

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AFSN/SSAN

AMN

TYPE GEN

X

PERSONAL APPEARANCE

RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS AND OR ORGANIZATION OF COUNSEL

YES

No

X

VOTE OF THE BOARD

HON

GEN

UOTHC

OTHER

DENY

X*+

X*+

X*+

X*+

X*+

ISSUES

A94.11

A92.21

A93.01

INDEX NUMBER

A67.10

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

10 Aug 2010

CASE NUMBER

FD-2008-00330

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 via video-teleconference from Randolph AFB, Texas.

Advise applicant of the decision of the Board 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

+Reenlistment Code

ENDORSEMENT

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

CASE NUMBER

FD-2008-00330

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 appeared and testified before the Discharge Review Board (DRB), with counsel, via video teleconference between Andrews AFB Maryland and Randolph AFB Texas on 10 Aug 2010. The following witness also testified on the applicant's behalf: SSgt (US Army) K. C. (brother).

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

FINDING: The Board denies the upgrade of the discharge, change of reason and authority for discharge, and change of reenlistment code.

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 there was an impropriety in his discharge. He contends he was enlisted under the Delayed Entry Program and wanted to be in Aircrew Life Support. He had requested several times to be reclassified which were denied by the Air Force. He further contends there was a personality conflict with his supervisor. The records indicated the applicant received an Article 15, a Letter of Reprimand, a Letter of Counseling, and six Records of Individual Counseling for misconduct. His misconduct included failure to go (5x), failure to polish boots as directed, failure to meet shaving standards, and stealing two vacuum blood specimen containers. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded that the negative aspects of the applicant's service outweighed the positive contributions he made in his Air Force career. The characterization of the discharge received by the applicant was found to be appropriate.

Issue 2. The DRB was pleased to see that the applicant was doing well and has a good job. However, no inequity or impropriety in his discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized his term of service.

Issue 3. Applicant contends that he should not be penalized indefinitely for a mistake he made when young and immature. He also expressed a desire to have his discharge upgraded so that he may be eligible to enlist in the Air National Guard. The DRB recognized the applicant was 20 years of age when the discharge took place. However, there is no evidence he was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. The DRB concluded that the characterization of the applicant's discharge was appropriate due to the misconduct.

CONCLUSION: 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 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 and determines the discharge should remain unchanged.

Attachment:

Examiner's Brief