

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%; margin-top: 5px;"></div>		GRADE <div style="text-align: center; border: 1px dashed black; padding: 5px;">SRA</div>	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%; margin-top: 5px;"></div>																																				
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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																																							
<p>Case heard in 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> <p>* Reason and Authority + Reenlistment Code</p> <div style="border: 1px dashed black; height: 40px; width: 100%; margin-top: 20px;"></div>																																							
ENDORSEMENT TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742		DATE: 5/29/2007 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-2006-00476

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the 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 and authority 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 issues and realized his actions while in the military were unacceptable and requested that the review be completed based on the available service record. The applicant also expressed a desire to have his discharge upgraded so that he may qualify for reenlistment into the armed forces. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated the applicant received an Article 15, three Letters of Reprimand, a Letter of Counseling, a Letter of Admonishment, five Records of Individual Counseling and a Memorandum for Record for misconduct. The applicant received an Article 15 for stealing a pair of lady's swimsuit bottoms and wrongfully rummaging through another airman's dresser drawer and handling her undergarments. He was punished with a reduction in grade to Senior Airman, suspended forfeiture of pay, and a reprimand. The applicant had additional misconduct and was administratively disciplined for refusal to participate in an alcohol abuse treatment program, impersonating an officer for the purpose of committing adultery, dereliction of duty, insubordination, being late for duty, failure to go, failure to use technical guidance while inspecting equipment and chewing tobacco around oxygen equipment. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. 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.

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 SRA) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Eglin AFB, FL, on 27 Jan 06 UP AFI 36-3208, para 5.32.1.2.2 (Failure in Alcohol Abuse Treatment - Refusal to participate in the program). Appeals for Honorable Discharge, to Change the RE Code and Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 22 Feb 82. Enlmt Age: 18 3/12. Disch Age: 23 11/12. Educ: HS DIPL. AFQT: N/A. A-43, E-26, G-36, M-35. PAFSC: 1T151 - Aircrew Life Support Journeyman. DAS: 12 Nov 00.

b. Prior Sv: (1) AFRes 7 Jun 00 - 17 Jul 00 (1 month 11 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 18 Jul 00 for 6 years. Svd: 05 Yrs 06 Mo 10 Das, all AMS.

b. Grade Status: SrA - 26 Sep 05 (Article 15, 26 Sep 05)
SSgt - 1 Feb 05
SrA - 01 Jan 03
A1C - 01 Sep 00

c. Time Lost: None.

d. Art 15's: (1) 26 Sep 05, Sheppard AFB, TX - Article 121. You, did, on or about 1 Sep 05, steal a pair of lady's swimsuit bottoms, of some value, the property of a military member. Article 134. You, did, on divers occasions between on or about 30 Aug 05 and on or about 1 Sep 05, wrongfully rummage through SSgt [redacted] dresser drawer and handle her undergarmets. Reduction to SrA. Suspended forfeiture of \$500.00 pay and a reprimand. (No appeal) (No mitigation)

e. Additional: MFR, 14 NOV 05 - Patient declination statement.
LOR, 26 APR 05 - Impersonating an officer for the purpose of committing adultery with a civilian.
LOC, 31 MAR 05 - Dereliction of duty.
LOR, 31 JUL 03 - Dereliction of duty and Insubordination.
RIC, 07 MAY 03 - Late for duty.
LOA, 09 AUG 02 - Late for duty.
RIC, 07 AUG 02 - Late for duty.
LOR, 30 OCT 01 - Failure to go.
RIC, 15 AUG 01 - Failure to use technical guidance while

inspecting equipment.

RIC, 30 APR 01 - Late for duty.

RIC, 25 APR 01 - Chewing tobacco around oxygen equipment.

f. CM: None.

g. Record of SV: 18 Jul 00 - 18 Mar 02 Eglin AFB 5 (Initial)
19 Mar 02 - 18 Mar 03 Eglin AFB 5 (Annual)
19 Mar 03 - 18 Mar 04 Eglin AFB 5 (Annual)
19 Mar 04 - 18 Mar 05 Eglin AFB 4 (Annual)

h. Awards & Decs: AFAM, AFOUA W/3 DEVS, AFGCM, NDSM, GWOTSM, AFLSA, NCOPMER, AFTR.

i. Stmt of Sv: TMS: (05) Yrs (07) Mos (21) Das
TAMS: (05) Yrs (06) Mos (10) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 15 Sep 06.

