

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 AIC	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">YES</td> <td style="width:50%; text-align: center;">No</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	YES	No	X			
YES	No					
X						

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

ISSUES A95.00 A01.00	INDEX NUMBER A69.00	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr> <td style="width:5%; text-align: center;">1</td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;">2</td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;">3</td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">4</td> <td>BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td>COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td>TAPE RECORDING OF PERSONAL APPEARANCE HE</td> </tr> </tbody> </table>	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 HE
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HEARING DATE 22 Mar 2007	CASE NUMBER FD-2006-00297
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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.

X = Upgrade Discharge, Change Reason for Discharge and Change Reenlistment Code

TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	INDORSEMENT	FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, 8E WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002
		DATE: 4/13/2007

GENERAL: The applicant appeals for upgrade of discharge to Honorable, change reason for discharge and change reenlistment code.

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, change of reason for discharge, and change of reenlistment code are denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

ISSUE:

The applicant submitted no specific issues. The records indicate that the applicant was referred to the Alcohol and Drug Abuse Prevention and Treatment (ADAPT) for concerns regarding alcohol dependency. The applicant was diagnosed with alcohol dependency and participated in an inpatient treatment program for 28 days. Upon discharge he was enrolled in an outpatient services treatment at his installation. The applicant was unreliable in attendance to group sessions, but remained abstinent. After three months, he relapsed and indicated he did not wish to remain abstinent. He was given a second opportunity to return to ADAPT but failed to do so. At that time he was advised that his decision constituted a failure in the program and would be recommended for discharge. In addition to the failure, the applicant received four Records of Individual Counseling and a Letter of Reprimand for misconduct. The misconduct included two failures to go, two late returns from lunch, and financial irresponsibility. The Board found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance and concluded that the discharge characterization, reason for discharge and the reenlistment code received by the applicant were 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 discharge characterization, reason for discharge and reenlistment code 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 GEN Disch fr USAF Luke AFB, AZ, on 5 Dec 00 UP AFI 36-3208, para 5.32 (Failure in Alcohol Abuse Treatment Program). Appeals for Honorable Discharge, to Change the RE Code and Reason for Disch.

2. **BACKGROUND:**

a. DOB: 22 Dec 80. Enlmt Age: 18 6/12. Disch Age: 19 11/12. Educ: HS DIPL. AFQT: N/A. A-53, E-58, G-42, M-72. PAFSC: 2W031 - Munitions Systems Apprentice. DAS: 16 Dec 99.

b. Prior Sv: (1) AFRes 20 Jul 99 - 27 Jul 99 (8 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 28 Jul 99 for 6 years. Svd: 01 Yrs 04 Mo 08 Das, all AMS.

b. Grade Status: A1C - 13 Sep 99

c. Time Lost: None.

d. Art 15's: None.

e. Additional: MEMO, 30 OCT 00 - ADAPT Failure.
RIC, 06 OCT 00 - Financial irresponsibility.
RIC, 29 AUG 00 - Failure to go.
RIC, 03 AUG 00 - Late return from lunch.
RIC, 02 AUG 00 - Late return from lunch.
RIC, 21 MAR 00 - Failure to go.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, AFOUA.

i. Stmt of Sv: TMS: (01) Yrs (04) Mos (16) Das
TAMS: (01) Yrs (04) Mos (08) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 27 Nov 06.
(Change Discharge to Honorable, Change the RE Code and Reason for Discharge.)

Issue 1: I would like a change in my reentry code, so I may join the Ohio

National Guard.

ATCH

1. DD Form 214

30NOV06/day

DEPARTMENT OF THE AIR FORCE
56th Equipment Maintenance Squadron (AETC)
Luke Air Force Base Arizona

NOV 06 2000

MEMORANDUM FOR A1C: [REDACTED]

FROM: 56 EMS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Failure in Alcohol Abuse Treatment Program. The authority for this action is AFPD 36-32 and AFI 36-3208, Section F, paragraph 5.32. If my recommendation is approved, your service will be characterized as honorable, general, or under other than honorable conditions. I am recommending that your service be characterized as general.

2. My reasons for this action are: On 13 Mar 00, you were referred to the Alcohol and Drug Abuse Prevention and Treatment (ADAPT) program by Dr. [REDACTED] for concerns about your recent increases in drinking. On 14 Mar 00, you were diagnosed with Alcohol Dependency and participated in the inpatient treatment program at the Tuscon VA hospital for 28 days. Upon your discharge on 6 Jun 00, you were enrolled in outpatient services treatment at the mental health clinic at Luke AFB. You were unreliable in your attendance to group sessions, but remained abstinent from alcohol. On 24 Sep 00, you relapsed from alcohol and indicated that you enjoyed drinking and did not wish to remain abstinent. You were given a second opportunity to attend sessions on 26 Oct 00, in which you failed to do so. At that time you were advised that your decision constituted a failure in the program and you would be recommended for administrative separation according to AFI 44-121 paragraph 3.16.2. In addition to your failure in the ADAPT program, you have received four Records of Individual counseling and a Letter of Reprimand for failing to report to your appointed place of duty at the time prescribed. On 6 Oct 00, you received a Record of Individual Counseling in regards to your overdue bills with the Army and Air Force Exchange (AAFES). As a result of your misconduct, I am recommending that your discharge be characterized as general.

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 or retained in the Air Force, and if discharged how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force and any special pay, bonus, or education assistance funds may be subject to recoupment.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. An appointment for you to consult the Area Defense Counsel, Building 1150, Suite 3015, Luke AFB, AZ, Extension 6701, has been scheduled for 6 Nov 00 at 10:00 hours. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 9 Nov 00 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. 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.
7. You must retrieve your medical records from 56 Medical Group Hospital Outpatient Records and immediately report to Physical Exams, Building 810, with your medical records and your copy of this AFI 36-3208 discharge package for medical review and/or examination.
8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208, is available for your use in your unit orderly room.
9. Execute the attached acknowledgment and return it to me immediately.


Commander

Attachments:

1. Recommendation from 56 MDOS/SGOMH
2. Record of Individual Counseling, dated 21 Mar 00
3. Record of Individual Counseling, dated 2 Aug 00
4. Record of Individual Counseling, dated 3 Aug 00
5. Letter of Reprimand, dated 29 Aug 00
6. Record of Individual Counseling, dated 6 Oct 00