

## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]	<b>GRADE</b>  <b>SRA</b>	<b>AFSN/SSAN</b> [REDACTED]
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<b>TYPE</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>
YES	NO	
	X	

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

<b>ISSUES</b> A94.05, A93.09	<b>INDEX NUMBER</b> A70.01	<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
		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	

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

**REMARKS**  
 Case heard at Scott AFB, Illinois.

Advise applicant of the decision of the Board and the right to submit an application to the AFBCMR.

<b>SIGNATURE OF RECORDER</b> [REDACTED]	<b>SIGNATURE OF BOARD PRESIDENT</b> [REDACTED]
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<b>INDORSEMENT</b>	<b>DATE: 5 JUN 03</b>
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<b>TO:</b> SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2002-0089

**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 to exercise this right.

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

**FINDINGS:** Upgrade of discharge to Honorable is denied.

The Board finds that neither the evidence of record or that provided by the applicant substantiates an impropriety or inequity that would justify upgrade of the discharge.

**ISSUES:** The applicant was discharged with an Under Other Than Honorable Conditions (UOTHC) Discharge. He was discharged in lieu of a Court Martial for being AWOL, failure to obey orders, destruction of personal property, and for wrongful use of marijuana. The applicant states that he had personal problems that led to his misconduct. The DRB took note of the applicant's duty performance as documented by his performance reports and other information contained in the records. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons that were the basis for this case. The DRB concluded that the characterization of the applicant's discharge was appropriate due to the 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 that the applicant was provided full administrative due process.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

[REDACTED]  
[REDACTED]  
(Former SRA) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a UOTHC Disch fr USAF 01/09/07 UP AFI 36-3208, Chapter 4 (Discharge in Lieu of Court Martial). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 78/02/16. Enlmt Age: 18 5/12. Disch Age: 23 6/12. Educ:HS DIPL. AFQT: N/A. A-67, E-72, G-78, M-37. PAFSC: 3C051 - Computer Systems Operations Journeyman. DAS: (EPR Indicates): 96/10/23-98/06/22.

b. Prior Sv: (1) AFRes 96/07/18 - 96/10/22 (3 months 5 days)(Inactive).

(2) Enlisted as AB 96/10/23 for 4 yrs. Svd: 3 yrs 6 months 1 day, all AMS. AMN - 97/04/23. A1C - 98/02/23. SRA - 99/10/23. EPRs: 3(REF), 4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SRA 00/04/24 for 4 yrs. Svd: 01 Yrs 04 Mo 14 Das, all AMS.

b. Grade Status: none.

c. Time Lost: none.

d. Art 15's: none.

e. Additional: none.

f. CM: none.

g. Record of SV: 99/06/23 - 00/06/22 Kelly AFB 5 (Annual)

(Discharged from Tinker AFB)

h. Awards & Decs: AFLSAR, AFTR, AFOUA.

i. Stmt of Sv: TMS: (05) Yrs (01) Mos (20) Das  
TAMS: (04) Yrs (10) Mos (15) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 02/02/25.  
(Change Discharge to Honorable)

Issue 1: I was re-assigned on an Humaniterian Re-assignment, no immediate help to handle personal issues when I arrived at next assignment.

Issue 2: I was put on anti anxiety medication and sleeping aids. When my wife starting (sic) staying away from home for weeks without notice.

Issue 3: Put in Mental Ward before hand injury, placed back in Mental Ward after caught wife with another man and placed my hand through window.

Issue 4: Placed in confinement while discharge was processed, because thought to be a threat to her and him.

Issue 5: Only person I hurt was myself in all of this, so why should I have been punished so harshly, for a reaction that was instinctive and Chain of Command new (sic) of situation. Permanent hand injury, not allowed rehab on time! Please consider the personal circumstances, the proper channels taken, and prescribed medications given to me when situation first started. Please consider my spotless service record in the Intelligence Community.

**ATCH**

1. Resume.

02/06/12/ia



DEPARTMENT OF THE AIR FORCE  
552d COMPUTER SYSTEMS GROUP (ACC)  
TINKER AIR FORCE BASE, OKLAHOMA

12 Jun 01

MEMORANDUM FOR OC-ALC/JAGJ

FROM: 752 CSS/CCF

SUBJECT: Statement Concerning SrA [REDACTED]

