

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]	<b>GRADE</b> AB	<b>AFSN/SSAN</b> [REDACTED]
--	--------------------	--------------------------------

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

<b>MEMBERS SITTING</b>	<b>VOLE OF THE BOARD</b>				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

<b>ISSUES</b> A93.17, A92.15, A93.19	<b>INDEX NUMBER</b> A67.50	<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> 4 JUN 03	<b>CASE NUMBER</b> FD2003-00150	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 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.

<b>SIGNATURE OF RECORDING OFFICER</b> [REDACTED]	<b>SIGNATURE OF BOARD PRESIDENT</b> [REDACTED]
---	---

<b>ENDORSEMENT</b>	<b>DATE</b> 4 JUN 03
<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

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00150

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable.

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 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 administratively discharged for a pattern of misconduct. She had three Articles 15, and a Letter of Reprimand, and was placed on the Control Roster. Her final Enlisted Performance Report was rated an overall referral "2." Her misconduct included possessing a falsified military identification card, underage drinking, drunk and disorderly conduct, indecent public exposure while in a detention cell, disrespect toward an officer and a senior noncommissioned officer in the execution of their duties, and wrongful use and possession of marijuana. At the time of the discharge member consulted counsel and waived her right to submit statements in her own behalf. She also failed to argue that she met the seven retention criteria. Applicant now contends most of her misconduct was alcohol-related, and concedes she did some stupid things that she regrets. She also notes her otherwise exemplary service record. Review of the Air Force Office of Special Investigations Report of Investigation of member's drug abuse disclosed seven signed sworn statements from different people regarding her multiple occasions of illegal drug use over an extended period of time. Review of the incident complaint report about the drunk and disorderly conduct also disclosed quite egregious behavior on the part of applicant. The Board concluded member's misconduct was an extremely significant departure from conduct expected of all military members. And although the Board recognizes alcohol abuse may have played a part in applicant's misbehavior, she was responsible for her actions and must be held accountable for those. Additionally, the Air Force's drug policy was well publicized and members were continually made aware that illegal drug use or possession were intolerable. Applicant's repeated heinous misconduct warranted the characterization of service she received. 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

(Former AB) (HGH SRA)

MISSING MEDICAL RECORDS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 8 Apr 98 UP AFI 36-3208, para 5.50 (Pattern of Misconduct). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 6 Dec 75. Enlmt Age: 17 10/12. Disch Age: 22 4/12. Educ: HS DIPL. AFQT: N/A. A-79, E-38, G-57, M-08. PAFSC: 3S051 - Personnel Journeyman. DAS: 7 Apr 97.

b. Prior Sv: (1) AFRes 15 Oct 93 - 24 May 94 (7 months 10 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 25 May 94 for 4 yrs. Svd: 3 Yrs 10 Mo 15 Das, all AMS.

b. Grade Status: AB - 9 Mar 98 (Article 15, 9 Mar 98)  
AMN - 11 Sep 97 (Article 15, 11 Sep 97)  
SrA - (EPR Indicates): 29 Oct 96 - 5 Sep 97  
A1C - 25 Sep 95  
AMN - Unknown

c. Time Lost: None.

d. Art 15's: (1) 9 Mar 98, Fairchild AFB, WA - Article 112a. You did, on divers occasions between on or about 1 Oct 96 and on or about 31 Dec 96, wrongfully possess some amount of marijuana, a controlled substance. You did, between on or about 1 Oct 96 and 31 Dec 96, wrongfully use marijuana, a controlled substance. Reduction to AB. Suspended forfeiture of \$463.00, and 45 days restriction. (No appeal) (No mitigation)

(2) 11 Sep 97, Osan AB, Korea - Article 89. You did, on or about 29 Aug 97, treat with disrespectful language toward [REDACTED], a commissioned officer, then known by you to be a commissioned officer, who was in the execution of his duties, by saying to him, "Hey Lieutenant, you want to rape me now, don't you?" or words to that effect. Article 91. You did, on or about 29 Aug 97, treat with disrespectful language toward [REDACTED], a noncommissioned officer, then known by you to be a noncommissioned officer, who was in the execution of his duties, by saying to him, "You motherfucking sorry ass rank heavy master sergeant," or

words to that effect. Article 134. You were, on or  
FD2003-00150

about 29 Aug 97, drunk and disorderly which conduct was of a nature to bring discredit upon the armed forces. You did, on or about 29 Aug 97, while in a detention cell willfully and wrongfully expose in an indecent matter to public view your genitalia. Reduction to Amn, suspended forfeiture of \$505.00 pay per month for two months, and 45 days extra duty. (No appeal) (No mitigation)

