

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	GRADE A1C	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
---	---------------------	---

TYPE HON	PERSONAL APPEARANCE	X	RECORD REVIEW
----------	----------------------------	----------	----------------------

COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES		
	No	
	X	

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					X*
					X*
					X*
					X*
					X*

ISSUES A94.05	INDEX NUMBER A28.00	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 IIE

HEARING DATE 10 Aug 2006	CASE NUMBER FD-2005-00390	
------------------------------------	-------------------------------------	--

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

Case heard in 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.

*Reason and Authority

SIGNATURE OF RECORDER <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>	SIGNATURE OF BOARD PRESIDENT <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>
---	--

INDORSEMENT	DATE: 8/31/2006
TO: SAF/MRBR 530 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-2005-00390**

GENERAL: The applicant appeals to change the reason and authority for discharge.

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: Change of reason and authority for 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. He contends that he thought that he was receiving a "Hardship" discharge versus a "Personality Disorder" discharge and believes this was a punishment for requesting early release. The Board was sympathetic due to the tragic loss of applicant's sister and the hardships his family was experiencing. A records review was completed and there was no evidence in his records indicating that he was pursuing a hardship discharge. However, the records review did indicate applicant was referred to Life Skills Support Center for counseling and treatment. He was placed on trial antidepressants and was required to attend Mood Management classes. The records further indicated applicant failed to finish his classes, stopped taking the prescribed medication, and refused further assistance from the treatment facility. As a result, adjustment disorder was the basis for his 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.

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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr Minot AFB, ND on 23 Mar 05 UP AFI 36-3208, para 5.11.9.3 (Adjustment Disorder). Appeals for a Change in Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 12 Sep 83. Enlmt Age: 18 8/12. Disch Age: 21 6/12. Educ: HS DIPL. AFQT: N/A. A-57, E-54, G-46, M-43. PAFSC: 3P051 - Security Forces Journeyman. DAS: 11 May 03.

b. Prior Sv: (1) AFRes 29 May 02 - 02 Dec 02 (6 months 4 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Dec 02 for 4 yrs. Svd: 02 Yrs 03 Mo 21 Das, all AMS.

b. Grade Status: A1C - 3 Apr 04
Amn - 3 Jun 03

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 25 JAN 05 - Failure to go and failure to obey an order or regulation.

f. CM: None.

g. Record of SV: 03 Dec 02 - 03 Aug 04 Minot AFB 5 (Initial)

h. Awards & Decs: AFOUA, NDSM, AFTR, GWOTSM.

i. Stmt of Sv: TMS: (02) Yrs (09) Mos (23) Das
TAMS: (02) Yrs (03) Mos (21) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 17 Oct 05.
(Change the Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

FD2005-00390

ATCH

1. Applicant's Issues.
2. DD Form 214.
3. Certificate of Completion.
4. Two Certificates of Recognition.
5. Letter of Appreciation.

3NOV05/ia



October 3, 2005

TO: Board for Correction of Air Force Records
SAF/MRBR
550-C Street West, Suite 40
Randolph AFB, TX 78150-4742

RE: Correction of DD-214

Dear Sirs,

On March 23, 2005 I was released from active duty in the United States Air Force after two years and three plus months of service on what I believed was going to be termed for Hardship reasons. Last month, when applying for a Fire Fighter position it was pointed out to me that my Reason for Separation was Personality Disorder and Separation Code JFX. This had gone unnoticed as I was focused on the Character of Service, Honorable. I believe the two items should be changed to the following – Reason for Separation, Hardship and Separation Code, MBA, based on the following.

In January of 2003, during my fifth week of basic training, my sister [redacted] [redacted] and her friend were killed in a vehicle accident while both serving in the Coast Guard. My sister's unit had been called up, and was to be leaving the following week with her Port Security Unit 313 to Iraq. I was told of this accident in a phone call the morning following this tragic event. I was granted four days leave in order that I could attend my sister's funeral.

I decided that I was going to try and do my best to accept the reality of my sister's death and serve in the Air Force, in order that I might honor my sister's memory. I tried to fill the void I felt by immersing myself in work. In May of 2003 my father, who is an Officer in the Coast Guard Reserves, was called to active duty and deployed overseas for nine months.

