










AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 		GRADE AB	AFSN/SSAN 		
TYPE	PERSONAL APPEARANCE		X RECORD REVIEW		
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
					X
					X
					X
					X
					X
ISSUES A93.09		INDEX NUMBER A67.30		EXHIBITS SUBMITTED TO THE BOARD	
HEARING DATE 11 JUL 03		CASE NUMBER FD2003-0075		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
<p>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.</p> <p>REMARKS Case heard at 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>					
SIGNATURE OF RECORDER 		SIGNATURE OF BOARD PRESIDENT 			
INDORSEMENT			DATE: 11 JUL 03		
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			

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

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 the available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge is denied.

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

ISSUE: Applicant does not contest her discharge. She states that she would like an Honorable discharge so that she can get the MGIB. The record indicates the applicant received a General Discharge because of a General Court Martial for writing over 45 checks totaling over \$12,000 with the intent to defraud. The applicant cited her desire to receive the G.I. Bill benefits as justification for upgrade. The Board was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety that would warrant an upgrade. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate. The Board found no evidence of any inequity or impropriety on which to base a decision to upgrade the discharge.

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 AB) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 24 Feb 94 UP AFI 36-3208, para 5.49c (Misconduct - Commission of a Serious Offense). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 25 Nov 71. Enlmt Age: 18 10/12. Disch Age: 22 2/12. Educ: HS DIPL. AFQT: N/A. A-98, E-76, G-94, M-34. PAFSC: 3C051 - Communications-Computer Systems Operations Journeyman. DAS: 8 Oct 91.

b. Prior Sv: (1) AFRes 18 Oct 90 - 1 May 91 (6 months 14 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 2 May 91 for 4 yrs. Svd: 2 Yrs 4 Mo 28 Das, of which AMS is 2 yrs 0 mos 4 days (excludes 4 months 25 days lost time).

b. Grade Status: AB - 1 Nov 93 (GCM, 23 Sep 93)
AMN - 2 Nov 91

c. Time Lost: 23 Sep 93 thru 18 Feb 94 (4 months 25 days).

d. Art 15's: None.

e. Additional: AF FORM 65, 27 MAY 93 - Failure to make weight standards and counseled for being late several times.

f. CM: General Court Martial - 23 Sep 93, Chapter 123a.

Specification 1: Make 30 worthless checks with intent to defraud.
Plea: Guilty. Finding: Guilty.

Specification 2: Make one worthless check with intent to defraud.
Plea: Guilty. Finding: Guilty.

Specification 3: Make one worthless check with intent to defraud.
Plea: Guilty. Finding: Guilty.

Specification 4: Make one worthless check with intent to defraud.
Plea: Guilty. Finding: Guilty.

Specification 5: Make three worthless checks with intent to defraud.
Plea: Guilty. Finding: Guilty.

Specification 6: Make two worthless checks with intent to defraud. Plea: Guilty. Finding: Guilty.

Specification 7: Make one worthless check with intent to defraud. Plea: Guilty. Finding: Guilty.

Specification 8: Make six worthless checks with intent to defraud. Plea: Guilty. Finding: Guilty. Sentence adjudged on 23 Sep 93: To be reduced to E-1; to forfeit \$250.00 per month for six months; and to be confined for six months.

g. Record of SV: 2 May 91 - 1 Jan 93 Ramstein AB 2 (Initial)REF

(Discharged from Charleston AFB)

h. Awards & Decs: AFOSLTR, NDSM, AFTR.

i. Stmt of Sv: TMS: (2) Yrs (9) Mos (12) Das
TAMS: (2) Yrs (0) Mos (4) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 31 Jan 03.
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. Two Letters of Reference.

