

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE  A1C		AFSN/SSAN			
TYPE		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
									X
									X
									X
									X
ISSUES  A95.00		INDEX NUMBER  A67.10 A69.00			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 HEARING				
HEARING DATE  30 Jun 2009		CASE NUMBER  FD-2008-00258							

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.

SIGNATURE OF RECORDING OFFICER \_\_\_\_\_ SIGNATURE OF BOARD PRESIDENT \_\_\_\_\_

## INDORSEMENT

DATE: 7/7/2009

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 20762-7001

## AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2008-00258

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

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 is 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:**

Applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of the discharge. The record indicates the applicant received three Article 15s and three Letters of Counseling. He also failed to successfully complete a program of alcohol abuse treatment. His misconduct included disorderly conduct, drunk and disorderly conduct, incapacitation for the performance of his duties due to wrongful previous overindulgence in liquor, absent without leave, failure to go and misuse of his government travel card. The Board opined that through these administrative actions, the applicant had ample opportunities to change his behavior. Additionally, the applicant was sent to a four-week inpatient alcohol treatment program in Norfolk, Virginia but continued to consume alcohol following completion of this program. The Board found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the characterization of the applicant's discharge was 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