(3) 14 Nov 96, Fairchild AFB, WA - Article 134. You, did, on or about 30 Oct 96, wrongfully possess with intent to deceive, an invalid military identification card, then well knowing the same to be unauthorized. Additionally, you, were, on or about 30 Oct 96, derelict in the performance of your duties, in that you willfully failed to refrain from drinking alcohol while under the age of 21, as it was your duty to do. Reduction to Amn, and 25 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 1 AUG 97 - Dereliction of duty.

f. CM: None.

g. Record of SV: 25 May 94 - 26 Feb 96 Fairchild AFB 5 (Intial)  
27 Feb 96 - 26 Oct 96 Fairchild AFB 5 (CRO)  
29 Oct 96 - 05 Sep 97 Osan AB 2 (CRO)REF

(Discharged from McChord AFB)

h. Awards & Decs: AFTR, NDSM, AFOUA, AFGCM, AFOSSTR.

i. Stmt of Sv: TMS: (4) Yrs (5) Mos (25) Das  
TAMS: (3) Yrs (10) Mos (15) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 26 Mar 03.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

9MAY03/ia

**7. SUPPORTING DOCUMENTS** (X as applicable) (Please print name and Social Security Number on each document.)

WILL NOT BE SUBMITTED. PLEASE COMPLETE REVIEW BASED ON AVAILABLE SERVICE RECORDS.

ARE LISTED BELOW AND ARE ATTACHED TO THIS APPLICATION: (Continue on a plain sheet of paper if more space is needed.)

a. DOCUMENT 1:

b. DOCUMENT 2:

c. DOCUMENT 3:

**8. ISSUES**

The Board will consider any issue submitted by you prior to closing the case for deliberation. The Board will also review the case to determine whether there are any issues that provide a basis for upgrading your discharge. However, the Board is not required to respond in writing to issues of concern to you unless those issues are listed or incorporated by specific reference below. Carefully read the instructions that pertain to Block 8 prior to completing this part of the application. If you need more space, submit additional issues on an attachment.

I am requesting to have my "General" discharge upgraded to "Honorable". When I first joined the military in 1994, I ranked high in all aspects. In basic training, I received 90% on my test scores and was even part of an honor flight. While assigned at my first assignment, Fairchild AFB, WA, I was still very respected and admired as an Airman. I received Airman of the quarter 6 times and was even recommended for Airman of the Year. In addition, I was recommended for Below The Zone. I completed my CDCs in a timely manner and received high grades on them. My EPR's were outstanding as well.

My problems were alcohol related which stemmed from a very abusive marriage and eventually divorce. I didn't know how to handle the situation so I turned to alcohol. I started attending Mental Health classes because my supervisor suspected the abuse. They helped but ultimately my problems continued and alcohol seemed to be the only answer. This went on for about the last year of my enlistment. At the time of discharge, I only had 1 1/2 months remaining in my enlistment. I did many stupid things, which I deeply regret and wish I could take back.

At the end of my enlistment, I finally got serious help via "Track" classes. I finally had the desire to change and did! My life is so different now and I'm proud of who I am. I've been married for 5 years and continued to support the military as a dependent, my spouse was in the Oregon National Guard for the past 5 years.

Aside from my misconduct, I have always been a great employee. Throughout my enlistment, no matter how negative the situation, I've always remained patriotic and proud to be a member of the United States Air Force. More than anything, I am embarrassed for disgracing myself and my country. I have been a civilian now for 5 years and am still proud to say I'm a veteran of the USAF. The only thing that has continuously bothered me is my classification of discharge. Please consider me for an upgrade to "Honorable" and THANK YOU for taking the time to review my request.

I HAVE LISTED ADDITIONAL ISSUES AS AN ATTACHMENT TO THIS APPLICATION.

I PREVIOUSLY SUBMITTED AN APPLICATION ON (Enter date) AND AM COMPLETING THIS FORM IN ORDER TO SUBMIT ADDITIONAL ISSUES.

THE ABOVE ISSUES SUPERSEDE ALL PREVIOUSLY SUBMITTED.

**9. CERTIFICATION**

I make the foregoing statements as part of my application with full knowledge of the penalties involved for willfully making a false statement. (U.S. Code, Title 18, Section 1001, provides that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)

a. DATE (YYYYMMDD) 20030326

b. SIGNATURE 

UPON COMPLETION, MAIL THIS APPLICATION TO APPLICABLE ADDRESS BELOW

ARMY	NAVY & MARINE CORPS	AIR FORCE	COAST GUARD
Army Review Boards Agency Support Division, St. Louis ATTN: SFMR-RBR-SL 9700 Page Avenue St. Louis, MO 63132-5200 (See <a href="http://arba.army.pentagon.mil">http://arba.army.pentagon.mil</a> )	Naval Council of Personnel Boards 720 Kennon Street, S.E. Rm. 309 (NDRB) Washington Navy Yard, DC 20374-5023	SAF/MIBR 550-C Street West, Suite 40 Randolph AFB, TX 78150-4742	Commandant (G-WPM) 2100 Second Street, S.W. Washington, DC 20593-0001