1. Article 86, Absent without Leave (AWOL). At 0645 hrs, Saturday 2 Jun, SrA [REDACTED] failed to report to work. He left a message on another airman's answering machine the previous evening stating that he would not be coming into work. He stated he had to pick up his daughter from his ex-wife in Texas. He was absent from work, without authorization for 48 hrs, until our police apprehended him off base.
2. Article 86, Failure to Go & Article 92, Failure to Obey Order. On Monday, 4 Jun, I ordered SrA [REDACTED] to report directly to work immediately following his 0900 hrs appointment with Dr. [REDACTED], at the Life Skills Center. At 1030 hrs, I called the Life Skills Center to check on him. I was informed that he had completed his appointment and left at about 0930. SrA [REDACTED] was absent from his place of duty without any contact for 23 hours. He disobeyed my order and failed to report to work.
3. Article 112a, Wrongful Use of Marijuana. On Monday, 4 Jun, SrA [REDACTED] confessed to our Security Police Investigators that he smoked marijuana. He willingly handed over a "bong" (drug paraphernalia) from his off-base residence (collaborating evidence).
4. Article 92, Failure to Obey Order & Article 109, Destruction of Property other than Military. On 8 Jun, our commander, Lt Col [REDACTED] issued a written No Contact order to SrA [REDACTED], prohibiting him from communicating with his wife. He signed to receipt for and acknowledged understanding of this order. On Saturday evening, at approximately 2130 hrs, SrA [REDACTED] violated the order. He discovered where his wife was staying and visited this residence. He contacted his wife by telephone several times in an attempt to get his car from her. He visited the residence and when he became angry his wife closed the door on him. He then put his fist through the window. The replacement cost to the window is estimated at \$65. The Del City Police had to take him to MWC Regional where he received stitches in his arm.

[REDACTED]  
MSgt, USAF  
First Sergeant, [REDACTED]

Global Power For America

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FD 2002-008



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS OKLAHOMA CITY AIR LOGISTICS CENTER (AFMC)  
TINKER AIR FORCE BASE OKLAHOMA

08 AUG 2001

MEMORANDUM FOR OC-ALC/JA

FROM: OC-ALC/CC

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial,  
SrA [REDACTED]

SrA [REDACTED] request for discharge in lieu of trial by court-martial under AFI 36-3208, Chapter 4, is approved. His discharge shall be characterized as *under other than honorable conditions* (UOTHC).

[REDACTED]

Major General, USAF  
Commander



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS OKLAHOMA CITY AIR LOGISTICS CENTER (AFMC)  
TINKER AIR FORCE BASE OKLAHOMA

31 JUL 2001

MEMORANDUM FOR OC-ALC/CC  
THROUGH 72 ABW/CC

FROM: OC-ALC/JA

SUBJECT: Request for Discharge in Lieu of Court-Martial  
SrA [REDACTED]

1. SrA [REDACTED] is facing charges under Articles 86, 89, 90, 91 and 112a of the UCMJ. After receiving the advice of an attorney, Capt Teresa L. Reed, Area Defense Counsel, SrA [REDACTED] has requested to be discharged in lieu of trial by court-martial (Attach 1). The squadron commander, Lt Col [REDACTED] supports the discharge with an under other than honorable conditions (UOTHC) characterization (Attach 3).

2. Although credible evidence exists to establish a case that SrA [REDACTED] committed the charged offenses, many of the offenses are of a purely military nature and were committed under extreme emotional distress. While his mental state is a mitigating factor warranting some lesser disposition, it does not rise to the level of a lack of mental capacity or responsibility. Under these conditions, I believe that it is in the best interest of the Air Force to grant SrA Sanders' request for discharge in lieu of trial by court-martial. The charged offenses in this case are of such a serious nature that it merits a discharge *under other than honorable conditions*.

3. RECOMMENDATIONS:

a. The 72 ABW/CC recommend that the request for discharge in lieu of trial by court-martial be approved; and

b. The OC-ALC/CC approve the under other than honorable conditions discharge in lieu of trial by general court-martial.

[REDACTED]  
[REDACTED] Colonel, USAF  
Staff Judge Advocate

Attachments:

1. Proposed GCMCA Decision
2. SPCMCA Recommendation
3. SrA [REDACTED] Request for Discharge
4. ADC Request for Discharge
5. 72 CSS/CC Recommendation w/attachments
6. SrA [REDACTED] EPRs
7. Evidence

FD 2002-0089



DEPARTMENT OF THE AIR FORCE  
72 AIR BASE WING (AFMC)  
TINKER AIR FORCE BASE, OKLAHOMA

02 AUG 2001

MEMORANDUM FOR OC-ALC/CC

FROM: 72 ABW/CC

SUBJECT: Request for Discharge in Lieu of Trial by Court-Martial -  
[REDACTED]

1. I have carefully reviewed all of the documentation pertaining to SrA [REDACTED] and his request for administrative discharge in lieu of court-martial, dated 3 July 2001. I have also considered the recommendations of his commander and that of the Staff Judge Advocate.

2. I concur with the recommendations of the Staff Judge Advocate and the 752d Computer Systems Squadron Commander. Although the allegations are serious, there are significant mitigating mental health issues involved. Although his mental state does not rise to the level of a lack of competency or capacity, they do warrant consideration of a lesser disposition for his offenses. I believe that approving SrA [REDACTED] request for discharge, with an under other than honorable conditions (UOTHC) characterization, is a fair and appropriate outcome to this case that will best serve the interests of the Air Force and the parties involved.

[REDACTED]

[REDACTED] Colonel, USAF  
Commander

Attachments:

1. 752 CSS/CC Recommendation
2. Discharge Request