

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (INITIAL)		GRADE <b>1LT</b>				
TYPE GEN	PERSONAL APPEARANCE	<b>X</b>	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	<b>X</b>					
<b>MEMBER SITTING</b>		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES	<b>A94.05</b>	INDEX NUMBER	<b>A70.00</b>			
				<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
				<b>1</b>	ORDER APPOINTING THE BOARD	
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
				<b>3</b>	LETTER OF NOTIFICATION	
				<b>4</b>	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	<b>15 Dec 2005</b>	CASE NUMBER	<b>FD-2005-00201</b>			
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						
Names and votes will be made available to the applicant at the applicant's request.						
SIGNATURE OF RECORDER						
<b>INDORSEMENT</b>				<b>DATE: 12/19/2005</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

FD-2005-00201

**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:** Upgrade of discharge is denied.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

**ISSUE:** Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received a General Court-Martial for wrongfully engaging in sexual relations and committing indecent acts with an Airman. Although the findings of guilty and the sentence were disapproved, the convening authority separated the applicant with a General discharge. 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 performance reports, letters of recommendation and other 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

(Former 1LT) (HGH 1LT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Fairchild AFB, WA on 14 Apr 03 UP AFI 36-3207, Chapter 2, Section C (Resignation For The Good Of The Service). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 24 Dec 75. Enlmt Age: 22 5/12. Disch Age: 27 3/12. Educ: Bachelor Degree. AFQT: N/A. A-N/A, E-N/A, G-N/A, M-N/A. PAFSC: 33S1 - Communications and Information Officer. DAS: 27 Jun 01.

b. Prior Sv: None.

3. **SERVICE UNDER REVIEW:**

a. Appointed as 2Lt and Ordered to EAD 27 May 98. Svd: 4 Yrs 10 Mo 19 Das, all AMS.

b. Grade Status: 1Lt - 27 May 00

c. Time Lost: None.

d. Art 15's: None.

e. Additional: None.

f. CM: None.

g. Record of SV: 30 Jan 99 - 29 Jan 00 Randolph AFB YE (Annual)  
30 Jan 00 - 31 Aug 00 Randolph AFB YE (CRO)  
01 Sep 00 - 23 Mar 01 Randolph AFB YE (CRO)  
24 Mar 01 - 23 Mar 02 Fairchild AFB YE (Annual)

h. Awards & Decs: AFCEM, AFAM, AFOEA, AFLSAR, AFTR.

i. Stmt of Sv: TMS: (4) Yrs (10) Mos (19) Das  
TAMS: (4) Yrs (10) Mos (19) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 17 May 05.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. DD Form 214.
3. AF Form 475.
4. Eight Character Statements.
5. Air Force Commendation Medal.
6. Air Force Achievement Medal.
7. Four AF Forms 707B.
8. AF Form 475.

27JUN05/ia



My discharge was inequitable because it was based on one isolated incident during nearly five years of service with no other adverse action nor indication of anything but stellar service.

I had served in the Air Force for nearly 5 years, not including my four years at the Air Force Academy. During this time I have served the Air Force above and beyond the call of duty. I have attached all of my OPR's which only show outstanding service to the Air Force and my country. I have also attached letters from both enlisted personnel and officers who I have worked with and under. All of these letters show my devotion to my country and the Air Force. They also show a steadfast desire to serve my country to the best of my ability. There is no doubt in my mind that I messed up. I fraternized with an enlisted personnel, one time. This was a huge mistake that cost me the only career I have ever wanted. Because of this mistake I was forced to leave the Air Force that had become my home and the career that I loved. I understand this, and fully accept the consequences of my actions. The discharge characterization, however, I cannot accept. I do not believe that the action done in a few minutes can characterize the service of five years. For this reason I request that my general discharge be changed to an honorable discharge.