

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; height: 15px; width: 100%;"></div>		GRADE CAPT		AFSN/SSAN <div style="background-color: black; height: 15px; width: 100%;"></div>																																				
TYPE UOTH	PERSONAL APPEARANCE		X	RECORD REVIEW																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">COUNSEL</td> </tr> <tr> <td style="width: 50%;">YES</td> <td style="width: 50%;">No</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table>		COUNSEL		YES	No		X	NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL																														
COUNSEL																																								
YES	No																																							
	X																																							
MEMBER SITTING			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5">VOTE OF THE BOARD</th> </tr> <tr> <th style="width: 15%;">HON</th> <th style="width: 15%;">GEN</th> <th style="width: 15%;">UOTHC</th> <th style="width: 15%;">OTHER</th> <th style="width: 15%;">DENY</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td style="text-align: center;">X</td> </tr> </table>			VOTE OF THE BOARD					HON	GEN	UOTHC	OTHER	DENY					X					X					X					X					X
VOTE OF THE BOARD																																								
HON	GEN	UOTHC	OTHER	DENY																																				
				X																																				
				X																																				
				X																																				
				X																																				
				X																																				
ISSUES A94.11 A93.19 A94.05 A94.43 A93.09		INDEX NUMBER A80.00		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> <tr> <td style="width: 5%; text-align: center;">1</td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;">2</td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;">3</td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">4</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>		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																			
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 01 Sep 2004		CASE NUMBER FD-2004-00190																																						
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE AS 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> <div style="text-align: center; margin-top: 50px;"> </div>																																								
INDICATE BY CHECKING THE APPROPRIATE BOXES																																								
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

FD2004-00190

GENERAL: The applicant appeals for upgrade of discharge to general (under honorable conditions).

The applicant was offered a personal appearance before the Discharge Review Board 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.

ISSUES:

Issue 1. Applicant tendered his resignation in lieu of court martial. Characterization of service under these circumstances is customarily under other than honorable conditions. The applicant's records document clear evidence of conduct totally incompatible with military service. He had a letter of reprimand (LOR) for an unprofessional relationship with an enlisted female. Court martial charges were brought against him for two specifications of dereliction of duty, violating a general order, four specifications of conduct unbecoming an officer, and two specifications of fraternization. These charges arose out of the following incidents. While deployed to Southwest Asia (SWA), he was commander of troops for a morale trip to Bahrain. Contrary to his orders, he consumed alcohol with his subordinate enlisted personnel and allowed them to become intoxicated. He also engaged in inappropriate public physical contact with two female enlisted subordinates. After receiving his LOR cited above for a separate incident, he yet again engaged in similar inappropriate behavior with a female enlisted subordinate. In the last incident, member led a group of six enlisted members (five his subordinates) to a party at a contractor compound where alcohol was served. Contrary to a general order, he consumed alcohol, became intoxicated, and encouraged several of his subordinates to do the same. He then failed to follow his commander's guidance to notify the command post if his group would not return to base by midnight. As a consequence, all of those enlisted personnel who consumed alcohol received Articles 15 that adversely impacted their careers. This had a detrimental impact on morale, welfare, and discipline of the deployed unit. Applicant now infers the actions taken were too harsh because his chain of command was on a "witch hunt" and trying to make an example of him. He also claimed the senior enlisted manager was "undermining" him. The Board found these contentions without merit. The orders and policies that member violated were very clearly stated and the evidence of record that he committed the offenses was unequivocal. The record did not provide any evidence that for the offenses for which charged, member was singled out. Nor did applicant offer specific evidence that each of his infractions was a result of arbitrary and capricious acts by his chain of command or personality conflicts with the senior enlisted manager.

Issue 2. Applicant contends he should have been given treatment for an alcohol problem after his BAC following the final incident revealed a problematic level of .19. Unfortunately, applicant's medical records were unavailable to the Board for review, so it could not be ascertained whether he was offered treatment or counseling, or not, and if so, what type. Nevertheless, individuals who commit acts of misconduct under the influence of alcohol are still held accountable for those actions, and so, this contention offers no basis on which to justify an upgrade.

