

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 15px;"></div>			GRADE		AFSN/SSAN <div style="background-color: black; width: 100%; height: 15px;"></div>	
TYPE GEN		PERSONAL APPEARANCE			X RECORD REVIEW	
NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES No		X				
MEMBER SITTING					HON GEN UOTHC OTHER DENY	
					X	
					X	
					X	
					X	
					X	
ISSUES A92.35 A93.01 A94.55		INDEX NUMBER 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 26 Jan 2012		CASE NUMBER FD-2010-00437				
<p>Case heard in Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</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		

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2010-00437

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.

FINDING: The Board denies the upgrade of the discharge.

ISSUE: Applicant received a General discharge for Failure in the Alcohol and Drug Abuse Treatment Program (ADAPT)

Applicant contends discharge was inequitable because it was based on two isolated and immature mistakes in sixteen months of service. The records indicated the applicant was discharged for failure in the ADAPT Program. On September 18, 2003, the applicant's commander was notified by the ADAPT Program manager that the applicant had consumed alcohol while enrolled in ADAPT and failed the treatment program. When considering how to characterize the applicant's service his commander considered an Article 15 the applicant received on August 7, 2003 for overindulgence in intoxicating liquor or drugs that incapacitated the applicant for the proper performance of duty. The Board found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. Additionally, the Board recognized the applicant was 22 years of age when the discharge took place. However there is no evidence that 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 Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.

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