

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 SRA		AFSN/SSAN <div style="background-color: black; width: 100%; height: 1.2em;"></div>					
TYPE GEN		PERSONAL APPEARANCE				X RECORD REVIEW					
COUNSEL YES No		NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL					
X											
MEMBER SITTING						VOTE OF THE BOARD					
						HON	GEN	UOTHC	OTHER	DENY	
						X					
						X					
						X					
										X	
										X	
ISSUES A94.06 A93.12		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 23 Jun 2005		CASE NUMBER FD-2004-00482									
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE 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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>											
SIGNATURE OF RECORDER					SIGNATURE OF BOARD PRESIDENT						
INDORSEMENT					DATE: 6/23/2005						
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-2004-00482

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 characterization for discharge inequitable.

ISSUE: The records reflect the applicant received three Letters of Reprimand, five Records of Individual Counseling, and three Memorandums for Record for failed room inspections, a traffic ticket, and financial irresponsibility. Although the Board concluded the misconduct was a significant departure from conduct expected of all military members, the Board opined that the discharge was 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; however, the reason will remain unchanged. The applicant's characterization 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 SRA) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Altus AFB, OK on 8 Dec 89 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 31 Aug 67. Enlmt Age: 18 4/12. Disch Age: 22 3/12. Educ: HS DIPL. AFQT: N/A. A-61, E-56, G-57, M-58. PAFSC: 54252 - Metal Fabricating Specialist. DAS: 24 Jan 87.

b. Prior Sv: (1) AFRes 23 Jan 86 - 20 Aug 86 (6 months 28 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 21 Aug 86 for 4 yrs. Svd: 3 Yrs 3 Mo 18 Das, all AMS.

b. Grade Status: SrA - 21 Aug 89
A1C - 21 Dec 87
Amn - 21 Feb 87

c. Time Lost: None.

d. Art 15's: None.

e. Additional: MEMO, 14 SEP 89 - Traffic ticket for illegal parking.
MEMO, 11 SEP 89 - Failure to procure BDUs.
RIC, 11 SEP 89 - Failed room inspection.
RIC, 10 AUG 89 - Failed room inspection.
LOR, 19 JUL 89 - Financial irresponsibility.
LOR, 26 JUN 89 - Financial irresponsibility.
LOR, 23 JUN 89 - Financial irresponsibility.
RIC, 21 APR 89 - Financial irresponsibility.
RIC, 30 MAR 88 - Room failed inspection.
RIC, 02 FEB 89 - Financial irresponsibility.

f. CM: None.

g. Record of SV: 21 Aug 86 - 20 Aug 87 Altus AFB 9 (Annual)
21 Aug 87 - 20 Aug 88 Altus AFB 9 (Annual)
21 Aug 88 - 20 Aug 89 Altus AFB 3 (Annual)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (3) Yrs (10) Mos (16) Das
TAMS: (3) Yrs (3) Mos (18) Das

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

NO ISSUES SUBMITTED.

ATCH

None.

8FEB05/ia



DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 443D AIR BASE GROUP (MAC)
ALTUS AIR FORCE BASE, OKLAHOMA 73523 -

FD 2004-00482

REPLY TO: 443 CES/CG
ATTN OF:

15 NOV 1989

SUBJECT: Notification Letter -

TO: [REDACTED], 443d CES

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. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. You did, at Altus Air Force Base, Oklahoma, on or about 14 Sep 1989 receive a traffic ticket for parking illegally, as evidenced by letter of memo dated 14 Sep 89.

b. You did, at Altus AFB, Oklahoma, on or about 14 Sep 1989, fail to clean your dormitory room, as evidenced by letter of memo dated 14 Sep 1989

c. You did, at Altus AFB, Oklahoma, on or about 11 Sep 1989, fail to purchase required uniform items, as evidenced by memo for record dated 11 Sep 1989.

d. You did, at Altus AFB, Oklahoma, on or about 11 Sep 1989, fail to clean your dormitory room, as evidenced by letter of counseling dated 11 Sep 1989.

e. You did, at Altus AFB, Oklahoma, on or about 10 Aug 89, fail to clean your dormitory room, as evidenced by letter of counseling dated 10 Aug 89.

f. You did, on or about 9 Jul 1989, at or near Altus AFB, Oklahoma, write a check and have it returned for insufficient funds, as evidenced by letter of reprimand dated 19 Jul 1989 and dishonored check notification dated 12 Jul 1989.

g. You did, on or about 1 Jun 1989, at or near Altus AFB, Oklahoma, write a check and have it returned for insufficient funds, as evidenced by letter of reprimand dated 26 Jun 1989 and dishonored check notification dated 7 Jun 1989.

h. You did, on or about 12 Apr 1989, at or near Sheppard AFB, Texas, write a check and have it returned for insufficient funds, as evidenced by letter of reprimand dated 23 Jun 1989.

i. You did, on or about 1 Apr 1989, at or near Sheppard AFB, Texas, write a check and have it returned for insufficient funds, as evidenced by letter of counseling dated 21 Apr 1989 and dishonored check notification dated 14 Apr 1989.

j. You did, on or about 29 Mar 1989, at Altus AFB, Oklahoma, fail to clean your dormitory room, as evidenced by letter of counseling dated 30 Mar 1989.

k. You did, on or about 6 Jan 1989, at or near Altus AFB, Oklahoma, write a check and have it returned for insufficient funds, as evidenced by letter of counseling dated 2 Feb 89 and a dishonored check notification dated 1 Feb 89.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPVM jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force and 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 ~~██████████~~ at bldg 45 on 20 Nov 89 at 1030. 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 1415 hrs, 20 Nov 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 bldg 46 at 1030 on 21 Nov 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 the Orderly Room.

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

9. You may request to be placed on excess leave provided processing of this separation action no longer requires your presence. AFR 35-9 provides guidance on excess leave.



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1. Supporting documents
for the reason for discharge
 - a. Letter of Memo dt'd 14 Sep 89
 - b. Letter of Memo dt'd 14 Sep 89
 - c. Memo for Record dt'd 11 Sep 89
 - d. LOC 11 Sep 89
 - e. LOC dt'd 10 Aug 89
 - f. LOR dt'd 19 Jul 89/dishonored
check not. 12 Jul 89
 - g. LOR dt'd 26 Jun 89/dishonored
check not. 7 Jun 89
 - h. LOR dt'd 23 Jun 89
 - i. LOC dt'd 21 Apr 89/dishonored
check not. 14 Apr 89
 - j. LOC dt'd 2 Feb 89/dishonored
check not. 1 Feb 89
 - k. LOC dt'd 30 Mar 88
1. DD Form 4
2. Documents containing
derogatory information
which are not listed in the
notification letter. None.
3. Airman's receipt of
notification letter