

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ██	GRADE A1C	AFSN/SSAN ██
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">COUNSEL</td> <td>NAME OF COUNSEL AND OR ORGANIZATION</td> </tr> <tr> <td> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">YES</td> <td style="width:50%;">No</td> </tr> <tr> <td></td> <td align="center">X</td> </tr> </table> </td> <td></td> </tr> </table>		COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">YES</td> <td style="width:50%;">No</td> </tr> <tr> <td></td> <td align="center">X</td> </tr> </table>	YES	No		X		ADDRESS AND OR ORGANIZATION OF COUNSEL	
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YES	No										
	X										

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
	X				
	X				
	X				
	X				
					X

ISSUES	A92.22 A93.08 A93.24	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
					ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE
					TAPE RECORDING OF PERSONAL APPEARANCE

HEARING DATE	CASE NUMBER
17 Jun 2004	FD-2004-00120

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED IN THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard at Washington, D.C.

Advise applicant of the decision of the Board.

[Signature]
[Signature]

INDORSEMENT	DATE 6/18/2004
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-2004-00120

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: The Board grants the requested relief.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's reason and authority for discharge inequitable.

ISSUES:

Issue 1. Applicant contends discharge was inequitable because it was too harsh in view of marital and personal problems he was facing at that time. The records indicated the applicant received an Article 15 and two Letters of Reprimand for misconduct in the enlistment under consideration. His infractions included two failures to go and assault of another military member. The DRB noted all three incidents occurred within about a 1-month period in an otherwise satisfactory period of service. The Board recognized that applicant's marital and family problems had a direct bearing on his difficulties during the last month of the enlistment under review. Prior to these isolated problems, his military record was satisfactory.

Issue 2. 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 performance reports, letters of recommendation and other accomplishments. The Board found applicant performed his duties in a satisfactory manner for 2 years of his enlistment and concluded his one Article 15 did not seriously detract from his otherwise satisfactory record of service. And although the Board did not condone applicant's misconduct, they felt an Honorable discharge is more appropriate.

Issue 3 applies to the applicant's post-service activities. The DRB was pleased to see that the applicant was doing well and has a good job. After a thorough and complete consideration of the information submitted by the applicant and contained in the record, the Board concluded there was sufficient mitigation to substantiate an upgrade. Specifically, the Board found the characterization too harsh.

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 discharge. The applicant's characterization of service should be changed to Honorable 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]
 [REDACTED]
 (Former A1C) (HGH SGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Grand Forks AFB, ND on 28 Oct 91 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 2 Dec 66. Enlmt Age: 18 11/12. Disch Age: 24 10/12. Educ: Associates Degree. AFQT: N/A. A-58, E-58, G-50, M-26. PAFSC: 62350 - Services Specialist. DAS: 22 Jun 86.

b. Prior Sv: (1) Enlisted as AB 27 Nov 85 for 4 yrs. Svd: 3 yrs 9 months 4 days, all AMS. AMN - 27 May 86. A1C - 27 Mar 87. SrA - 27 May 88. Sgt - (EPR Indicates): 11 Feb 89 - 14 Nov 89. APRs: 9,9,9,9.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as Sgt 1 Sep 89 for 4 yrs. Svd: 2 Yrs 1 Mo 27 Das, all AMS.

b. Grade Status: A1C - 1 Oct 91 (Article 15, 1 Oct 91)

c. Time Lost: None.

d. Art 15's: (1) 1 Oct 91, Grand Forks AFB, ND - Article 128. You, did, on or about 13 Sep 91, unlawfully strike [REDACTED] on the face with your fist. Reduction to A1C, and 30 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 21 OCT 91 - Failure to go.
 LOR, 18 OCT 91 - Failure to go.
 LOR, 20 OCT 88 - Driving on base without a valid driver's license or insurance.
 LOR, 18 SEP 87 - Losing second ID card.
 RIC, 29 JUL 87 - Losing ID card.

f. CM: None.

g. Record of SV: 11 Feb 89 - 14 Nov 89 Grand Forks AFB 4 (CRO)
 15 Nov 89 - 19 Oct 90 Grand Forks AFB 3 (CRO)
 20 Oct 90 - 31 May 91 Grand Forks AFB 4 (CRO)

h. Awards & Decs: AFOUS, AFGCM, NDSM, AFLSAR, PMER, AFTR.

