

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

|  |   |  |  |             |              |             |
|--|---|--|--|-------------|--------------|-------------|
| <b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b><br><div style="border: 1px dashed black; height: 20px; width: 100%;"></div>   |   | <b>GRADE</b><br>A1C  | <b>AFSN/SSAN</b><br><div style="border: 1px dashed black; height: 20px; width: 100%;"></div> |             |              |             |
| <b>TYPE GEN</b>  | <b>PERSONAL APPEARANCE</b>  | <b>X</b>   | <b>RECORD REVIEW</b>   |             |              |             |
| <b>COUNSEL</b>   |   | <b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>                            |  |             |              |             |
| <b>YES</b>   | <b>No</b>   |  |  |             |              |             |
|  | <b>X</b>  |  |  |             |              |             |
| <b>MEMBER SITTING</b><br><div style="border: 1px dashed black; height: 100px; width: 100%;"></div>   |   | <b>VOTE OF THE BOARD</b>   |  |             |              |             |
|  |   | <b>HON</b>   | <b>GEN</b>   | <b>UOHC</b> | <b>OTHER</b> | <b>DENY</b> |
|  |   | X  |  |             |              |             |
|  |   | X  |  |             |              |             |
|  |   | X  |  |             |              |             |
|  |   |  |  |             |              | X           |
| <b>ISSUES</b><br>A94.53  | <b>INDEX NUMBER</b><br>A67.10   | <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  |             |              |             |
| <b>HEARING DATE</b><br>07 Jul 2006   | <b>CASE NUMBER</b><br>FD-2005-00379   |  |  |             |              |             |
| <small>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</small>  |   |  |  |             |              |             |
| <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> <p>Names and votes will be made available to the applicant at the applicant's request.</p> |   |  |  |             |              |             |
| <b>SIGNATURE OF RECORDER</b>   |   | <b>SIGNATURE OF BOARD PRESIDENT</b>                                      |  |             |              |             |
| <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>   |   | <div style="border: 1px dashed black; height: 30px; width: 100%;"></div> |  |             |              |             |
| <b>INDORSEMENT</b>   |   | <b>DATE: 7/14/2006</b>   |  |             |              |             |
| <b>TO:</b><br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742   | <b>FROM:</b><br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7002 |  |  |             |              |             |

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00379**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** The Board grants the requested relief.

**ISSUE:**

Issues. The applicant submitted no issues and requested that the review be completed based on the available service record. The applicant was discharged with a general discharge for minor disciplinary infractions. Applicant had received an Article 15, one Letter of Reprimand, and two Letters of Counseling for misconduct. The Article 15 was for drunk and disorderly conduct. He was reduced in grade to airman first class. The Letter of Reprimand was for being late for duty, and the two Letters of Counseling for missing guard mount and involvement in a mutual affray. After a thorough and complete consideration of the information contained in the records, the DRB concluded there was sufficient mitigation to substantiate upgrading the discharge. Specifically, the Board found that the characterization was too harsh. Although the DRB did not condone the misconduct of the applicant, an honorable discharge deemed appropriate and equitable.

**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.

Attachment:

Examiner's Brief

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

(Former A1C) (HGH SRA)

**1. MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Tinker AFB, OK on 5 May 93 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

**2. BACKGROUND:**

a. DOB: 3 Mar 70. Enlmt Age: 19 3/12. Disch Age: 23 2/12. Educ: HS DIPL. AFQT: N/A. A-67, E-60, G-55, M-59. PAFSC: 81150 - Security Specialist. DAS: 14 Jul 92.

b. Prior Sv: (1) AFRes 28 Jun 89 - 28 Jan 90 (7 months 1 day) (Inactive).

**3. SERVICE UNDER REVIEW:**

a. Enlisted as Amn 29 Jan 90 for 4 yrs. Svd: 03 Yrs 03 Mo 07 Das, all AMS.

b. Grade Status: A1C - 03 Mar 93 (Article 15, 3 Mar 93)  
SrA - 29 Jan 93  
A1C - 29 Nov 90

c. Time Lost: None.

d. Art 15's: (1) 3 Mar 93, Tinker AFB, OK - Article 134. You, were, on or about 19 Jan 93, drunk and disorderly which conduct was of a nature to prejudice the good order and discipline of the armed forces. Reduction to A1C. (No appeal) (No mitigation)

e. Additional: LOR, 27 FEB 93 - Late for duty.  
LOC, 10 SEP 92 - Missed Guardmount.  
LOC, 13 AUG 92 - Involved in a mutual affray.

f. CM: None.

g. Record of SV: 29 Jan 90 - 28 Sep 91 Ramstein AB 4 (Initial)  
29 Sep 91 - 18 May 92 Ramstein AB 5 (CRO)

h. Awards & Decs: AFAM, AFOUA, AFGCM, NDSM, AFTR.

i. Stmt of Sv: TMS: (03) Yrs (10) Mos (08) Das  
TAMS: (03) Yrs (03) Mos (07) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 23 Sep 05.  
(Change Discharge to Honorable)

Issue 1: I have been & will continue to be a good person, husband, & father. I have applied to the Broward County Sheriff Office in Florida & would like, have an Honorable Discharge. Thank you.

**ATCH**

1. DD Form 149.
2. DD Form 214 (Member 1 & 4).
3. Enlisted Performance Reports Page 1.
4. Air Force Achievement Medal.
5. Personal Accomplishments.
6. Weapons Qualification Data.
7. Seven Character References.
8. Letters of Appreciation.
9. Training Certificates.

31OCT05/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS OKLAHOMA CITY AIR LOGISTICS CENTER (AFMC)  
TINKER AIR FORCE BASE, OKLAHOMA

FROM: 654 SPS/CC  
Tinker AFB OK 73145

12 April 1993

SUBJ: Notification Letter

TO: ALC [REDACTED], 654 SPS

1. I am recommending your discharge from the United States Air Force for Misconduct. The authority for this action is AFR 39-10, paragraph 46, Minor Disciplinary Infractions. 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. On 13 Aug 92, an investigation revealed that you were involved in a mutual affray on Tinker AFB, OK. As a result, you received a Letter of Counseling (LOC), dated 13 Aug 92. See Atch 1.

b. On 10 Sep 92, you failed to prepare yourself for guardmount duty at the prescribed time of 0545 hours. As a result, you received a Letter of Counseling, dated 10 Sep 92. See Atch 2.

c. On 26 Feb 93, your flight sergeant received a phone call from a non-military member and who is not related to you, stating that you would be late for duty. You actually had plenty of time to prepare yourself for duty and was late for work. You had been late to work on several other occasions. As a result, you received a Letter of Reprimand (LOR), dated 27 Feb 93. See Atch 3.

d. On 19 Jan 93, you were drunk and disorderly at Tinker AFB, OK. As a result, you received an Article 15, dated 3 Mar 93. Punishment was reduction to the grade of airman first class, effective 3 Mar 93. See Atch 4.

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 and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made arrangements for you to consult Capt [REDACTED], at Bldg 452, Tinker AFB, OK, on 13 April 1993, at 1400 hours. If it is necessary to change this appointment time, call Capt [REDACTED] at 405/739-7713. 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 15 April 1993, 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 were scheduled for a medical examination on 26 Mar 93, and you should have reported to the Tinker AFB Hospital, Physical Exam Section, on that date 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 acknowledgment and return it to me immediately.

Commander

4 Atchs

1. LOC, dtd 13 Aug 92.
2. LOC, dtd 10 Sep 92
3. LOR, dtd 27 Feb 93
4. Art 15, dtd 3 Mar 93