My mother has been taking it the worst of all and was experiencing extreme depression. She always let it be known, that she really needed me home with the family to help as we transition through this difficult period in our lives. We all realize that we will never be the same after this, but I feel that we

desperately needed to be together in order to support one another, and this is why I requested an early release.

At work I always did the best I could in performance of my duties. I received Airman of the Month, Airman of the Quarter and Airman of the Year from Bravo Flight, 5th Security Forces Squadron. My performances were never questioned. I was never involved with any discipline issues and was consistently a top performer in all assignments given to me.

I am currently enrolled in college full time and will have my Bachelors Degree in two more years as I completed almost a year and a half of college while in the Air Force.

I believe that with the sections Reason for Separation, Personality Disorder and Separation Code, JFX, I am being punished for requesting an early release from service in order to help my family through these difficult times. I also believe that these codes on my DD-214 will have a negative effect on my wanting to serve the public as a Fire Fighter.

Based on the above, that I feel are valid reasons, I respectfully request that my DD-214 be amended to - Reason for Separation, Hardship and Separation Code, MBA.

Thank you in advance for your consideration in this matter.

Respectfully,



Enclosures (4)



DEPARTMENT OF THE AIR FORCE
 HEADQUARTERS 5TH BOMB WING (ACC)
 MINOT AIR FORCE BASE, NORTH DAKOTA

MEMORANDUM FOR A1C: [REDACTED] 5 SFS

FROM: 5 SFS/CC

SUBJECT: Letter of Notification – AFI 36-3208, Para 5.11.9.3

1. I am recommending your discharge from the United States Air Force for mental disorder, specifically adjustment disorder. The authority for this action is AFPD 36-32, *Military Retirements and Separations*, 14 Jul 93, and AFI 36-3208, *Administrative Separation of Airmen*, 9 Jul 04, Chapter 5, Section B, Paragraph 5.11.9.3. If my recommendation is approved, your discharge will be characterized as honorable. I recommend your discharge be characterized as an honorable.
2. My reason for this mental disorder action is: On 18 Feb 05, you were diagnosed with an adjustment disorder that renders you unfit for duty. Your long-standing disorder of character, behavior, and adaptability is of such severity so as to preclude you from adequate military service. Based on this diagnosis and the adverse effect this disorder has had on your duty performance, you are subject to discharge pursuant to paragraph 5.11.9.3. of AFI 36-3208. (Atch 1)
3. My reason for this action is: Between 1 Oct 04 to 1 Nov 04, you were involved in a situation that appeared to be illegal. Your actions during the subsequent investigation, perceived deliberate omissions and obfuscation, also brought your integrity into question. Additionally, on 17 Jan 05, you reported one hour late for duty. You received a Letter of Reprimand on 25 Jan 05. An Unfavorable Information File was established.
4. The Letter of Notification with attachments will be forwarded to the separation authority in support of this recommendation. The commander exercising Special Court Martial jurisdiction, 5 BW/CC, or a higher authority will decide whether you will be discharged or retained in the Air Force. If you are discharged you will be ineligible for reenlistment in the Air Force. Any special pay, bonuses, or education assistance may be subject to recoupment.
5. 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 Capt: [REDACTED] Area Defense Counsel, at 300 Summit Drive, Room 306A; _____. You may consult civilian legal counsel at your own expense.
6. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me by 1650 hours, on 15 MAR 2005, unless you request and receive an extension for good cause shown. I will then send them to the separation authority.

7. If you fail to consult legal counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.
8. You have been scheduled for a medical examination. You must report to the 5th Medical Group Hospital, 10 Missile Avenue, Minot AFB, ND; _____ for the examination. You must not drink alcoholic beverages 72 hours prior to the exam.
9. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement of 1974. A copy of AFI 36-3208 is available for your use in the Orderly Room.
10. Sign the attached acknowledgment and Statement of Understanding and return them to me immediately.

Commander, 5th Security Forces Squadron

Attachments:

1. Receipt of Letter of Notification
2. Statement of Understanding
3. Recommendation for Administrative Separation Letter, 18 Feb 05
4. AF Form 1058, Unfavorable Information File, 26 Jan 05
5. Letter of Reprimand, 25 Jan 05