

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 BCD	PERSONAL APPEARANCE	X RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">YES</td> <td style="width: 50%;">NO</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table>	YES	NO		X		
YES	NO					
	X					

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

ISSUES A91.05	INDEX NUMBER A91.00	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	

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 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.

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
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INDORSEMENT	DATE: 03-01-24
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TO: SAF/MIBR 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, 3 RD FLOOR ANDREWS AFB, MD 20762-7002
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

GENERAL: The applicant appeals for upgrade of discharge to honorable and to change the reason and authority for her discharge.

The applicant was offered a personal appearance before the Discharge Review Board 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 is denied.

The Board finds the applicant submitted no matters in clemency, and the evidence of record does not provide a sufficient basis in clemency for a change of discharge.

Issue. The applicant did not receive an administrative discharge. She received a Bad Conduct Discharge, a punitive discharge, as part of her sentence resulting from a Special Court Martial conviction. Under the provisions of Title 10, U.S.C., Section 1553, the only basis for change of a Bad Conduct Discharge, is clemency. The applicant submitted no evidence to warrant clemency and none was evident in the record.

If the applicant can provide documented information regarding matters of clemency, she should consider exercising her right to a personal appearance hearing. Should she choose to exercise that right, she should be prepared to provide the Board with evidence of any exemplary post-service accomplishments and contributions to the community.

CONCLUSIONS: The Discharge Review Board concludes that the applicant's punitive discharge by Special Court Martial was appropriate under the facts and circumstances of this case and there is insufficient basis as an act of clemency for change of discharge.

Attachment:
Examiner's Brief

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

MISSING DOCUMENTS

(Former AB) (HGH A1C)

1. MATTER UNDER REVIEW: Appl rec'd a BCD Disch fr USAF 27 Feb 00 UP Special Court Martial Order No. 2 (Conviction by Court Martial). Appeals for Honorable Disch.

2. BACKGROUND:

a. DOB: 26 May 76. Enlmt Age: 19 8/12. Disch Age: 23 9/12. Educ: HS DIPL. AFQT: N/A. A-80, E-42, G-53, M-10. PAFSC: 3A011 - Information Management Helper. DAS: Unknown.

b. Prior Sv: (1) AFRes 20 Feb 96 - 12 Mar 96 (23 Days) (Inactive).

3. SERVICE UNDER REVIEW:

a. Enld as AB 13 Mar 96 for 4 yrs. Svd: 3 Yrs 11 Mos 15 Das, of which AMS is 3 Yrs 10 Mos 22 Das (Ex: 23 Das lost time).

b. Grade Status: AB - 5 Aug 97 (SPCM Order No 2, 19 Mar 98)
A1C - 13 Jul 97
AMN - 13 Sep 96

c. Time Lost: 2 Feb 98 - 24 Feb 98 (23 Days)

d. Art 15's: Unknown.

e. Additional: Unknown.

f. CM: Special Court Martial Order No. 2, 19 March 1998

CHARGE 1: Article 109. Plea: Not Guilty. Finding: Not Guilty.

Specification: Did, at or near Minot Air Force Base, North Dakota, on or about 18 Aug 97, willfully and wrongfully destroy by pouring a clear sticky substance on the back of a television, of a value of about \$269.00, the property of another airman.

CHARGE 11: Article 121. Plea: Not Guilty. Finding: Not Guilty.

Specification 1. Did, at or near Minor Air Force Base, North Dakota, between on or about 1 Jun 97 to 18 Aug 97, steal a key chain with several keys attached, of a value of less than \$100.00, the property of another airman.

Specification 2. Did, at or near Minot Air Force Base, North Dakota, on or about 18 Aug 97, steal a prescription bottle of Motrin tablets and a tan Pelle Pelle jacket, of a value of less than \$100.00, the property of another airman.

CHARGE III. Article 128. Plea: Guilty. Finding: Guilty.

Specification 1. Did, at or near Minot Air Force Base, North Dakota, on divers occasions, on or about 9 Aug 97, unlawfully strike another airman on her face with a closed fist.

Specification 2. Did, at or near Minor Air Force Base, North Dakota, on or about 9 Aug 97, unlawfully bite another airman on his shoulder. Sentence adjudged on 2 Feb 98: Bad conduct discharge, 30 days confinement, reduction to AB, forfeiture of \$500.00 pay per month for 3 months, and restriction to Minot Air Force Base for 60 days.

g. Record of SV: 13 Mar 96 - 12 Nov 97 Minot AFB 2 (Initial)REF

(Discharged from Minot AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (3) Yrs (11) Mos (15) Das
TAMS: (3) Yrs (10) Mos (22) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 11 Aug 02.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED

ATCH
None

4 Dec 02/cr