

## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE <b>AB</b>	AFSN/SSAN <b>[REDACTED]</b>			
TYPE	<b>PERSONAL APPEARANCE</b>		<b>X RECORD REVIEW</b>			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION				
YES	NO	ADDRESS AND OR ORGANIZATION OF COUNSEL				
	<b>X</b>					
<b>MEMBERS SITTING</b>		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
<b>[REDACTED]</b>						<b>X</b>
<b>[REDACTED]</b>						<b>X</b>
<b>[REDACTED]</b>						<b>X</b>
<b>[REDACTED]</b>						<b>X</b>
<b>[REDACTED]</b>						<b>X</b>
<b>[REDACTED]</b>						<b>X</b>
ISSUES <b>A93.01, A93.09</b>		INDEX NUMBER <b>A67.90</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
				<b>1</b>	ORDER APPOINTING THE BOARD	
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
				<b>3</b>	LETTER OF NOTIFICATION	
				<b>4</b>	BRIEF OF PERSONNEL FILE	
HEARING DATE <b>27 JUN 03</b>		CASE NUMBER <b>FD2003-0084</b>		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 <b>Case heard at Washington, D.C.</b>  <b>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.</b>						
SIGNATURE OF RECORDER <b>[REDACTED]</b>			SIGNATURE OF BOARD PRESIDENT <b>[REDACTED]</b>			
INDORSEMENT			DATE: <b>27 JUN 03</b>			
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 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002			

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD03-0084

**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 states that she suffered severe mental abuse from two of the NCOs in her shop and she claims she was young and stupid during her time in the Air Force. The record indicates the applicant received an Article 15 for making a false official statement and for writing bad checks. She also received three Letters of Reprimand for financial irresponsibility, leaving the work section without proper authorization and lying about it, failure to report back to her duty section after an appointment and making a false official statement, and failure to comply with training restrictions by driving a privately owned vehicle and wearing civilian clothes. In addition, she received five Letters of Counseling for failure to obey a lawful general order due to a lack of personal hygiene (twice), failure to meet an appointment, financial irresponsibility, and failure to report back to her duty section after an appointment. The DRB recognized the applicant was 19 years of age when the discharge took place. However, there is no evidence she was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. There were no medical records in the file to verify the applicant's claim of mental abuse by two NCOs; however, the applicant was fully responsible for her actions and no one caused her to misbehave. The Board concluded the applicant's 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

(Former AB) (HGH AMN)

**1. MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 8 Jul 99 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge, and Change to Reentry Code, Reason and Authority.

**2. BACKGROUND:**

a. DOB: 29 Jun 80. Enlmt Age: 17 10/12. Disch Age: 19 0/12. Educ: HS DIPL. AFQT: N/A. A-80, E-74, G-78, M-73. PAFSC: 1T131 - Aircrew Life Support Apprentice. DAS: 14 Dec 98.

b. Prior Sv: (1) AFRes 13 May 98 - 25 Aug 98 (3 Months 13 Days) (Inactive).

**3. SERVICE UNDER REVIEW:**

a. Enld as AB 26 Aug 98 for 4 yrs. Svd: 0 Yrs 10 Mos 13 Das, all AMS.

b. Grade Status: AB - 14 Jun 99 (Article 15, 14 Jun 99)  
AMN - 26 Feb 99

c. Time Lost: None

d. Art 15's: (1) 14 Jun 99, Offutt AFB, NE - Article 107. You did, on or about 21 May 99, with intent to deceive, make to 1<sup>st</sup> Lt -----, an official statement, to wit: "I can only call the bank during the day when they are open, and I can't do that because of my work schedule", which statement was totally false, and was then known by you to be so false. Article 134. You did, on or about 1 May 99, make and utter to ----- a certain check, in words and figures, to wit: Check Number 99, for \$17.52, and did thereafter dishonorable fail to maintain sufficient funds in the ----- Bank for payment of such check in full upon its presentment for payment. Reduction to AB, and 14 days restriction. (No appeal) (No mitigation)

e. Additional: LOR, 14 JUN 99 - Financial irresponsibility.  
LOA, 03 JUN 99 - Failure to obey a lawful general order due to a lack of personal hygiene.  
LOC, 05 MAY 99 - Failure to obey a lawful general order due to a lack of personal hygiene.  
LOC, 07 APR 99 - Failure to meet an appointment.  
LOR, 24 MAR 99 - Leaving work section without proper authorization and lying.

- LOC, 26 FEB 99 - Financial irresponsibility.
- LOC, 02 FEB 99 - Failure to report back to duty section after an appointment and making a false official statement.
- LOR, 01 DEC 98 - Failure to comply with training restrictions by driving a privately owned vehicle and wearing civilian clothes.

f. CM: None.

g. Record of SV: None.