Issue 3. Applicant notes he was having personal difficulties at the time he was notified of the deployment and was not pleased about being selected for the trip. The applicant failed to clearly demonstrate however how this stress was the cause for each of his incidents of misconduct. While it is understandable that a member experiencing personal problems has additional stress, the applicant's problems were not unique.

Nor was there evidence he sought assistance from available base agencies such as the Chaplain, Family Support Center, or the Mental Health staff to assist him in coping with the stress. Thus the Board finds this issue of insufficient mitigation to warrant an upgrade.

In summary, the Secretary of the Air Force's designee, who was aware of the option to approve an under honorable conditions (general) discharge, determined that an under other than honorable conditions characterization was more appropriate due to the seriousness and repetitive, deteriorating nature of member's misconduct. No inequity or impropriety was found in this discharge in the course of the records review.

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 CAPT) (HGH CAPT)

1. **MATTER UNDER REVIEW:** Appl rec'd a UOTH Disch fr Holloman AFB, NM on 20 May 94 UP AFR 36-12, Table 2-8 Rule 1 (Resignation in Lieu of Court Martial). Appeals for General Discharge.

2. **BACKGROUND:**

a. DOB: 8 Jul 64. Enlmt Age: 22 5/12. Disch Age: 29 10/12. Educ: Bachelor Degree. AFQT: N/A. A-N/A, E-N/A, G-N/A, M-N/A. PAFSC: 021A3 - Aircraft Maintenance/Munitions. DAS: 28 May 92.

b. Prior Sv: (1) AFRes 13 Dec 86 - 11 Nov 87 (10 months 29 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Ordered to EAD as 2Lt 11 Nov 87. Svd: 6 Yrs 6 Mo 10 Das, all AMS.

b. Grade Status: Capt - 27 May 91
1Lt - 27 May 89

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 11 MAY 93 - Unprofessional relationship with an enlisted female.

f. CM: None.

g. Record of SV: 20 Apr 88 - 19 Oct 88 Nellis AFB MS (Semiannual)
20 Oct 88 - 19 Apr 89 Nellis AFB MS (Semiannual)
20 Apr 89 - 19 Apr 90 Nellis AFB MS (Annual)
20 Apr 90 - 31 Mar 91 Nellis AFB MS (CRO)
01 Apr 91 - 24 Nov 92 Holloman AFB MS (Annual)

h. Awards & Decs: AFCEM W/1 BOLC, AFOUA W/1 BOLC, NDSM, SWASM W/2 BOLCS, AFOSSTR, AFLSAR, SAEMR, AFTR.

i. Stmt of Sv: TMS: (7) Yrs (5) Mos (8) Das
TAMS: (6) Yrs (6) Mos (10) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 20 May 04.
(Change Discharge to General)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. Teacher's Certificate.

24JUN04/ia

TO: Air force Board for Correction of Military Records (AFBCMR)

10 May 2004

RE: Upgrade of Discharge for [REDACTED]

Dear Members of the Board,

I am writing this letter to upgrade my discharge to the classification of a General Discharge. There are many circumstances surrounding my discharge, however I want to focus on the primary issue, the Air Force's neglect in treating my affliction or sickness. I will give you a brief history of the months leading up to the events in question. Please note that my records reflect a standard of conduct and duty performance that 1) Non selection for the Reduction in Force (RIF) and 2) Selection for Regular Commission in 1992.

All the charges, the pictures, the evidence collected were used for one thing. This evidence was used to persecute me and make an example of me. I was never offered help for my sickness or treatment for the high Blood Alcohol Content (BAC) of my blood after the incident. The USAF offers many programs for spouses, dependents, and enlisted personnel to help them along with the daily challenges. We have programs for battered spouses, alcoholics, children without fathers, and every other scenario that you can conceive. But what happens when one of our own officers needs help. What if the daily challenges of life are too overwhelming and the officer has no place to turn for help. The officer's own fear of asking for help. The officer does not have a first sergeant, he has a commander, who is in his reporting chain. Should he risk his career? Should he risk ridicule from other officers? Where does the officer turn for help? There was not a person or for me to turn that I thought would be safe or my information compromised. As I came to find out, officers are supposed to know better. We are supposed to have this intuition, this big picture view of the way things work.

