

<b>AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD</b>							
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE  SSGT		AFSN/SSAN	
TYPE GEN		PERSONAL APPEARANCE		X	RECORD REVIEW		
COUNSEL				ADDRESS AND OR ORGANIZATION OF COUNSEL			
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> No						
MEMBER SITTING				VOTE OF THE BOARD			
				HON	GEN	UOTHC	DENY
							X
							X
							X
							X
							X
ISSUES A94.05 A92.00		INDEX NUMBER A64.00		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 24 May 2007		CASE NUMBER FD-2007-00013					
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.							
ENDORSEMENT				DATE: 5/29/2007			
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			

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b> <b>FD-2007-00013</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to honorable.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDINGS:</b> Upgrade of discharge is denied.</p> <p>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.</p> <p><b>ISSUE:</b></p> <p>Issue 1. Applicant contends discharge was inequitable because it was too harsh. He contends that he had just finished an alcohol rehabilitation program and had a relapse. Shortly after his relapse, his command started processing his separation. The records indicated the applicant received an Article 15 for misconduct. The Article 15 was for being drunk and disorderly; and for assaulting an individual by striking his face with his hand. He was punished with a suspended reduction in grade to Senior Airman, forfeiture of pay for two months, and restricted to the limits of Riyadh Air Base for 45 days. The records also indicated at the time applicant was being processed for discharge, he waived his right to an administrative discharge board with a conditional waiver for receipt of a general discharge. 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.</p> <p>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.</p> <p><b>CONCLUSIONS:</b> 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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	

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

[REDACTED] (Former SSGT) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Kelly AFB, TX on 01 May 95 UP AFI 36-3208, para 5.50.1 (Pattern of Misconduct - Discreditable Involvement With Military or Civil Authorities). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 2 Nov 64. Enlmt Age: 19 7/12. Disch Age: 30 5/12. Educ: HS DIPL. AFQT: N/A. A-34, E-96, G-96, M-94. PAFSC: 2E153 - Ground Radio Communications Journeyman. DAS: 11 Jul 91.

b. Prior Sv: (1) AFRes 29 Jun 84 - 12 Jul 84 (14 days) (Inactive).

(2) Enlisted as AB 13 Jul 84 for 4 yrs. Extended 14 Nov 85 for 11 months. Reenlisted as SrA 21 Aug 87 for 4 yrs. Extended 5 Mar 90 for 10 months. Extended 9 Jan 91 for 3 months. Svd: 7 yrs 11 months 17 days, all AMS. AMN - 13 Jan 85. A1C - 13 Sep 85. SrA - 13 Jul 87. Sgt - Unknown. APRs: 9,9,9,9,9. EPRs: 3,3,4,4.

ART 15: 1 Sep 89, Rhein Main AB, Germany - Article 111. You did, on or about 15 Aug 89, in the parking lot of building 168, operate a vehicle, to wit: a passenger car while drunk. Suspended reduction to A1C. Forfeiture of \$216.00, and 14 days extra duty. (No appeal) (No mitigation).

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as Sgt 30 Jun 92 for 2 yrs. Extended 5 Nov 93 for 12 months. Extended 5 Apr 94 for 25 months. Svd: 02 Yrs 10 Mo 01 Das, all AMS.

b. Grade Status: SSGT - 1 Oct 93

c. Time Lost: None.

d. Art 15's: (1) 5 Feb 94, Kelly AFB, TX - Article 134. You were, at or near Manama, Bahrain, on or about 16 Jan 94, drunk and disorderly, which conduct was of a nature to bring discredit upon the armed forces. Article 128. Further investigation has disclosed you did, at or near Manama, Bahrain, on or about 16 Jan 94, assault Mehdi Abdulla Ahmed by striking his face with your hand. Suspended reduction to SrA. Forfeiture of \$250.00 pay per month for two months, and restriction to the limits of Eskan Village and Riyadh Air Base, Kingdom of Saudi Arabia for 45 days. (Appeal/Denied) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV: 20 Mar 92 - 19 Mar 93 Kelly AFB 4 (Annual)  
20 Mar 93 - 19 Mar 94 Kelly AFB 2 (Annual)REF

h. Awards & Decs: AFAM, AFLSAR W/1 DEV, AFTR, SWASM W/1 DEV, AFOSSTR, AFOSLTR, NDSM, NCOPMER, AFOUA W/1 DEV, AFGCM W/2 DEVS.