DEPARTMENT OF THE AIR FORCE  
607TH AIR COMMUNICATIONS SQUADRON (PACAF)  
UNIT #2047  
APO AREA PACIFIC 96278-2047

24 MAR 1998

MEMORANDUM FOR [REDACTED]

FROM: 607 ACOMS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a Pattern of Misconduct. The authority for this action is AFD 36-32, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.50. 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 discharge action are as follows:

a. You did, at or near Fairchild AFB, WA, on divers occasions, on or about 1 Oct 96 and on or about 31 Dec 96, wrongfully possess some amount of marijuana, a controlled substance. In addition, at the same place and on the same date, you did, wrongfully use marijuana, a controlled substance. For this misconduct, you received an Article 15, with punishment consisting of a reduction to airman basic, suspended forfeiture of \$463 pay per month for 2 months, and restriction to Osan AB, ROK for 45 days. The Article 15 action was placed into your Unfavorable Information File (UIF). (Atchs 1.1 and 1.2)

b. You did, at or near Osan AB, ROK, on or about 29 Aug 97, use disrespectful language toward [REDACTED], a commissioned officer, then known by you to be a superior commissioned officer, who was in the execution of his duties, by saying to him, "Hey Lieutenant, you want to rape me now, don't you?" or words to that effect. In addition, at the same place and on the same date, you did, use disrespectful language toward [REDACTED], a noncommissioned officer, then known by you to be a superior noncommissioned officer, who was in the execution of his duties, by saying to him, "You motherfucking sorry ass rank heavy master sergeant," or words to that effect. Also, at the same place and on the same date, you were drunk and disorderly, which conduct was of a nature to bring discredit upon the armed forces. As well, at the same place and on the same date, you did, while in a detention cell, willfully and wrongfully expose in an indecent matter to public view your genitalia. For this misconduct, you received an Article 15, with punishment consisting of a reduction to airman, suspended forfeiture of \$605 pay per month for 2 months, and 45 days extra duty. The Article 15 action was placed into your UIF, and you were placed on the Control Roster. On 2 Oct 97, your punishment of 45 days extra duty was mitigated to restriction to Osan AB, ROK, for 35 days. (Atchs 1.1, 1.3, 1.4, and 1.5)

c. You were, at or near Osan AB, ROK, on or about 31 Jul 97, derelict in the performance of your duties, in that you negligently failed to complete the Dormitory Standards Acknowledgment of Understanding by 30 Jun 97. In addition, at the same place and on or about 6 Jul 97 to 30 Jul 97, you failed to obey a lawful order given to you by [REDACTED] to adhere to dormitory guest visitation rules and not cohabitate in your dorm room; to wit: you had a male friend spend the entire night in your room for 20 out of 24 nights. For this misconduct, you received a Letter of Reprimand (LOR), dated 1 Aug 97, which was placed into your UIF. (Atchs 1.1, 1.6, and 1.7)

d. You did, at or near Fairchild AFB, WA, on or about 30 Oct 96, wrongfully possess with intent to deceive, an invalid military identification card, then well knowing the same to be unauthorized. In addition, at the same place and on the same date, you were derelict in the performance of your duties in that you willfully failed to refrain from drinking alcohol while under the age of 21, as it was your duty to do. For this misconduct, you received an Article 15, with punishment consisting of a reduction to airman and 25 days extra duty. This action established an UIF. On 26 Feb 97, your punishment of reduction to airman was suspended. (Atchs 1.1, 1.8, and 1.9)

3. 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 any special pay, bonus, or education assistance funds may be subject to recoupment.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. For an appointment to consult the Area Defense Counsel (redacted), please contact him at 784-6774. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 105 hours on 27 Mar 98 (3 workdays) unless you request and receive an extension for good cause shown. I will send them to the separation authority.

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. You have been scheduled for a medical examination. You must report to the hospital at 0700 hours on 25 MAR 98.

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 at the Orderly Room.

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

(Redacted signature)

Colonel, USAF

Commander

Attachments:

1. Supporting documents:

- 1.1 AF Form 1137
- 1.2 AF Form 3070 (33 pp)
- 1.3 AF Form 1058 w/atch (2 pp)
- 1.4 AF Form 3212
- 1.5 AF Form 3070 (30 pp)
- 1.6 AF Form 1058
- 1.7 Letter of Reprimand, dated 1 Aug 97 (2 pp)
- 1.8 AF Form 3212
- 1.9 AF Form 3070 (3 pp)

2. Receipt of notification memorandum