

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) _____	GRADE  AMN	AFSN/SSAN _____
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TYPE GEN	PERSONAL APPEARANCE	<b>X</b>	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	No	
	<b>X</b>	

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
					X*
					X*
					X*
					X*
					X*

ISSUES <b>A92.01</b> <b>A94.05</b>	INDEX NUMBER <b>A67.90</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 IIF
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HEARING DATE <b>13 Mar 2007</b>	CASE NUMBER <b>FD-2006-00193</b>	
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE 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

INDORSEMENT	DATE: 3/21/2007
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-2006-00193**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable and to change the reason and authority for the 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:** Upgrade of discharge and change of reason and authority for discharge are 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:**

Issue 1. Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15 and a Record of Individual Counseling for misconduct. The applicant received an Article 15 for wrongfully participating in an organization that supports supremacist causes and wrongful appropriation of government property. He was punished with a reduction in grade to Airman and forfeiture of \$400.00 pay for one month. The Board concluded the applicant's 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.

Issue 2. 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 AMN) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Hill AFB, UT on 23 Feb 94 UP AFR 39-10, para 5-47b (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for an Honorable Discharge, and to Change the Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 8 Oct 71. Enlmt Age: 18 0/12. Disch Age: 22 4/12. Educ: HS DIPL. AFQT: N/A. A-45, E-71, G-76, M-86. PAFSC: 3P052 - Law Enforcement Journeyman. DAS: 13 May 93.

b. Prior Sv: (1) AFRes 27 Oct 89 - 7 Aug 90 (9 months 11 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 8 Aug 90 for 4 yrs. Svd: 03 Yrs 06 Mo 16 Das, all AMS.

b. Grade Status: A1C - 10 Feb 94 (Article 15, 10 Feb 94)  
SrA - 08 Aug 93  
A1C - 08 Dec 91  
Amn - 08 Feb 91

c. Time Lost: None.

d. Art 15's: (1) 10 Feb 94, Osan AB, Korea - Article 92. You did, between on or about 1 Oct 93 and on or about 31 Oct 93, violate a lawful general directive, to wit: Air Force Policy Directive 51-9, Para 1.4.3, dated 5 Nov 93, by wrongfully actively participating in an organization that supports supremacist causes, to wit: National Alliance, by providing supremacist materials, business cards, and newsletter and order forms to SrA [redacted] Article 134. You were, between on or about 1 Oct 93 and on or about 31 Oct 93, disorderly by communications to SrA [redacted] that you would have kicked an apprehended black male and "what are these dumb niggers doing now" or words to that effect, which conduct was of a nature to bring discredit upon the armed forces. Article 121. You did, on or about 24 Jan 94, wrongfully appropriate five 5.56 blank rounds, three 30-rounds clips, four M16 30-round magazines, seven chemical light sticks, 12 carpet squares, three chemical heating pads, of some value, the property of the United States. Reduction to Airman, and forfeiture of \$400.00 pay for one month. (No appeal) (No

mitigation)

- e. Additional: RIC, 18 JAN 94 - Relieved from duty due to strong odor of alcohol on breath.
- f. CM: None.
- g. Record of SV: 08 Aug 90 - 07 Apr 92 Little Rock AFB 4 (Initial)  
                   08 Apr 92 - 21 Dec 92 Little Rock AFB 4 (CRO)  
                   22 Dec 92 - 30 Aug 93 Osan AB 3 (Annual)
- h. Awards & Decs: AFGCM, NDSM, AFOSSTR, AFTR.
- i. Stmt of Sv: TMS: (04) Yrs (03) Mos (27) Das  
                   TAMS: (03) Yrs (06) Mos (16) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 12 May 06.  
 (Change Discharge to Honorable, and Change the Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. DD Form 214.
3. Training Certificate.
4. Offer of Employment.
5. College Transcript.

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MAY 22 2006

FD2006-00193

APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

Form Approved OMB No. 0704-0004 Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Service and Communications Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.

a. BRANCH OF SERVICE (X one) ARMY MARINE CORPS NAVY AIR FORCE COAST GUARD
b. NAME (Last, First, Middle Initial)
c. GRADE/RANK AT DISCHARGE E-2
d. SOCIAL SECURITY NUMBER

2. DATE OF DISCHARGE OR SEPARATION (YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149) 19940223
4. DISCHARGE CHARACTERIZATION RECEIVED (X one) HONORABLE GENERAL/UNDER HONORABLE CONDITIONS UNDER OTHER THAN HONORABLE CONDITIONS
6. BOARD ACTION REQUESTED (X one) CHANGE TO HONORABLE CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS CHANGE TO UNCHARACTERIZED (Not applicable for Air Force) CHANGE NARRATIVE REASON FOR SEPARATION TO:

