

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 1.2em;"></div>		GRADE A1C	AFSN/SSAN <div style="background-color: black; width: 100%; height: 1.2em;"></div>
TYPE GEN		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
<div style="background-color: black; width: 100%; height: 1.2em;"></div>	X*				
<div style="background-color: black; width: 100%; height: 1.2em;"></div>	X*				
<div style="background-color: black; width: 100%; height: 1.2em;"></div>	X*				
<div style="background-color: black; width: 100%; height: 1.2em;"></div>	X*				
<div style="background-color: black; width: 100%; height: 1.2em;"></div>	X*				

ISSUES	A94.06	INDEX NUMBER	A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>	
				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		CASE NUMBER			
03 Aug 2004		FD-2004-00116			

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

\* CHANGE RE CODE

SIGNATURE OF RECORDER <div style="background-color: black; width: 100%; height: 1.2em;"></div>	SIGNATURE OF BOARD PRESIDENT <div style="background-color: black; width: 100%; height: 1.2em;"></div>
<b>INDORSEMENT</b>	
<b>DATE: 8/4/2004</b>	
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-2004-00116**

**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 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:** The Board grants partial relief. Upgrade of discharge is approved and the RE Code will be changed. The Board did not change the Reason and Authority for discharge.

**ISSUE:** Applicant does not contest his discharge. He merely states that he made poor personal choices and is now a different person. The applicant also wishes to join the Air National Guard. The records indicated the applicant received an Article 15, two Letters of Reprimand, and one Letter of Counseling for misconduct to include two incidents of driving while intoxicated; however, the Board determined that relief is warranted based upon consideration of the applicant's overall quality of service, as reflected in his enlisted Performance Reports, and outstanding post-service conduct over a nearly 15-year period, even though the discharge was determined to have been otherwise equitable and proper at the time of issuance. The Board also decided to change the RE Code to afford the member the opportunity to re-join the military. However, the Board did not change the Reason and Authority for discharge as this appropriately characterized the applicant's reason for discharge.

**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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by an Honorable characterization and his RE Code should be changed to 3K under the provisions of Title 10, USC 1553.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

[REDACTED]  
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr F.E. Warren AFB, WY on 12 Oct 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 28 Sep 68. Enlmt Age: 17 6/12. Disch Age: 21 0/12. Educ: HS DIPL. AFQT: N/A. A-37, E-70, G-52, M-86. PAFSC: 81130 - Security Police Specialist. DAS: 22 Feb 87.

b. Prior Sv: (1) AFRes 15 Apr 86 - 20 Oct 86 (6 months 6 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 21 Oct 86 for 6 yrs. Svd: 2 Yrs 11 Mo 22 Das, all AMS.

b. Grade Status: A1C - 12 Sep 88  
AMN - 12 Aug 87 (Article 15, 12 Aug 87)  
A1C - 05 Dec 86

c. Time Lost: None.

d. Art 15's: (1) 12 Aug 87, F.E. Warren AFB, WY - Article 111. You did, on or about 6 Aug 87, on Randall Ave, operate a vehicle, to wit: a 1981 Toyota Corolla while drunk. Reduction to Airman, suspended forfeiture of \$250.00, and 30 days correctional custody. (Appeal/Denied) (No mitigation)

e. Additional: LOR, 27 SEP 87 - Driving while intoxicated.  
LOC, 13 MAR 89 - Failure to go.  
LOR, 06 MAY 88 - Late for work on two occasions.

f. CM: None.

g. Record of SV: 21 Oct 86 - 20 Oct 87 F.E. Warren AFB 8 (Annual)  
21 Oct 87 - 20 Oct 88 F.E. Warren AFB 8 (Annual)  
21 Oct 88 - 30 Apr 89 F.E. Warren AFB 9 (CRO)  
01 May 89 - 28 Sep 89 F.E. Warren AFB 5 (CRO)

h. Awards & Decs: AFTR, SAEMR.

i. Stmt of Sv: TMS: (3) Yrs (5) Mos (28) Das  
TAMS: (2) Yrs (11) Mos (22) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 17 Feb 04.

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

Issue 1: I received a DUI while stationed at F.E. Warren AFB, WY. I was young and made poor choices at the time. Since that episode I have never been in trouble, I have a clean driving record. Worked full time for Rural Metro of TN as a Paramedic. I was not offered counseling by the Air Force & discharge has bothered me for many years now. I am 35 years old married with two children and have the opportunity to use my Paramedic with my Air Guard Base at McGhee Tyson. My discharge as it stands prevents me from joining the Air Guard, and I would really like to have a second chance to serve my country.

I graduated Honor Student from Security Police Specialist training & received the Field Training of Excellence during TAC G/CM training. I was proud of my military career & regret the poor personal choices I made to hurt that career. Thank you for consideration.

**ATCH**

1. Honor Graduate Certificate.
2. Certificate of Achievement.
3. Certificate of Recognition.
4. Training Certificate.
5. Certificate of Outstanding Achievement.
6. DD Form 214.
7. Copy of Driver's License & Healthcare Provider Cards.

28APR04/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 90TH STRATEGIC MISSILE WING (SAC)  
FRANCIS E. WARREN AIR FORCE BASE, WYOMING 82005-5000

PD2004-00116



REPLY TO  
ATTN. OF: 90 MSS/CC

04 OCT 1989

SUBJECT: Notification Letter

[REDACTED]

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFR 39-10, paragraph 5-46. If my recommendation is approved, your service will be characterized as general or honorable. I am recommending that your service be characterized as general.

2. My reasons for this action are:

- a. DWUI - Letter of Reprimand, 27 Sep 89
- b. Failure to go - Letter of Counseling, 13 Mar 89
- c. Failure to go - Letter of Reprimand, 6 May 88
- d. DWUI - Article 15, 7 Aug 87

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. 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 [REDACTED] at the ADC office, bldg 152 on 5 Oct 89 at 0830. You may consult civilian counsel at your own expense.

4. You have the right to submit statement in your own behalf. Any statements you want the separation authority to consider must reach me by 6 OCT 89 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

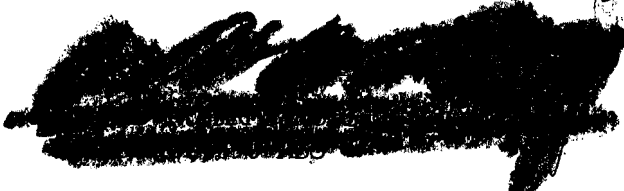
5. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

6. You have been scheduled for a medical examination. You must report to the F. E. Warren Hospital physical exams section at 0700 on 6 Oct 89 for the examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of AFR 39-10 is available for your use in your orderly room.

Peace . . . . is our Profession

8. Execute the attached acknowledgement and return it to me immediately.



3 Atch

1. Supporting documents for the reason of the discharge
  - a. LOR, 27 Sep 89
  - b. LOC, 13 Mar 89
  - c. LOR, 6 May 88
  - d. Article 15, 7 Aug 87
2. Airman's Receipt of Notification Letter