(Discharged from Offutt AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (1) Mos (26) Das  
TAMS: (0) Yrs (10) Mos (13) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 21 Feb 03.  
(Upgrade Discharge to Honorable, and Change Reentry Code, Reason and Authority)

ISSUES ATTACHED TO BRIEF

**ATCH**

1. Applicant's Issues.
2. Character References.

3Apr03/cr

[REDACTED]

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Home Phone (952) 914-9278

[REDACTED]

February 20, 2003

SAF/MIBR  
550-C Street West  
Suite 40  
Randolph AFB, TX 78150-4742

To Whom It May Concern,

There are two issues I would like to have taken into consideration for making a determination on my discharge upgrade request. The first is the severe mental abuse I was subjected to by two of the NCO's in the shop I was assigned to, [REDACTED] Offutt AFB, NE. The second is the fact that even after having an enlistment bonus I had been promised, in writing, taken away I chose to stay in the military. These issues are explained below, and in the two enclosed letters.

Before joining the USAF I was a member of the US Naval Sea Cadet Corps for five years. While a member of the USNSCC I had no problems and achieved the rank of Petty Officer 2nd class(E-5). I was a member of the Color Guard and was also selected to go to Canada on an exchange program. One of the enclosures is a letter from [REDACTED] USNR (RET), who was the Commanding Officer of the squadron I was in.

While in basic training I had no problems and graduated on time with my flight. This after being informed during basic that my contract was null and void because someone in MEPS had messed up when processing me, writing my contract up that I was to receive E-3 upon graduation from basic because of my USNSCC time. I was informed that this was false and that USNSCC time was not considered usable for that enlistment bonus. I was given one day to decide whether to stay in the USAF or to get out then and be flown home. I chose to stay even though I would not be receiving the advanced rank upon graduating from basic that I had been promised and had in writing that I would get. Upon graduating from basic I was sent to Sheppard AFB, TX for Technical training. While in tech school I did have a few problems mainly being young and stupid. But still managed to graduate second in my tech school class academically.

Upon graduating from tech school I was stationed at Offutt AFB, NE, arriving in December of 1998. Upon arriving I did everything that was asked of me and tried to fit in with the rest of the shop, but for some reason still felt like an outsider with some of the senior NCO's and I didn't know why. As time progressed I started getting written up for things I didn't understand or agree with but not knowing never fought back. At one point I did run into some financial problems and was written up for that understandably. After putting up with this and just keeping everything inside I ended up taking myself to mental health to try and find out if there was anything I could do to deal with the feelings I was having inside. At mental health I was referred to an off base hospital for two weeks of outpatient counseling. During this time I was told I had two choices either stay in the USAF and put up with what I had been putting up with for the eight months or get out of the service with a general under honorable conditions discharge. I felt that the best thing for me would be to get out and work on getting my discharge upgraded so that I could go into the reserves at minimum or possibly go back on active duty if needed.

Since being discharged on 8JUL99 I have moved on with my life and am working as a private security guard and trying to get my EMT- Paramedic certifications. Although I have moved on I still have a very big part of me that wishes I had never gotten out and had just lived with the abuse but then I know I probably would have done something that I would have really regretted. I am now trying to get into the reserves and have been told that because of my type of discharge am unable to. Also it has been brought to my attention that my former supervisor is now under investigation for abuse of airmen and also abuse of authority. If I had the chance now I would go back on active duty in a heart beat, but at this time I would just be happy to be able to get into the reserves or even the guard.

Thank you for your time in considering this matter,

Enclosure 1: Letter from [REDACTED]  
Enclosure 2: Letter from [REDACTED]



## DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 55TH WING (ACC)  
OFFUTT AIR FORCE BASE, NEBRASKA

MEMORANDUM FOR [REDACTED]

28 JUN 1999

FROM: 45 RS/CC

SUBJECT: Letter of Notification

1. I am recommending your discharge from the United States Air Force for Misconduct--Pattern of Misconduct. The authority for my recommendation is AFPD 36-32 and AFI 36-3208, paragraph 5.50.2. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending a general discharge.