1APR03/ia

To Whom It May Concern:

I am writing this letter on behalf of myself. I was discharged from the Air Force in 1994 because of conduct that was unbecoming. I served my time in the Mannheim facility and every day I was there, I regretted what I had done. I know there is no way to ever say that I am not only sorry for what I did, but I was ashamed of what I had become. I could never explain to someone else the things that put me in that position. I was not only young, but I was confused with the things that had happened to me in the past and the things that were happening to me while in Germany. For the first time in my life, I was away from my family and did not have the emotional support I needed to keep me grounded. I had been having a tough time reconciling a lot of personal issues in my life and things that had at times caused me to act out of character. When I was at home, I had people surrounding me who would keep me stable, but when I was away from home, it was just me and I never realized how dependent I was on the care of my family.

My entire life was a soap opera, from my father leaving me, my mother being addicted to drugs up to my uncle molesting me. I tried to push these things down, but what it caused me to do was seek out love and friendship from those that really did not care about me the person this pushed me into doing things that I would not normally do and into situations that I would not normally be involved. When I got into the military, I thought it would help me to become stronger. I started out alone in a room with no friends and then when I finally made friends, it was not the kind of friends I should have been involved with. People took my naivete and used it against me. I thought that I had to buy friends and make people love me because I did not feel worthy of being loved for simply who I was because it had not worked for me in the past. I used money to get the love that I so desperately needed.

My life then and my life now are totally different. I am a happier person and with counseling and Prozac. I have been able to be the person I always knew I could be. I am a hard-worker and I take pride in not only who I am, but also my actions. I am a member of Bethel Baptist Institution. I teach Sunday school class from time to time. I am very active in my young sisters' lives teaching them about how to become strong women without selling a part of yourself. I am also in school working on my Bachelor's Degree in Computer Science. I have maintained exemplary grades and am working in a field that allows me to use what I am learning in school. I have a support base of family and friends, but because I have gone through counseling and handle my Prozac intact I am a better person. I love life and I am enjoying the one I have been blessed to be in. I look back on the things I have done with regret, but it has helped me to be stronger. I set up payment arrangements to pay back the debt I owe and it should be paid in full.

I am asking that you review me as I am now and not the person I was before. I am attempting to continue to create a wonderful life for myself and for that I need to finish my education. My goal is to eventually get my Ph.D. in Education with a Specialization in Computer Technology. In order to reach this goal, I need to have the use of the GI Bill I paid into while in the military. I know that you do not have to grant me this opportunity, but based on my record at this point in my life, I am asking for a second chance to do something I should have done in the past, and that is live my life the best way I know how with making the horrible mistakes I have made in the past.

DEPARTMENT OF THE AIR FORCE
UNITED STATES AIR FORCES IN EUROPE

FD 2003-00075

FROM: 1856 CSGP/CC

SUBJ: Letter of Notification

7 Dec 93

TO: AB [REDACTED]

1. I am recommending your discharge from the United States Air Force for misconduct, specifically commission of a serious offense. The authority for this action is AFR 39-10, Section H, Paragraph 5-49. If my recommendation is approved, your service can be characterized as honorable, general, or under other than honorable. I am recommending that your service be characterized as general.

2. My reason for this action is: On 23 Sep 93, in a General Court-Martial held at Ramstein Air Base, you were convicted of twelve specifications of making worthless checks with the intent to defraud.

NOTE: 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.

3. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. An appointment has been made for you to consult the Area Defense Counsel at Bldg 2111 on 13 Dec 93, at 1300 hours. You may consult civilian counsel at your own expense.

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 17 Dec 93; unless you request and receive an extension for good cause. I will send them to the separation authority.

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

6. You have been scheduled for a medical examination. You will report in uniform with your escort to USAF Ramstein Clinic, at 1400 on 13 Dec 93 for the examination. If you wear glasses, you must bring them with you; if you wear contacts, you must be able to remove them. If you have a family history of diabetes, you must fast for 12 hours prior to your appointment.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, Attachment 6. A copy of AFR 39-10 is available for your use in your Unit Orderly Room.

8. [REDACTED] the attached acknowledgment and return it to me immediately.

[REDACTED]
Capt, USAF
Squadron Section Commander

1 Atch
Supporting Documents for the Reasons
for Discharge
a. AF Form 1359, 23 Sep 93
b. AF Form 65, 27 May 93