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

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4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 29 Mar 04.
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

29APR04/ia

FD 2004-00120

[REDACTED]
Goleta, CA 93117
[REDACTED]

Air Force Review Boards Agency
SAF/MRBR
550-C- Street West, Suite 40
Randolph AFB, TX 78150-4742

Dear Review Board,

I would like to request a Discharge Characterization upgrade because of changes in my personal life that triggered a mild depressive order during the period that led to my discharge.

I was going through a divorce and I masked my feelings of depression by being irritable, angry and feeling helpless. At that time, I was not aware it was depression and made some very regretful decisions during that period of my enlistment. Since my separation from the Air Force, I have received counseling. I now have the ability to deal with existential issues being more aware of psychological and psychosocial stressors.

Today, I am happily married with children, I have graduated from several schools and have received a Certificate in Auto/ truck Mechanics, Associate of Science in Electronic Technology and a Certificate in Network Systems Administration all which have complimented me in attaining my present career as an Electro-Mechanical Technician.

In my request to upgrade my Discharge Characterization, please take into consideration my exemplary service of conduct prior to my depression and post initiatives that have helped me cope with daily stresses and helped me become a better person.

I very much look forward to learning of your decision soon.

Thank you for your time in reviewing my request.

Sincerely,

[REDACTED]

Attachment: 1a

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DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 319th WING (SAC)
GRAND FORKS AIR FORCE BASE, NORTH DAKOTA 58205-5000

23 OCT 1991

REPLY TO: 319 SVS/CC
ATTN OF:

SUBJECT: Notification Letter

TO: A1C [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 honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. Your failure to go to a medical evaluation and diet counseling appointment on or about 3 Oct 91 as evidenced by a LOR dated 18 Oct 91;

b. Your failure to go to a medical evaluation and diet counseling appointment on or about 18 Oct 91 as evidenced by a LOR/UIF dated 21 Oct 91; and,

c. Your unlawfully striking an individual on the face with your fist on or about 13 Sep 91 as evidenced by an Article 15 dated 1 Oct 91.

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 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. You have been scheduled an appointment with Capt [REDACTED] at Building 216 on _____ at _____ 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 28 OCT 91 at 1545 hours 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.

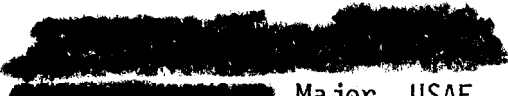

6. You have been scheduled for a medical examination. You must report to the 319 Medical Group at 0700 hours on 25 OCT, 91 for the examination.

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7. Deliver to me immediately your military identification card and those of your dependents. I have requested that temporary identification cards be issued IAW AFR 30-20, paragraph 2-9. You will report to me by COB 24 OCT 91, 1400 Lr to verify that issuance of Temporary Identification Card(s) has been accomplished.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, Atch 2. A copy of AFR 39-10 is available for your use in the squadron orderly room.

9. Execute the attached acknowledgment and return it to me immediately.


 Major, USAF
Commander, 319 SVS

4 Atch

1. Supporting Documents
 - a. LOR dated 18 Oct 91
 - b. LOR dated 21 Oct 91
 - c. Article 15 dated 1 Oct 91
 2. Airman's Acknowledgment
 3. EPRs
 4. RIP
- Other Derogatory Data:
- a. LOR dated 20 Oct 88
 - b. LOR dated 18 Sep 87
 - c. LOC dated 29 Jul 87