

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE		AFSN/SSAN																																				
TYPE	UOTHC	<input checked="" type="checkbox"/>	PERSONAL APPEARANCE			RECORD REVIEW																																				
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<input checked="" type="checkbox"/>	<input type="checkbox"/>																																									
			WILLIAM E CASSARA			Box 2688 Evans GA 30809																																				
MEMBER SITTING				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="padding: 2px;">VOICE OF THE BOARD</th> </tr> <tr> <th style="padding: 2px;">HON</th> <th style="padding: 2px;">GEN</th> <th style="padding: 2px;">UOTHC</th> <th style="padding: 2px;">OTHER</th> <th style="padding: 2px;">DENY</th> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">*</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">*</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">*</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">*</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">*</td> </tr> </table>				VOICE OF THE BOARD					HON	GEN	UOTHC	OTHER	DENY		X			*		X			*		X			*		X			*		X			*
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<p>Case heard in Washington, D.C.</p> <p>Advise applicant of the decision of the Board and the right to submit an application to the AFBCMR.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p> <p>*Narrative Reason</p>																																										
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																																						

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b>  <b>FD-2010-00355</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to honorable and to change the reason and authority for the discharge.</p> <p>The applicant appeared and testified before the Discharge Review Board (DRB) with counsel, Mr. William Cassara, at Andrews AFB on 23 Aug 2012.</p> <p>The following additional exhibit was submitted at the hearing:  Exhibit #5: Character reference letters</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDING:</b> The Board denies the upgrade of the discharge to honorable and the change of reason and authority for discharge; however, the Board approves upgrade of discharge to general.</p> <p>The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. The Board does find evidence in the record to substantiate an inequity that would justify a change in the discharge. Therefore, for the reasons specified below, the Board grants the upgrade of the applicant's discharge.</p> <p><b>ISSUE:</b> Applicant received an Under Other Than Honorable Conditions (UOTHC) discharge for Misconduct – Unacceptable Conduct.</p> <p>Applicant contends his discharge was inequitable because the recommendation for discharge was a General discharge by those that knew him and was changed without reason by the Secretary of the Air Force. He appeals to the Board for an upgrade to honorable based on this inequity. The record indicates the applicant was investigated for fraternization with Airman B.Z., an airman in his squadron. He subsequently married her and applied for a resignation in lieu of discharge which was denied. A Board of Inquiry (BOI) was convened and recommended a General discharge, however, the board's recommendation was found to be invalid due to the BOI being convened improperly. The applicant had already moved and had started a new civilian job when notified of this impropriety. He states he chose to tender his resignation rather than meet another Board to prevent jeopardizing his new job. The record shows the applicant's case was reviewed at the Air Force Review Boards Agency where the Board voted to discharge with a General discharge. The Secretary of the Air Force disapproved this finding and the applicant was ultimately discharged with a UOTHC. After hearing applicant's compelling testimony and reviewing the entire record, the DRB finds the UOTHC characterization too harsh and determines an upgrade to a General discharge is warranted based on inequity. The DRB opines the narrative reason for discharge is correct for the reasons cited in the record because the applicant did have sexual relations with an enlisted member who was under his authority.</p> <p><b>CONCLUSION:</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 the applicant was provided full administrative due process.</p> <p>However, in view of the foregoing findings, the Board concludes that the overall quality of applicant's service is more accurately reflected by a discharge Under honorable Conditions (General) and the reason and authority for the discharge should remain unchanged.</p> <p>Attachment:  Examiner's Brief</p>	