(Change Discharge to Honorable, Change the Re Code and Reason for Discharge.)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

9FEB07/day

7. SUPPORTING DOCUMENTS (X as applicable) (Please print name and social security number on each document.)

a. Will not be submitted. Please complete review based on available service records.

☒ b. Will be submitted within 60 days.

c. Will be submitted within _____ days.

d. Are listed below and are attached to this application: (Continue on a plain sheet of paper if more space is needed.)

(1) DOCUMENT 1:

(2) DOCUMENT 2:

(3) DOCUMENT 3:

8. ISSUES. The Board will consider any issue submitted by you prior to closing the case for deliberation. The Board also will review the case to determine whether there are any issues which provide a basis for upgrading your discharge. However, the Board is not required to respond in writing to issues of concern to you unless those issues are listed or incorporated by specific reference below. Read the instructions carefully that pertain to block 8 prior to completing this part of the application. If you need more space, submit additional issues on an attachment.

ISSUE 1: In 2005, I, as an NCO, was TDY at Sheppard AFB in Wichita Falls, Texas. I was going to 7-Level training at this location and had been there for a week before my discharge occurred. Within a week there, I and some friends had went to Buffalo Wild Wings and had some beers. (1)

ISSUE 2: After leaving Buffalo Wild Wings, I asked to stop by the shoppette to pick up some more beer so I could stay intoxicated and have more fun. I met an older woman while I was staying in billeting there and after a few beers I started rummaging through her pantie drawers on two occasions and a friend of hers caught me. After this incident they decided to call the SP's and I was arrested at the scene. After searching me they found a pair of bikini bottoms which I took from another females apartment in which those bottoms were hanging outside to dry. After deliberation with the SP's, the 1st Sergeant picked me up from jail and sent me back to billeting to rest.

ISSUE 3: The next day the 1st Sergeant paid for me a plane ticket to get back to my home base at Eglin AFB in Florida. This is where the commander, Lt. Col Glen Graham, decided to give me an ultimatum to either go to Alcohol Anonymous class or be discharged. Several weeks into class, I decided that I could not quit drinking and this is when I was discharged as General.

ISSUE 4: The next day the 1st Sergeant paid for me a plane ticket to get back to my home base at Eglin AFB in Florida. This is where the commander, Lt. Col Glen Graham, decided to give me an ultimatum to either go to Alcohol Anonymous class or be discharged. Several weeks into class, I decided that I could not quit drinking and this is when I was discharged as General.

☒ a. Mark this block if you have listed additional issues as an attachment to this application.

b. I previously submitted an application on (Enter date) _____ and I am completing this form in order to submit additional issues.

☒ c. The above issues supersede all previously submitted.

9. CERTIFICATION

I make the foregoing statements as part of my application with full knowledge of the penalties involved for willfully making a false statement. (U.S. Code, Title 18, Section 1001, provides a penalty as follows: A maximum fine of \$10,000 or maximum imprisonment of 5 years, or both)

a. DATE (Year, Month, Day)

b. SIGN

2006, 09, 15

UPON COMPLETION, MAIL THIS APPLICATION TO APPLICABLE ADDRESS BELOW

ARMY

NAVY & MARINE CORPS

AIR FORCE

COAST GUARD

CO, USARCPAC
9700 Page Blvd
St. Louis, MO 63132-5200

NAVAL Discharge Review
801 No. Randolph St.
Arlington, VA 22203-1991

AFMPC/MPCDOA1
Randolph AFB, TX 78150-6001

Commandant (G-PE-1)
U.S. Coast Guard Headq
Washington, DC 20593-0001

STATEMENT

12 December 2006

As of January 2006, I have had no prior incidents or arrests. I have always been a hard worker with the three core values of Integrity first, Service before Self, and Excellence in all I do instilled in me. I am asking the Board to reconsider my discharge and to upgrade it to Honorable so I can serve my country once again. I am a loyal citizen and have decided to quit drinking to better myself as an individual, as well as a father for my 2-year-old son, Hayden. I am currently working on a divorce from my wife and I really need this upgrade so I can support my son and serve my country that I so dearly love. I have never had any problems job-wise as an Aircrew Life Support technician (ITIXI), and I believe and know that if the Board gives me this opportunity, that I will uphold the three core values that were instilled in me from the beginning. I know now what I did was wrong and I believe that we are all human and make bad decisions in our lives. I will better myself by going to classes to change my life around. I am asking the Board to give me this great opportunity to better myself as an individual.

Thank you for considering this upgrade for me, as I know the Board will make the best decision.