I arrived at Holloman AFB in May of 1992. Purchased my first home, moved in, and started a relationship with an attorney that lived in Chicago, IL. New weapons system to learn. The latest the Air Force has to offer, the F-117A, Stealth Fighter. A prestigious assignment for a young maintenance officer on his way back from Korea, completing Squadron Officer School, en route. Young, energetic, confident. I knew my craft. I loved what I was doing. When you think about the Air Force you think about aircraft. There I was with the pilots, the aircraft, and most of all the troops that made it all happen. I was always impressed with the attitude of the enlisted personnel in the maintenance career field. Their sense of selflessness, and sacrifice to the mission was never in question. Their professionalism at 2 am, when others were sleeping comfortably. Our mission was to fly and fight at night. Not many flying wings have this mission.

My first assignment was in the shop, off the flight line. Any young maintenance officer that is worth his salt wants to serve on the flight line. That was my goal, but at the same time I knew I had to get experience with the new weapon system in a less stressful environment. I also knew that to get promoted to Major, I needed to get a graduate

degree. After settling in I enrolled for classes to pursue my Masters Degree. I started taking classes in Jan 93.

The call came from the Logistics Squadron commander, Col [REDACTED]. He wanted to speak with me. I reported to his office smartly. At this point, he relayed every maintenance officer's dream, [REDACTED] "I need you to go to the flight line. I know you can do it, I watched you do it at Nellis AFB. I need someone out there who knows what he is doing." I was honored. I thanked the Colonel and asked him when. He said within the next thirty days.

I was excited. Back to the flight line. Back to the action. The maintenance and operations relationship had been redefined. Maintenance officers working for pilots. This was a new scenario for the younger officers. Pilots, who had only supervised college graduates, for most of their career, now directly supervised enlisted personnel. Before the transition, the most a pilot would ever supervise would be in life support, and that number was 4 to 5 enlisted. Contrast that to a maintenance officer, who usually supervised at least 30 personnel on their first assignment as a second lieutenant. By the time I reached the rank of Captain, I had supervised as many as 250 personnel at one time.

There is not an official record of my transfer to the 416th Fighter Squadron, but believe me it happened. It happened in late Jan 93. Little did I know that the rotation to Saudi Arabia was in April. As a new captain to the squadron, I did not think I would be an option for the rotation. However, as luck would have it, the Chief of Maintenance for the 416th FS, Major [REDACTED], talked Lt Col [REDACTED] 416th FS CC, into the idea of sending me TDY.

I voiced my displeasure to Major [REDACTED], letting him know that 1) Just started taking graduate courses, 2) My girlfriend was pregnant in Chicago, 3) The F-117A was still an unknown quantity for me. In their zeal to stroke my feathers and get me to buy in, Lt Col [REDACTED] and Major [REDACTED] informed me of the amenities once I arrived to Saudi Arabia. Lt Col [REDACTED] informed me of the pornographic, XXX movies secured by the pilots in the squadron. Lt Col [REDACTED] informed me of the underground alcohol that was available on the British compound. At the time I did not know this was against General Order I. Not until I arrived in country and started to read all the policies, did I realize that the things the Lt Col and Major were enticing with were both illegal in the country of Saudi Arabia.

I did not know what to do. I did not want to leave the country, especially when the pregnancy of my girlfriend was not settled. Was she going to move? Was she going to stay in Chicago? Would I be there when my son was born? Would she terminate? What about my graduate courses? Decisions needed to be made. The timing of all these events were condensed into about three weeks. It seemed everything was approved as long as Major [REDACTED] did not have to go on the rotation. My lack of experience, being on base less than a year, being assigned to the squadron less than 2 months.

Give me a decision to make about aircraft, and I will make a good, solid, mission oriented decision. No hesitations. But when it came to my own life, I did not know what to do. I did not consult anyone close to me for fear of being called a failure. So, I kept all of this inside. And on March 24th I carried all of this to Saudi Arabia.