i. Stmt of Sv: TMS: (10) Yrs (10) Mos (13) Das  
TAMS: (10) Yrs (09) Mos (19) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 03 Jan 07.  
(Change Discharge to Honorable)

Issue 1: At the time of my separation, I had just finished Alcohol Rehabilitation and unfortunately I had a relapse. My command did not believe (sic) that relapses might be part of the rehabilitation process. It was shortly after my relapse, that my command started processing separation.

I honestly feel it took this relapse to confirm what I was told in rehab. I am an alcoholic. I am not able to drink alcoholic beverages responsibly. This has been a long process for me. I have quit drinking on occasions only to fall back into depression and then start drinking again. Really, I find just about any excuse to drink alcohol.

However, I do realize I have a problem and I am dealing with it the best I can. I am currently in a 12 step program.

I request the Discharge Review Board conduct a review of my military records. I had 10 years 9 months and 19 days of creditable service. My evaluations had always been high, but at the end I did start drinking. While stationed in Germany I was cited for driving while intoxicated. I received a (sic) Article 15 punishment for this offense. However, after the offense I served honorably several years. It was not until I went to alcohol rehab that I was process (sic) for separation.

I believe my service in the United States Air Force should be classified as "Honorable."

ATCH

None.

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DEPARTMENT OF THE AIR FORCE  
AIR INTELLIGENCE AGENCY

Ft 2007-00013



0 3 FEB 1995

MEMORANDUM FOR SSgt: [REDACTED] 93 IS (AIA)

FROM: 93 IS/CC

SUBJECT: Notification Letter - Board Hearing

1. I am recommending your discharge from the United States Air Force for misconduct, according to AFDPD 36-32 and AFI 36-3208, under the provisions of paragraph 5.50.1, Discreditable Involvement with Military or Civil Authorities. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reason for this action is:

a. That you did wrongfully operate a motor vehicle while under the influence of alcohol at or near San Antonio, Texas, on or about 9 December 1994.

b. That you were, at or near Manama, Bahrain, on or about 16 January 1994, drunk and disorderly. That you did, at or near Manama, Bahrain, on or about 16 January 1994, wrongfully assault: [REDACTED] For these acts of misconduct, you received an Article 15 on 5 February 1994.

3. This action could result in your separation with a service characterization of Under Other Than Honorable Conditions. I am recommending that you receive a service characterization of General. The commander exercising Special Court-Martial jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force, and you will probably be denied enlistment in any component of the armed forces.

4. You have the right to:

- a. Consult legal counsel.
- b. Present your case to an administrative discharge board.
- c. Be represented by legal counsel at a board hearing.
- d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.

e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

5. You have been scheduled for a medical examination. You must report to the 651st Medical Squadron, Kelly AFB TX, at 0730 & 1120 hours, on 8 Feb 95 1995.

6. Military legal counsel, Capt: [redacted], Area Defense Counsel Office, Bldg 6241, extension 3-2924, has been obtained to assist you. An appointment has been scheduled for you to consult him/her on 3 Feb, at 0830 hours, Building 6241, Lackland AFB, Texas. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

7. Confer with your counsel and reply, in writing, within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

8. 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 squadron orderly room.

9. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.

10. The discharge board or, the discharge authority will make the finding and recommendations required under 10 U.S.C. 2005(g).

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

[redacted signature box]

Commander

9 Attachments:

1. SP ROI number 94-373
2. Article 15, dated 5 Feb 94
3. Record of Supplementary Action
4. Article 15, dated 1 Sept 89
5. AF Form 398, dated 26 Nov 85
6. AF Form 398, dated 31 Aug 94
7. DD Form 1408, dated 9 Oct 91