

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE AB	AFSN/SSAN [REDACTED]
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL	
YES	No	NAME OF COUNSEL AND OR ORGANIZATION	
	X		

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X*+
[REDACTED]					X*+
[REDACTED]					X*+
[REDACTED]					X*+
[REDACTED]					X*+

ISSUES A93.01	INDEX NUMBER A67.10 A49.00 A66.00	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 08 Apr 2010	CASE NUMBER FD-2009-00069	
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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.

*Reason and Authority
+Reenlistment Code

[REDACTED]

INDORSEMENT	DATE: 4/8/2010
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-2009-00069

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 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.

FINDING: The Board denies the upgrade of the discharge, the change of reason and authority for discharge, and the 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: Applicant contends that he should not be barred from reenlisting because of mistakes he made when young. The record indicates the applicant failed four block exams in his training program, resulting in his disenrollment from a technical training course. While in technical school, the applicant also received one Special Court-martial conviction, one Article 15, one Letter of Reprimand, and two Letters of Counseling. His misconduct included wrongful use of ecstasy, wrongful possession of a falsified SAFB Form 303A, Enlisted Phase Card, failure to go (2x), and dereliction of duty. The DRB recognized the applicant was 18 years of age when the discharge took place. However, there is no evidence he was immature or did not know right from wrong. The DRB opined that these administrative actions provided the applicant with ample opportunities to change his behavior. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The DRB reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. It 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