

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)	GRADE	AFSN/SSAN
[REDACTED]	AMN	[REDACTED]

TYPE GEN	PERSONAL APPEARANCE	X RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	NO	
	X	

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

ISSUES A92.35, A92.15, A93.01	INDEX NUMBER A67.10	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	
HEARING DATE 03-04-21	CASE NUMBER FD2002-0501		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 RATIONALE 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	SIGNATURE OF BOARD PRESIDENT

INDORSEMENT	DATE: 03-04-23
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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

CASE NUMBER

FD2002-0501

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

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, change of reason and authority for discharge, and change of reenlistment code are denied.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an inequity or impropriety that would justify a change of discharge.

Issues. Applicant was discharged for misconduct, minor disciplinary infractions. She had three Letters of Reprimand (LOR), an Article 15, and an Unfavorable Information File. Her misconduct included failure to obey a lawful order of a superior noncommissioned officer, altering and canceling her own leave slip without authority, leaving her place of duty without authority, and fraudulently using her roommate's personal long distance telephone card to make 50 unauthorized calls totaling about \$235.00. These occurred over a 12-month period of time. At the time of the discharge, applicant waived her right to consult counsel and submit statements on her own behalf. The Board noted that when her misconduct occurred, member was the same age as other airmen who had adhered to the standards, and in spite of the unit's efforts to help member correct her deficiencies, she was not motivated enough to conform to standards and her misconduct continued. Although given several opportunities to improve her behavior, member failed to respond to those rehabilitative efforts, so she was held accountable for her actions. No inequity or impropriety was found in this discharge in the course of the records review.

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.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.

Attachment:
Examiner's Brief

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

[REDACTED]

(Former AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 13 Oct 98 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and Change to Reentry Code, Reason and Authority.

2. **BACKGROUND:**

a. DOB: 18 Feb 77. Enlmt Age: 20 0/12. Disch Age: 21 7/12. Educ: HS DIPL. AFQT: N/A. A-36, E-38, G-46, M-28. PAFSC: 4A031 - Health Services Management Apprentice. DAS: 16 Oct 97.

b. Prior Sv: (1) AFRes 5 Mar 97 - 3 Jun 97 (2 Mos 29 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 4 Jun 97 for 4 yrs. Ext: 14 Jul 98 for 21 months. Svd: 1 Yr 4 Mos 10 Das, all AMS.

b. Grade Status: AMN - 4 Dec 97

c. Time Lost: None.

d. Art 15's: (1) 3 Oct 97, Sheppard AFB, TX - Article 134. You did, on divers occasions between on or about 8 Aug 97 and on or about 26 Aug 97, with intent to defraud, falsely and wrongfully use Airman Basic ----- long distance calling card by pretending to be entitled to use such services, then knowing that the pretenses were false, and by means thereof did wrongfully obtain from ----- Telephone and Telegraph services, of a value of about \$234.94, to wit: long distance telephone calls. Forfeiture of \$250.00 pay per month for 2 months, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 17 AUG 98 - Failure to obey a lawful order.
LOR, 19 JUN 98 - Committed a fraudulent act by altering and cancelling a leave form after the fact.
LOR, 02 MAR 98 - Left duty area without authority.

f. CM: None.

g. Record of SV: None.

(Discharged from F E Warren AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yr (7) Mos (9) Das
TAMS: (1) Yr (4) Mos (10) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 13 Nov 02.
(Upgrade Discharge to Honorable, and Change to Reentry Code, Reason and Authority)

ISSUES ATTACHED TO BRIEF

ATCH

1. Applicant's Issues.
2. DD Form 214.
3. Two Letters of Appreciation.
4. Two Certificates of Appreciation.

20Feb03/cr

MEMORANDUM FOR UNITED STATES AIR FORCE REVIEW BOARD

FROM: [REDACTED]
4066 I-80 Service Rd # 65
Burns, WY 82053

13 Nov 02

SUBJECT: Change of Official Military Record

1. I, [REDACTED] am requesting a change to my official military records. In specific, a change of the Reenlistment Code of 2B that I was discharged with. Y SPD code is JKN.
2. I do understand that I was wrong with what I did and am very sorry for the mistake I made. To my credit I was very young, naive, and did not think of the consequences of my actions. Since the time of my mistake I have been done much growing up and have been very ashamed of my actions that I took while in the Air Force.
3. I am asking for another chance to prove that I can be a role model Military asset. Specifically, I am asking for my Reenlistment Code to be changed to a code that would permit me to re-enter the Air Force, Air Force Reserve, or Air National Guard. Although I made a mistake while in the Air Force, I do not believe the current Reenlistment Code reflects my true character of service. When I look back on my period of service with the Air Force there were many positive contributions I made compared to my one mistake. The Reenlistment Code that I received reflects my one mistake, but reflects nothing of all the positive service prior to that one mistake. I understand and assume full responsibility for my mistake and would deeply appreciate another chance to be eligible to join the service.
4. Thank you in advance for taking the time to review my request. If you have any questions of me please call me at any time. My home phone number is: [REDACTED]
[REDACTED] Respectfully,

Attach:

1. DD 214
2. Letter of Appreciation
3. Thank You Letter
4. Thank You Certificate
5. Certificate of Appreciation



FD 2002-0501

DEPARTMENT OF THE AIR FORCE

90TH SPACE WING (AFSPC)

8 Oct 98

MEMORANDUM FOR AMN [REDACTED]

FROM: 90 MDSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable, general or under other than honorable conditions. I am recommending that your service characterized as honorable.

2. My reasons for this action are:

a. On or about 14 Aug 98, you failed to obey a lawful order to file all paperwork in the personnel information files. You received a Letter of Reprimand (LOR) on 17 Aug 98.

b. On or about 17 Jun 98, you altered and canceled a leave form, AF Form 988, without prior approval. You received an LOR on 19 Jun 98.

c. On or about 27 Feb 98, without authority, you left your place of duty, to wit: Building 150, 90th Medical Group Commander's Call. You received an LOR on 2 Mar 98.

d. You did, at or near Sheppard Air Force Base, Texas, on divers occasions between on or about 8 Aug 97 and on or about 26 Aug 97, with intent to defraud, falsely and wrongfully use AB [REDACTED] long distance calling card by pretending to be entitled to use such services, then knowing that the pretenses were false, and by means thereof did wrongfully obtain from American Telephone and Telegraph services, of a value of about \$234.94, to wit: long distance telephone calls. You received an Article 15 on 3 Oct 97 and had an Unfavorable Information File (UIF) established.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising special court-martial jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force, and if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult with an attorney at the Area Defense Counsel's Office, Bldg. 292, ext. 3248, on 8 Oct 98 at 1230. You may consult civilian counsel at your own expense.

5. You have the right to submit a statement in your own behalf. Any statements you want the separation authority to consider must reach me within three workdays after receipt of the notification letter, that date being 14 Oct 98, unless you request and receive an extension for good cause shown. I will send any statements you submit to the separation authority for his consideration.

6. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in your squadron orderly room.

8. Execute the attached acknowledgment and return it to me immediately.



Attachments:

1. LOR, dated 17 Aug 98
2. LOR w/Atchs, dated 19 Jun 98
3. LOR w/Atch, dated 2 Mar 98
4. AF Form 3070 w/Atchs, dated 3 Oct 97