3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION HILL AFB VTAH
51SAS(PAKAF)
UNCHARACTERIZED OTHER (Explain)

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 14. See instructions on Page 3.) REQUEST UPGRADE SERVICE DID NOT WARRANT GENERAL DISCHARGE, SERVICE WAS HONORABLE w/ GOOD CONDUCT MEDICAL CITATION. (SEE ATTACHED LETTER FOR REVIEW.) UPGRADE REQUIRED TO FACILITATE RETURN TO SERVICE W/ US GOV. TSA/DHS/FAMS

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE. NA

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 17. If military documents or medical records are relevant to your case, please send copies.) LETTER TO BOARD, DD-214, TRNG CERTIFICATE & CLAF TRANSCRIPTS. LETTER OF EMPLOYMENT OFFER US DEPT. OF HOMELAND SECURITY F20 AIR MARSHAL SERVICE

9. TYPE OF REVIEW REQUESTED (X one)
X CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.
I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.
I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

10. a. COUNSEL/REPRESENTATIVE (if any) NAME (Last, First, Middle Initial) AND ADDRESS (See Item 10 of the instructions about counsel/representative.) NA
b. TELEPHONE NUMBER (Include Area Code) 518-576-5272
c. E-MAIL wraith-oblivion@yahoo.com
d. FAX NUMBER (Include Area Code) NA

11. APPLICANT MUST SIGN IN ITEM 13. a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name (print) and relationship by marking a box below.
SPOUSE WIDOW WIDOWER NEXT OF KIN LEGAL REPRESENTATIVE OTHER (Specify)

12. a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE (Forward notification of any change in address.)
b.
c. E-MAIL
d. FAX NUMBER (Include Area Code) NA

13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. (U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)
a. SIGNATURE - REQUIRED (Applicant or person in Item 11 above)
b. DATE SIGNED - REQUIRED (YYYYMMDD) 20060518
CASE NUMBER (Do not write in this space.) FD 2006 00193

14. CONTINUATION OF ITEM 8, ISSUES (If applicable)

SEPERATION AUTHORITY AND REASON FOR DISCHARGE SHOULD HAVE BEEN  
 RA 39-11 SOLE SURVIVING SON OF HARDSHIP DISCHARGE DUE TO THE DEATH OF  
 MY BROTHER SGT. [REDACTED] AND HIS WIFE & TWO DAUGHTERS IN A  
 VEHICLE ACCIDENT ON DEC 14<sup>TH</sup> WARRANTING RED CROSS NOTIFICATION  
 TO THE USAR FROM MY FATHER CMSGT. [REDACTED] AND REQUEST  
 TO RETURN HOME TO UTAH FOR THE FAMILY. REQUEST CHANGE TO  
 NARRATIVE REASON FOR SEPERATION); SOLE SURVIVING SON/HARDSHIP  
 & /OR LIST (HONORABLE)

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

MISSING INFORMATION IN RECORD OF DD 214 # 14. MILITARY EDUCATION  
 USAR SECURITY POLICE ACADEMY, LAW ENFORCEMENT TRAINING COURSE  
 AIR BASE GROUND DEFENCE COMBAT COURSE  
 ALSO LINE # 13 MISSING; EXPERT RIBBON (QUALIFIED W/ MIA & MA)  
 JTF (PROVIDE RELIEF) RIBBON FOR SERVICE IN KENYA & SOMALIA

16. REMARKS (If applicable)

SEE ATTACHED LETTER.

Thank you for your consideration and God Bless.

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

<p><b>ARMY</b></p> <p>Army Review Boards Agency          Support Division, St. Louis          9700 Page Avenue          St. Louis, MO 63132-5200          (See <a href="http://arba.army.pentagon.mil">http://arba.army.pentagon.mil</a>)</p>	<p><b>NAVY AND MARINE CORPS</b></p> <p>Naval Council of Personnel Boards          720 Kennon Street, S.E.          Room 309 (NDRB)          Washington Navy Yard, DC 20374-5023</p>
<p><b>AIR FORCE</b></p> <p>Air Force Review Boards Agency          SAF/MRBR          550-C Street West, Suite 40          Randolph AFB, TX 78150-4742</p>	<p><b>COAST GUARD</b></p> <p>U.S. Coast Guard          Commandant (G-WPM)          2100 Second Street, S.W. Room 5500          Washington, DC 20593</p>

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

Board Members,

It has just now been brought to my attention there is this avenue to upgrade my DD 214 discharge to Honorable from General to reflect my true service and commitment to our nation.

