgrade.

I am writing to request a discharge so that I may re enlist in the United States Armed Forces. There are a couple reasons that contributed to the discharge I received. There are also many reasons that make me believe that it would be worth my countries time and money to allow me to reenlist. When I look at my military career I see lots that I would like and believe I can change.

I know that I can be a good member of the service. I've proven it time and time again. I was an element leader in basic training and I graduated as the top third of my class in tech school. I was the only airman that seemed to have kept the basic military values. Values such as discipline, integrity and above all, service before self. I felt like a role model for the incoming airman. I was very proud of the accomplishments I had made. Being in the active military is different than being in school. Being an airman in the active military takes more discipline than I expect. I didn't know how to adapt. There were times I excelled even after I was at my active duty station. I came to work looking sharp and willing to do what needed to be done. Unfortunately I had a huge slip. A slip I couldn't recover from. I was a trained fire fighter who was getting great experience with a great crew and I chose to ignore all the help they were willing to give me. I thought I could do it all my way. Obviously I was very wrong.

I had at one point let the values I learned in Basic Training escape me. I thought more for myself than my country. I had done things that I was so ashamed of that I let it overflow into my military state of mind, a state of mind that is needed to be a good airman. As a result of that I learned the values of a mistake and a consequence. A mistake is a thing that everyone makes at multiple points in their lives. No matter who they are or what they say, they have done something that is in their mind or another's mind a mistake. Consequence is the repercussion for that mistake they made. Even if it's only in their mind, they are being punished. I made the mistakes without thinking of the consequences. I didn't realize that things would happen because of the actions I was choosing to take. The two biggest things I lost, as a consequence was self-pride and my military career. The pride I have managed to regain. I am proud of the way my life is and the way I am. I am a good person with values that don't differ much from any other decent airman. The only thing I have left to reclaim is a successful military career. I see that as a realistic goal and one that unfortunately at this time is out of reach. I wish to get it within reach so I can show everyone including myself how great of an airman I really was and can be.

I have mentioned my desire of reenlisting to my family and friends and they all are very supportive and positive about the idea. Some of them being military enlisted

members and officers. They see how I've returned to that mindset that a good military member has and they believe I would have much success in the service, just as I had in the first six or so months of my active duty career. I have spent lots of time thinking of the people I have let down and the people I could be helping. I want nothing more than to serve my country better than I have in the past. I understand what I did and why I'm in the position that I'm in. I only ask that I be given one more chance to prove to my friends, family, nation and myself that I am a great military member and can have a great military career. I have and always will see myself as being a good airman. It is a title I at times neglected to treat appropriately and with the respect it deserved. I assure you that given another chance I will not let my country, community, peers, family or self down.

Thank you for your time and I hope that a positive action may come out of this life lesson. If you have any questions, feel free to contact me at [REDACTED]

Sincerely,

[REDACTED]

FD 2004-00024

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 33D FIGHTER WING (ACC)
EGLIN AIR FORCE BASE, FLORIDA



MEMORANDUM FOR AB [REDACTED] CES (AFMC)

27 Oct 02

FROM: 96 CES/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for substance abuse treatment failure, specifically failure in alcohol abuse treatment. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.32.1.2.3. 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: that on or about 23 September 2002, you failed out of alcohol abuse treatment. In his memorandum for record, dated 21 October 2002, Capt [REDACTED], Alcohol and Drug Abuse Prevention and Treatment (ADAPT) Program Manager stated that you are considered a treatment failure based on your unwillingness to change your drinking behavior.

3. I am also forwarding the following information to the separation authority for his consideration in characterizing your service.

a. On or about 24 January 2002, without authority, you absented yourself from your place of duty at Eglin AFB, Florida, and did remain so absent until on or about 25 January 2002. Furthermore, on or about 25 January 2002, with the intent to deceive, you made a false official statement to MSgt [REDACTED] "that you were in Denver, Colorado." For these offenses, you received nonjudicial punishment, dated 2 April 2002

b. On or about 1 June 2002, you failed to report to duty. For this offense, you received a vacation of suspended nonjudicial punishment, dated 24 June 2002.

c. On or about 23 September 2002, as a result of previous wrongful overindulgence in intoxicating liquor, you were incapacitated for the proper performance of your duties. For this offense, you received a letter of reprimand, dated 27 September 2002.

d. On or about 28 August 2002, you failed to maintain your dormitory room. Additionally, you damaged or allowed damage to be caused to your closet door by a knife and automatic center punch. For these offenses, you received a letter of reprimand, dated 20 September 2002.

e. On or about 22 September 2001, you were arrested by Connecticut State Police for driving under the influence of alcohol. Because of your arrest for driving under the influence, your base driving privileges were revoked for one year.

f. On 28 January 2002, you were stopped at the East Gate and apprehended for operating a vehicle with a suspended state license. For this offense, your base driving privileges were revoked for additional 2 years.

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 (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. Special pay, bonuses, 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 Capt [redacted] at building 451, 882-4185, on 28 Oct 02 at 1500 hours. You may consult civilian counsel at your own expense.

6. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me within 3 workdays from today unless you request and receive an extension for good cause shown. I will send them to the separation authority.

7. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.

8. You will complete a medical examination with the 96th Medical Group, physical examination section on 28 Oct 02 at 0715 hours.

9. You have been scheduled for an appointment with the 96th Mission Support Squadron, separations section, on 30 Oct 02 at 0800 hours. Immediately after your briefing, you are to report to the 96th Traffic Management Office with your completed AFDTC Form 4134 or LGTT Office Form B133 along with an authorized letter from separations to schedule your TMO pickup. If you have household goods, they must be picked up before 6 Nov 02.

10. You are required to receive a briefing from the Family Support Center prior to your separation. You have been scheduled to receive your Transition Assistance Management Program (TAMP) briefing on 29 Oct 02 at 0800 hours.

11. 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 orderly room.

12. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.

[Redacted Signature]
[Redacted Name]
[Redacted Title]
Commander, [Redacted Box]

2 Attachments:

- 1. Supporting Documents
- 2. Airman's Acknowledgement