Respectfully submitted:





DEPARTMENT OF THE AIR FORCE

40th FLIGHT TEST SQUADRON (AFMC)
EGLIN AIR FORCE BASE, FLORIDA 32542

MEMORANDUM FOR SRA: [REDACTED]

JAN 10 2006

FROM: 40 FTS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Alcohol Abuse Treatment Failure, specifically, for refusal to participate in the program. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.32.1.2.2. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reasons for this action are: At an ADAPT meeting conducted on 5 October 2005, you refused to participate any longer in the alcohol treatment program. During the course of the interview with the ADAPT specialist, you admitted drinking alcohol during the program and stated you no longer wanted to be involved the program. You informed the ADAPT specialist that you only participated in the program in fear of getting into more trouble with your Commander and other leadership.

You reported to the next scheduled ADAPT meeting and informed the ADAPT personnel that you no longer wanted to be in the program. After being counseled of the severity of your alcohol abuse problem, you responded that you felt better when you were not enrolled in the program because you no longer had to sneak around to purchase alcohol. You stated that you had been seen purchasing alcohol on base and you had to go off base to make subsequent purchases. You also stated to the ADAPT personnel that you drank alcohol the entire time you were in the ADAPT program while fully understanding that you were not allowed to drink. Finally, you stated that you simply don't want to stop drinking.

On 10 November 2005, you signed a Patients Declination Statement to discontinue participation in the Alcohol Drug Abuse Prevention and Treatment Program.

3. I am also forwarding the following information on to the separation authority for his consideration in characterizing your service:

- a. On 25 April 2001 you used tobacco around oxygen equipment after being counseled several times not to. For this offense you received a letter of counseling, dated 25 April 2001.
- b. On 23 and 30 April 2001 you were late for duty. For these offenses you received a letter of counseling, dated 30 June 2001.
- c. On 14 August 2001 you disobeyed an order to use proper technical guidance while inspecting equipment. For this offense you received a letter of counseling, dated 15 August 2001.
- d. On 27 October 2001 you failed to report for duty and lied about the justification. For these offenses you received a letter of reprimand, dated 30 October 2001.

- e. On 7 August 2002 you overslept and were late to work. For this offense you received a letter of counseling, dated 7 August 2002.
 - f. On 9 August 2002 you were late to work. For this offense you received a letter of admonishment, dated 9 August 2002.
 - g. On 6 May 2003 you were late to work and did not call to inform you supervisor that you would be late. For this offense you received a letter of counseling, dated 7 May 2003.
 - h. On 31 July 2003 you were late to work and lied to your supervisor about arriving on time. For this offense you received a letter of reprimand, dated 31 July 2003.
 - i. On 18 February 2005 you failed to perform duties on two separate occasions that put the lives of aircrew in harm's way. For this offense you received a letter of counseling, dated 31 March 2005.
 - j. On several occasions up to and including 26 April 2005 you impersonated an officer for the purpose of establishing and maintaining a relationship with a civilian female who was not your wife. For this offense you received a letter of reprimand, dated 26 April 2005.
 - k. On several occasions between 30 August and 1 September 2005 you rummaged through another Air Force member's dresser drawer and handled her undergarments. You also stole a pair of ladies' swimsuit bottoms from a military member. For this offense, you received nonjudicial punishment, dated 26 September 2005.
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 higher authority will decide whether you will be discharged or retained in the United States Air Force 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 and any special pay, bonus, or education assistance funds 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 Captain: _____ at 904 N. 2nd Street, on 1D. Jansco, at 200 hours. You may consult civilian counsel at your own expense.
6. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me **within 3 duty days** unless you request and receive an extension for good cause shown. I will send them to the separation authority.
7. 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.
8. You have been scheduled for an appointment with the 96th Mission Support Squadron, separations section, on 1D. Jansco at 0930 hours.
9. After your briefing, you are to report to the 96th Traffic Management Office with your authorized letter (if applicable) from separations to schedule your TMO pickup.

10. You are required to receive a briefing from the Family Support Center prior to your separation. You have been scheduled to receive your Transition Assistance Management Program (TAMP) briefing on 18 JAN 00 at 1200 hours.

11. You have been scheduled for a medical examination. You must report to 96 MDG Force Health Management, 307 Boatner Rd. on 17 JAN 00, at 0715 hours for the examination.

12. 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 at your orderly room.

13. Execute the attached acknowledgment and return it to me immediately.

Commander

Attachments:
Case File