2. My reasons for this action are:

a. On 29 November 1998, at Sheppard AFB, Texas, you failed to adhere to military training phase I restrictions. You were observed driving a POV and wearing civilian clothes off base. For this incident you received a letter of reprimand dated 1 December 1998 and an unfavorable information file was established. (Atch 1-1)

b. On 29 January 1999, at Offutt AFB, Nebraska, you made a false official statement to your supervisor, SSgt Graves. On 28 January 1999 you failed to return to duty after your physical therapy appointment. When questioned on this, you stated your appointment did not end until 1535 and that you had permission from [REDACTED] to take the rest of the day off to complete your inprocessing. In fact, your appointment was only 30 minutes and ended at 1445. Furthermore, [REDACTED] denied giving you permission to take the rest of the day off. For this incident you received a letter of counseling dated 2 February 1999. (Atch 1-2)

c. On 26 February 1999, at Offutt AFB, Nebraska, you wrote a check to Mr. Check Casher for \$200.00, without having sufficient funds on deposit. Additionally, you told [REDACTED] you had lost your ATM card, checkbook, and mail key around the time the check was written and you were unaware that the check was returned for insufficient funds. You also told him you had cancelled your checking account and ATM card. In fact, you didn't cancel these items until you were directed to call your bank on 26 February 1999. For this incident you received a letter of counseling dated 26 February 1999. (Atch 1-3)

d. On 23 March 1999, at Offutt AFB, Nebraska, you made a false official to [REDACTED], your supervisor. When questioned about leaving your place of duty without informing anyone as to your whereabouts and in violation of shop policies, you stated that [REDACTED] told you to leave a note. You later changed your statement and said that someone in your section had told you to leave a note. Subsequent questioning of [REDACTED] and everyone else in your

section shows that nobody told you to leave a note. For this incident you received a letter of reprimand dated 24 March 1999. (Atch 1-4)

e. On 6 April 1999, at Offutt AFB, Nebraska, you, without authority, failed to go your appointed place of duty. For this incident you received a letter of counseling dated 7 April 1999. (Atch 1-5)

f. On 30 April 1999, at Offutt AFB, Nebraska, you, violated Technical Order 15X-1-1, page 2\*2, that personnel employed in the Aircrew Life Support Equipment Shop should be clean and neat at all time. For this incident you received a letter of counseling dated 5 May 1999. (Atch 1-6)

g. On 2 June 1999, at Offutt AFB, Nebraska, you were sent home for violation of Article 92 of the UMCJ by failing to keep yourself and your uniform clean at all times, in contravention of Technical Order 15X-1-1. For this incident you received a letter of admonishment dated 3 June 1999. (Atch 1-7)

h. Between on or about 5 May 1999 and on or about 20 May 1999, at Offutt AFB, Nebraska, you wrote ten checks to Cubby's, without having sufficient funds on deposit, totaling \$207.99. For these incidents you received a letter of reprimand dated 14 June 1999. (Atch 1-8)

i. On 21 May 1999, at Offutt AFB, Nebraska, you did, with intent to deceive, make to [REDACTED], an official statement to wit: "I can only call the bank during the day when they are open, and I can't do that because of my work schedule," which statement was totally false and was then known by you to be so false.

j. On 1 May 1999, at or near Plattsmouth, Nebraska, you did make and utter to Pet Respect a certain check, in words and figures as follows, to wit: Check Number 99, for \$17.52, and did thereafter dishonorably fail to maintain sufficient funds in the Sheppard Bank for payment of such check in full upon its presentment for payment.


For the incidents in paragraphs i and j you received nonjudicial punishment dated 14 June 1999, consisting of reduction to the grade of airman basic, with a new date of rank of 14 June 1999 and restriction to Offutt Air Force Base, NE for 14 days. (Atch 1-9)

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. If you are discharged, you will be ineligible for reenlistment in the Air Force and probably any other branch of the military.

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, Bldg 323C, RM 302, Phone 4-3939, at 0800 on 29 JUN 99. 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 2 Jul 1400 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 to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.
6. You have been scheduled for a medical examination. You must report to the 55th Medical Group, Physical Exams, Room 115, Building 527, at 0900 on 29 JUN 99 for the examination. Please pick up your medical records 24 hrs prior to your appointment.
7. You have been scheduled for an initial separations appointment. You must report to the 55th Mission Support Squadron, Separations and Retirements Section, Room 235, Bldg 323C, at 1330 on 29 JUN with your escort.
8. 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 unit orderly room.
9. Execute the acknowledgment provided and return it to me immediately.

 USAF  
Commander, 45 Reconnaissance Squadron

Attachments:

- Atch 1-1; Letter of reprimand/ UIF, 1 Dec 99
- Atch 1-2; Letter of counseling, 2 Feb 99
- Atch 1-3; Letter of counseling, 26 Feb 99
- Atch 1-4; Letter of reprimand, 24 Mar 99
- Atch 1-5; Letter of counseling, 7 Apr 99
- Atch 1-6; Letter of counseling, 5 May 99
- Atch 1-7; Letter of admonishment, 3 Jun 99
- Atch 1-8; Letter of reprimand, 14 Jun 99
- Atch 1-9; Nonjudicial punishment, 14 Jun 99