

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE	AFSN/SSAN [REDACTED]
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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
YES	No	
	X	

	VOTE OF THE BOARD				
	HON	GEN	UOHC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES A93.01	INDEX NUMBER A67.90	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 13 Jan 2010	CASE NUMBER FD-2009-00002
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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.

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.

INDORSEMENT

DATE: 1/15/2010

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-2009-00002

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 and requests that the review be completed based on the available service record.

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

FINDINGS: The Board denies the upgrade of the discharge.

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 stated that he took complete responsibility for his discharge, but would like to show that he is “not the same, immature, aimless individual that entered BMT almost 7 years ago.”

The record indicated the applicant received the following corrective action:

1. 4 Feb 04: Letter of Reprimand (LOR) for failure to go.
2. 14 May 04: Letter of Counseling (LOC) for failure to go.
3. 14 Jun 04: Letter of Admonishment (LOA) for failure to go.
4. 8 Jul 04: LOR for failure to go.
5. 19 Jul 04: LOR for failure to obey a lawful order.
6. 18 Aug 04: LOR for driving while alcohol concentration was .046/failing field sobriety test.
7. 20 Sep 04: LOC for failure to go.
8. 5 Oct 04: LOR for failure to go.
9. 29 Nov 04: LOC for dereliction of duty.
10. 11 Feb 05: LOR for dereliction of duty by misusing government travel card.

Although the applicant did not raise any issue of inequity or impropriety, he focused on the fact that he made numerous youthful mistakes and he is not the “same immature, aimless individual” when he entered Basic Military Training (BMT). The DRB recognized the applicant was 19 years of age when he entered the service and 21 years of age when the discharge took place. The record shows that the applicant’s unit took numerous rehabilitative measures to correct the applicant’s failure to adhere to standards—but the applicant failed to correct his behavior. The DRB concluded that the characterization of the applicant’s discharge was appropriate due to the repeated nature of his misconduct.

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 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