Lt Col [REDACTED], myself, and Chief Master Sergeant [REDACTED] were all deployed from the 416th FS. MSgt [REDACTED] was deployed from the 417th FS as the First Sergeant on this rotation. All the maintenance mechanics were deployed from Holloman either with the 416th FS or the 49th Maintenance Squadron. Chief [REDACTED] and myself were in charge of the maintenance personnel on the deployment. The chief also performed a dual role as the senior enlisted advisor for the deployment. We set many performance records while deployed. As it was, we had to bring the aircraft home after our deployment so, our deployment was under much stress to make sure the aircraft were in tiptop shape when they landed at home base. We did not want to get ridiculed for the condition of the aircraft. We were proud of what we had accomplished on our deployment and we wanted to show it. Our numbers were praised by Lt Col [REDACTED] the deployed detachment commander.

In the background, little did I know that the Chief was undermining my efforts. The Chief was trying to make himself look good by making me look bad. I did not notice this until I was sitting at home in July of 1994. Lt Col [REDACTED] believed everything the Chief said and nothing that I said.

I supervised an MWR trip to Bahrain. Lt Col [REDACTED] and I shared a room at Khobar Towers the night before the trip and the night after the trip. No mention was ever made of the MWR trip while in the country of Saudi Arabia. The trip went off without a hitch. The pictures were given many months later as more evidence of my bad behavior. Pictures that were viewed while in Saudi Arabia by Lt Col [REDACTED] without a word being mentioned.

I went out on the last weekend night of the deployment. As I came to realize some years later, I needed to release some stress. The McDonnell Douglas employees that were assigned to do the maintenance for the Royal Saudi Air Force invited me over for a barbecue. I knew that alcohol was present. I also knew to keep it low key. NO big parties. Out of the blue, the LtCol shows up with the Chief. There was not a disturbance in the housing complex, no fighting, nobody called the Lt Col and complained. He was out on a witch hunt. I confessed to a violation of General Order 1, specifically consuming alcohol in the AOR, an agreement between the U.S.A. and our host country, Saudi Arabia. Consuming alcohol was viewed as much as it was during prohibition in our country. It was prohibited but the behavior continued by the general population. After all the King of Saudi Arabia is and alcoholic. At this point, you will see that a blood sample was pulled and I registered a .19 BAC. This is serious and requires treatment.

The other charges are standard operating procedures for a prosecutor. Throw as much on the wall as you can and see what sticks. As you can see from the record, I took some

pictures of the pornography that existed in the country. This pornography was located in the pilot van that shuttled the pilots to and from the aircraft before and after missions. The van was driven by the enlisted personnel supervised by the pilots.

The BAC alone requires that some sort of treatment or counseling was needed. If any of the troops I had supervised had registered that high of a BAC, I would have recommended counseling or treatment. This is what my training told me to do. Who was looking out for Capt [REDACTED] morale and welfare? Can an officer have low self-esteem? I have included some excerpts from recent articles in government publications. The first points out the effects of post high school concept on self-esteem.

Another study was conducted at Indiana University by [REDACTED] (1992). This study looked at the effect of post-high school context on self-esteem. [REDACTED] took high school students in a longitudinal study and placed these high school graduates into three categories. These three categories consisted of students who entered the full time labor force, the active federal military, or college after high school. **Data show that of the three contexts, the military has the most significant (negative) net impact on self-concept, followed by work (slightly negative), and college (no impact).** To measure this, [REDACTED] employed a concise definition of self-concept stating "the individual as known to the individual", in other words- one's assessment of the worth of the self as an object.

This is only one study, however, it cuts right to the heart of the matter. Are officers human first? Are we not without the same flaws that afflict the rest of society? Here is another excerpt from an official government website that is used by Army personnel.