My father is Chief Master Sergeant: [REDACTED], USAF Ret. Security Police, Hill AFB Utah. Whom personally pinned my security police shield on my uniform at my graduation ceremony at Lackland, AFB when I completed my Law Enforcement Academy training. This was the proudest day of my life. They even kept a photo of this event in the Security Police museum at Lackland AFB.

I expected to follow in his footsteps and make a career of the USAF, but due to the tragic course of events when my brother Sgt. [REDACTED], serving in the US Army died in a traffic accident with his wife and two daughters, did I make a decision to leave the Air Force and I confronted my First Sergeant to allow my discharge.

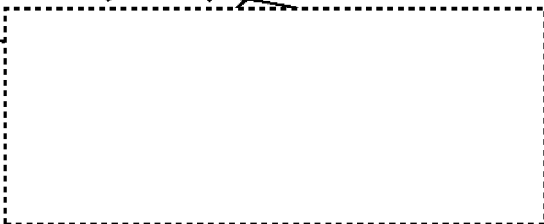
I know he had my best interests in mind when he wanted me to continue with my Air Force career. Things did not happen quite the way I had wanted, but I felt the need to return home to my family and in my youth made some poor choices resulting in me accepting a General discharge under honorable conditions so I could go home to be with my family during their time of need.

I would like to correct this past injustice and once again serve my country.

I am now in the process to return to services for the United States government in the Federal Air Marshal Service of the US Dept. of Homeland Security.

I respectfully request my DD-214 and service record be adjusted and corrected to facilitate this opportunity to fulfill my patriotic duty and oath to serve my country. To protect and defend the Constitution of the United States of American with Honor.

Thank you for your consideration,



FD2006-00193

DEPARTMENT OF THE AIR FORCE  
51st SECURITY POLICE SQUADRON (PACAF)  
UNIT 2063  
APO AREA PACIFIC 96278-2063

3 FEB 94

MEMORANDUM FOR SrA [REDACTED]

FROM: CC

SUBJECT: Letter of Notification

1. I am recommending your discharge from the United States Air Force for a Pattern of Misconduct (Conduct Prejudicial to Good Order and Discipline) under the provisions of AFR 39-10, paragraph 5-47b. If my recommendation is approved, your service could be characterized as honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this discharge action are as follows:

a. You did, at Osan Air Base, Republic of Korea, between on or about 1 October 1993 and on or about 31 October 1993, violate a lawful general directive, to wit: Air Force Policy Directive 51-9, Para 1.4.3, dated 5 November 1993, by wrongfully actively participating in an organization that supports supremacist causes, to wit: National Alliance, by providing supremacist materials, business cards, and newsletter and order forms to SrA [REDACTED]. You were, at Osan Air Base, Republic of Korea, between on or about 1 October 1993 and on or about 31 October 1993, disorderly by communicating to SrA [REDACTED] that you would have kicked an apprehended black male and "what are these dumb niggers doing now" or words to that effect, which conduct was of a nature to bring discredit upon the armed forces. You did, at Osan Air Base, Republic of Korea, on or about 24 January 1994, wrongfully appropriate five 5.56 blank rounds, three 30-round clips, four M16 30-round magazines, seven chemical light sticks, 12 carpet squares, three chemical heating pads, of some value, the property of the United States. For these incidents, nonjudicial punishment was initiated on 3 February 1994.

b. On 15 January 1994, you did, at Osan Air Base, Republic of Korea, appear for duty in a condition that did not present an appropriate military appearance as a result of your consumption of alcohol. For this incident, you received a letter of counseling dated 18 January 1994.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The Commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged, and if you are discharged, how your service will be characterized. If you are



discharged, you will be ineligible for reenlistment in the Air Force.

4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult the Area Defense Counsel on 1230 pm 4 Feb 94. You may consult civilian counsel at your own expense.
5. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me by three workdays, NLT ~~4 Feb 94~~ 8 Feb 94 at 1600 hours. I will send them to the separation authority. <sub>12</sub>
6. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.
7. You are scheduled for a medical examination on 0800 4 Feb 94.
8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 2. A copy of AFR 39-10 is available for your use in the orderly room.
9. Execute the attached acknowledgment and return it to me immediately.

[Redacted Signature Box]  
Squadron Commander

2 Atch

1. Supporting Documents for the Reasons for Discharge
2. Airman's Receipt of Letter of Notification