

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> ██████████	<b>GRADE</b> AB	<b>AFSN/SSAN</b> ██████████
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<b>TYPE</b> GEN	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>
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<b>COUNSEL</b>	<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td></td> <td>X</td> </tr> </table>	YES	NO		X		
YES	NO					
	X					

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

<b>ISSUES</b> A93.09, A71.01, A92.37	<b>INDEX NUMBER</b> A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>
		1 ORDER APPOINTING THE BOARD
		2 APPLICATION FOR REVIEW OF DISCHARGE
		3 LETTER OF NOTIFICATION
<b>HEARING DATE</b> 03-05-07	<b>CASE NUMBER</b> FD2002-0530	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 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
<i>[Signature]</i>	<i>[Signature]</i>

<b>INDORSEMENT</b>	<b>DATE: 03-05-07</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

FD2002-0530

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the 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 the 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 an Article 15, Letter of Reprimand, and an Air Education and Training Command Form 125A, "Record of Administrative Training Action." Her misconduct included failure to report on time, failure to meet performance standards, and being absent without leave (AWOL) for 20 days. Applicant now contends she was told that upon completion of her Article 15 punishment, she would be allowed to remain in the service. The record reflected member had washed out of her first technical training course to be a Medical Service Apprentice due to difficulty with the skills application portion; she was retained and allowed to begin cross-training into the Vehicle Operator Apprentice Course. While there she decided to leave of her "own free will" with no one but her husband, also an airman, knowing of her plan. In a signed sworn statement, member admitted that her reason for doing so was "unclear" and she possibly had "a problem with authority." She further stated she wanted to return to civilian life. In response to her Article 15, she submitted a letter requesting to be discharged and advising her commander not to waste time sending her to correctional custody because that was "reserved for Airmen willing to give the Air Force a second chance" but would be a waste for her because her mind was made up "to choose another path." She further stated that she was unhappy with her life, and didn't envision herself being in the Air Force in the future. At the time of the discharge, member waived her right to consult counsel or submit further statements on her behalf. The Board cannot condone member's very serious misconduct and could not find any evidence in the record to substantiate her contentions now. Her conduct was a significant departure from the standards expected of airmen and had a detrimental effect on good order and discipline. No inequity or impropriety was found in this discharge in the course of the records review.

The applicant cited her desire to return to military service. While the Board commends applicant on this desire, and is sympathetic to the impact a General discharge has on her reenlistment code, this is not a matter of equity or propriety that warrants an upgrade.

**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]  
[REDACTED]

(Former AB) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 23 Aug 00 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: 17 Jan 78. Enlmt Age: 21 8/12. Disch Age: 22 7/12. Educ: HS DIPL. AFQT: N/A. A-92, E-43, G-50, M-49. PAFSC: 2T111 - Vehicle Operations Helper. DAS: 21 Apr 00.

b. Prior Sv: (1) AFRes 20 Sep 99 - 19 Oct 99 (1 Month) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 20 Oct 99 for 6 yrs. Svd: 0 Yrs 10 Mos 4 Das, of which AMS is 9 Months and 15 Das (Ex: 19 Das lost time)

b. Grade Status: AB - 16 Jun 00 (Article 15, 16 Jun 00)  
A1C - Unknown

c. Time Lost: 22 May 00 - 9 Jun 00 (19 Days)

d. Art 15's: (1) 16 Jun 00, Fort Leonard Wood, MO - Article 86. You, did, on or about 22 May 00, without authority, absent yourself from your unit, and did remain so absent until on or about 10 Jun 00. Reduction to AB, and 30 days correctional custody. (Supplementary action to Article 15 changed 30 days correctional custody to 30 days extra duty). (No appeal) (No mitigation)

e. Additional: AETC FORM 125A, 10 APR 00 - Failure to meet performance requirements.

LOR, 29 MAR 00 - Failure to report on time.

f. CM: None.

g. Record of SV: None.

(Discharged from Sheppard AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (0) Yrs (10) Mos (15) Das  
TAMS: (0) Yrs (9) Mos (15) Das

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

Issue 1: When I was on active duty status I was punished for violatoin of article 86 UCMJ. My punishment was loss of rank to E-1, and 45 extra duty days. My punishment was met and I was told I would continue to serve in the United States Air Force. In August I was then informed I would be discharged for the same violation of the Article 86 UCMJ I was previously punished for.

Issue 2: For the reason I feel my discharge should not of taken place and I wish to have the chance to return to active duty status. I fully understand that I will have the rank of E-1 and have to finish a AIT (Tech) class. I also understand the hard work ahead of myself to prove to the United States Air Force I am deserving of being part of the best branch of the service.

Issue 3: I thank you for your time and I hope the answer that I will recieve (sic) back from you will put me back in the uniform I have longed for for two years.

**ATCH**

1. Applicant's Letter.

28Feb03/cr

FD2002-00530



DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND

15 Aug 00

MEMORANDUM FOR [REDACTED]

FROM: 366 TRS, DET 7/CC  
181 Cooley Ave Ste A  
Fort Leonard Wood, MO 65473-8951

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 or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).

2. My reasons for this action are:

a. You who knew or should have known of your duties at or near Sheppard AFB, TX, on or about 29 Mar 00 were derelict in the performance of those duties by failing to report to [REDACTED], your Military Training Leader. For this misconduct, you received a Letter of Reprimand (LOR) on 29 Mar 00.

b. You did, at or near Fort Leonard Wood MO, on or about 22 May 2000, without authority, absent yourself from your unit, to wit: 366th Training Squadron, Detachment 7, and did remain so absent until on or about 10 June 2000. For this misconduct, you received an Article 15 on 16 Jun 2000.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM 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 and will probably be denied enlistment in any component of the Armed Forces.

3. 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 [REDACTED] Area Defense Counsel, via telephone, 1-940-676-2186 at 0900 hours on 16 Aug 00. You may consult civilian counsel at your own expense.

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4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 18 Aug 00 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. If you fail to consult counsel or submit statements in your own behalf, your failure will constitute a waiver of your right to do so.
6. You were scheduled for a medical examination at the Consolidated Troop Medical Clinic on 8 Aug 00 for the examination.
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 the orderly room.
8. Execute the attached acknowledgment and return it to me immediately.

  
Commander

## Attachments:

1. Letter of Reprimand, 29 Mar 00
2. AF Form 3070, Article 15, 16 Jun 00
3. Response to Article 15, 13 Jun 00
4. AF Form 1168, AB Kane, 12 Jun 00
5. AF Form 1168, AB Kane, 12 Jun 00
6. 366 TRS, Det 7/CCF Memo, 25 May 00
7. AF Form 2098, 24 May 00
8. AF Form 2098, 12 Jun 00
9. AETC Form 125A, 31 Jul 00
10. AETC Form 156, 000426
11. AETC Form 581, 8 May 00
12. AETC Form 125A, 10 Apr 00
13. Student Training Report, 00020
14. Airman's Receipt of Notification Memorandum 