Having No Dad Affects Black Boys' Self-Esteem Life with father translates to stronger kids

Some people have unresolved personal issues and burdens which they feel totally unable to face or control. Drug misuse may appear to offer a way to avoid the trauma of tackling the real problem. A short-term boost to confidence or a haze of apathy that blurs emotions may be intended as a stop-gap, but can rapidly develop into dependence.

http://www.army.mod.uk/servingsoldier/termsofserv/discmillaw/cdt/ss_hrpers_disc_10misusers.html

Many unresolved issues, pregnant girlfriend, graduate school, my home, my bills, the Regular Selection board. How did I avoid the trauma of tackling the real problem.

Here are tips on how to get out of an abusive situation at home. This article is written for spouses of Army personnel. In my situation, I carried burdens from home with me to the Desert Storm theatre.

Domestic Violence - Staying Safe

It takes great courage to leave an abusive situation. **Please note:** Military families who need assistance with domestic abuse should contact [REDACTED]
Many victims are afraid to leave their abuser due to economic reasons, the risk of losing custody of their children, low self-esteem, a desire to keep the [REDACTED]

family together, religious or cultural influences, exhaustion, or the threat of more serious violence against them or their children. However, there are resources available to help you safely leave an abusive relationship. The following tips may assist you in taking the first step:

your installation Family Advocacy Program (FAP). The FAP may be contacted through the medical treatment facility, Family Support Program or installation security.

I found these articles in less than 2 hours looking on the internet.

How Abuse Affects Children

Living in an abusive home can have serious long-term effects on children, even if they are not direct victims of physical, sexual or psychological/emotional abuse. Children living in a home where abuse takes place against a partner are more likely to receive mistreatment or neglect, are at greater risk for physical or sexual abuse, and may suffer emotional consequences of seeing or hearing a family member be abused. Even infants can sense the effects of abuse and may become fussy, refuse to eat, have difficulty sleeping and suffer developmental problems. School-aged children may imitate the violence they see and/or become aggressive, violent or destructive with toys, siblings, friends or pets. Other children become withdrawn, fearful or anxious. **They often have trouble making friends, low self-esteem, and may do poorly in school.**

I ask the board to please look at my case. If I had the self-esteem to fight ten years ago I definitely would. I am fighting for my upgrade now. My self-esteem has improved and I realize now what happened to me 10 years ago. Yes, I was intoxicated and the government has proof. But what did the government did not do after they had the knowledge is more a crime than what I did. They threw me away. They did not try to repair this officer.

It is my desire to have my good name restored. I did nothing that would warrant this kind of treatment. I should not have been thrown away. I am redeemable. The proof of what happened to me is the record that the government used to persecute me. The fact that the government did nothing to help is the same evidence that is missing from my records. The lack of care offered to me as a member of the DOD family is blatantly evident by the non-treatment I received.

Please see my side of this case. I am now a high school math teacher in the state of Missouri. The state of Missouri has issued a license for me to teach in this state. I had to tell this story in order to receive my license. If I can be trusted to teach our children, then the DOD can upgrade my discharge to a respected level of service.

Cordially,





DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 49TH FIGHTER WING (ACC)
HOLLOMAN AIR FORCE BASE, NEW MEXICO

8 February 1994

MEMORANDUM FOR 12AF/CC
HQ ACC/CC
HQ USAF/JAJM
IN TURN

FROM: 49FW/CC
490 First Street, Suite 1740
Holloman AFB, NM 88330-8277

SUBJECT: Resignation for the Good of the Service, Captain [REDACTED] (Under Table 2-8, Rule 1, Conduct Renders Officer Triable by Court-Martial)

1. Recommend that the resignation be approved for the following reasons:

a. While deployed to SW Asia as the Director of Maintenance for the 416 Fighter Squadron (Provisional), Captain [REDACTED] totally disregarded his obligations as a commissioned officer on at least three occasions. The first occurred while he served as Commander of Troops for several enlisted personnel from his base on a morale trip to Bahrain. Despite a personal briefing directing him not to drink alcohol on the trip and strict guidance from a videotape of Brig Gen [REDACTED] concerning the troop commander's responsibilities for the welfare of personnel in his charge, Captain [REDACTED] consumed alcohol. He drank with the troop members and allowed some of them to become intoxicated. During this same trip, Captain [REDACTED] publicly engaged in inappropriate personal physical contact with two female enlisted members of the troop. The photographs taken that day show that he went so far as placing his hand down inside the front of one female's tank top and had another sitting between his legs in his chair. All of this took place in front of the other enlisted troop members. On the second occasion, a young airman woke up to see Capt [REDACTED] and an enlisted female asleep along side one another on the floor of the room he was occupying at a contractor's residence. Both enlisted members were assigned to Capt [REDACTED] maintenance directorate. The young airman suspected the two had been intimate and left the room, after which he revealed his observation to other maintenance personnel. The third incident occurred a week later, again at the contractor's compound. Capt [REDACTED] led six enlisted members, five of whom were assigned to his directorate, to a party where alcohol was available. Not only did he violate General Order Number One by drinking himself, he did it in the presence of his subordinates and even encouraged their drinking. Capt [REDACTED] apparently had planned the evening because he later told a senior enlisted member that he thought it all taken care of by taking only Non-Commissioned Officers and a designated driver. On this occasion he also disregarded his commander's policy to inform the command post if his group would not return to

Global Power for America

base before midnight. Capt [REDACTED] was caught that night because the roommate of one of the individuals in the group complained to the First Sergeant that she was gone and had on previous occasions not spent the night in her quarters when she had left with Capt [REDACTED] and another enlisted member. Recognizing that Capt [REDACTED] could no longer lead subordinates, a senior enlisted member, CMSgt [REDACTED], asked the squadron commander, Lt Col [REDACTED], to remove him from his position. He was relieved of his duties and the six enlisted members were likewise removed from their positions. These three incidents occurred while Capt [REDACTED] served as an officer in a unit deployed to a theater of operations where hostilities, although under cessation, could break out at any time. In fact, on the weekend of the third incident, the U.S. Navy launched Tomahawk missiles into Iraq. Chief [REDACTED] characterized the impact of Capt [REDACTED] behavior on the mission as "tarnishing an otherwise outstanding rotation." Thinking only of himself and his own personal gratification, Capt [REDACTED] conducted himself in a manner most unbecoming of an officer and a gentleman. His leadership by bad example struck a severe blow to the very core of good order and discipline.

b. In light of Capt [REDACTED] serious misconduct, a court-martial would certainly be in order. However, I do recommend that his request for a discharge under other than honorable conditions in lieu of trial by court-martial be approved. While Capt [REDACTED] conduct was of an egregious nature, my overriding goal in taking action against him is to insure that he no longer serve as an Air Force officer, that he leave the Air Force with a service characterization accurately describing the far less than honorable nature of his service, and that he be unable to again serve as a member of the armed forces of the United States. I have never felt that a significant period of confinement was called for in this case. Acceptance of this resignation accomplishes all my goals, establishes that this kind of behavior will not be tolerated and will be dealt with severely, and is in the best interests of the Air Force.

2. Officer:

- a. Is not under investigation.
- b. Is under charges.
- c. Is not awaiting action under AFR 35-4 or AFR 36-2.
- d. Is not awaiting result of trial.
- e. Is not absent without leave.
- f. Is not absent in the hands of civil authorities.
- g. Is not in default with respect to public property or funds.

3. There has not been a report of recent misconduct on the part of this officer that is not shown herein.
4. Officer is not accountable or responsible for public property or funds.
5. Officer has been afforded the opportunity of consulting legal counsel. Officer was counseled by Capt [REDACTED] Area Defense Counsel, Holloman AFB, New Mexico.
6. Court-martial charges have been preferred. Attached is a copy of the charges and all other information or evidence pertinent to the case.
7. At the time of the misconduct, the officer did not have a mental disease or defect which caused him to lack the substantial capacity either to appreciate the illegality or impropriety of the act or acts, or to conform to the law (AFR 160-42). The officer presently has the capacity to understand the nature of the proceedings and to assist in the defense.
8. Capt [REDACTED] tender of resignation, although dated 20 January 1994, was not submitted until 28 January 1994.

[REDACTED]

Brigadier General, USAF
Commander