

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE AMN	AFSN/SSAN [REDACTED]								
TYPE GEN	PERSONAL APPEARANCE		X RECORD REVIEW								
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL							
YES	NO	NONE									
	X										
MEMBERS SITTING			VOICE OF THE BOARD								
			HON	GEN	UOTHC	OTHER	DENY				
ISSUES A94.53			INDEX NUMBER A67.90			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 14 AUGUST 03			CASE NUMBER FD2003-00196			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											
<p>Case heard at Washington, D.C.</p> <p>Advise applicant of the decision of the Board and the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.</p>											
SIGNATURE OF [REDACTED]			SIGNATURE OF BOARD PRESIDENT [REDACTED]								
ENDORSEMENT			DATE: 14 AUG 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

CASE NUMBER

FD-2003-00196

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 the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any.

Issue. Applicant was discharged for conduct prejudicial to good order and discipline. The records indicated the applicant received an Article 15, two Letters of Reprimand, a Letter of Counseling, and a verbal counseling. Her misconduct included two leave program violations, two instances of dereliction of duty, three instances of financial irresponsibility, and impugning the integrity of the unit performance report review process and her supervisor. The DRB opined that through the unit's administrative actions, the applicant had ample opportunities to change her negative behavior and was unwilling or unable to do so. 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.

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 AMN) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 26 Apr 96 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 15 Jun 69. Enlmt Age: 21 3/12. Disch Age: 26 10/12. Educ: HS DIPL. AFQT: N/A. A-67, E-59, G-76, M-32. PAFSC: 4Y051 - Dental Lab Apprentice. DAS: 21 Jul 91.

b. Prior Sv: (1) AFRes 10 Oct 90 - 12 Mar 91 (5 Months 3 Days) (Inactive).

(2) Enld as AB 13 Mar 91 for 4 yrs. Svd: 3 Yrs 1 Mos 23 Das, all AMS. AMN - 13 Sep 91. A1C - 13 Jul 92. SRA - 13 Sep 93. EPRs: 5,5.

3. **SERVICE UNDER REVIEW:**

a. Reenld as SRA 6 May 94 for 4 yrs. Svd: 1 Yr 11 Mo 21 Das, all AMS.

b. Grade Status: AMN - 3 Apr 96 (Article 15, 3 Apr 96)

c. Time Lost: None.

d. Art 15's: (1) 3 Apr 96, Shaw AFB, SC - Article 91. You, having received a lawful order from TSgt [REDACTED] a NCO, then known by you to be a NCO, to write up and turn in for typing patient dental records at the end of each duty day and to not leave such records in the dental treatment room or lounge, an order which it was your duty to obey, did, between on or about 1 Nov 95 and on or about 1 Dec 95, willfully disobey the same. Article 92. You, who knew of your duties, on or about 27 Nov 95, were derelict in the performance of those duties in that you willfully failed to sign in after the completion of your leave, as it was your duty to do. Article 134. You did, on or about 7 Feb 96, make and utter to the AAFES a certain check, in words and figures as follows, to wit: check number 927, \$108.00, for the purchase of merchandise or for the procurement of US currency, and did thereafter dishonorably fail to maintain sufficient funds in the [REDACTED] Bank for payment of such check in full upon its presentation for payment. Reduction to AMN. (Appeal/Withdrawn) (No mitigation)

- e. Additional: LOR, 08 DEC 95 - Unauthorized copying of an EPR and making unfavorable comments about supervisor and squadron review process.
 - VBC, 01 SEP 95 - Financial irresponsibility.
 - VBC, 01 SEP 95 - Failure to comply with instructions.
 - LOC, 30 AUG 95 - Dereliction of duty.
 - LOR, 27 DEC 94 - Failure to obtain proper leave authorization and violation of leave policy.

f. CM: None.

- g. Record of SV: 13 Nov 93 - 12 Nov 94 Shaw AFB 5 (Annual)
 13 Nov 94 - 12 Nov 95 Shaw AFB 4 (Annual)

(Discharged from Shaw AFB)

h. Awards & Decs: AFLSA, AFTR, NCOPMER, AFOUA W/1 DEV, AFGCM, NDSM.

- i. Stmt of Sv: TMS: (5) Yrs (6) Mos (17) Das
 TAMS: (5) Yrs (1) Mos (14) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 1 Apr 03.
 (Change Discharge to Honorable)

NO ISSUES SUBMITTED

ATCH
 None.

29 May 03



DEPARTMENT OF THE AIR FORCE
20th FIGHTER WING (ACC)
SHAW AIR FORCE BASE, SOUTH CAROLINA

FD2003-00196

15 Apr 96

MEMORANDUM FOR AMN [REDACTED]

FROM: 20 DS/CC
431 Meadowlark St
Shaw AFB SC 29152-5019

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct -- conduct prejudicial to good order and discipline. The authority for this action 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 that your service be characterized as general.

2. My reasons for this action are:

a. On or about 24 Dec 94, you failed to obtain proper leave authorization before departing the local area. Additionally, you failed to begin your leave in the local area in accordance with AFI 36-3003. This resulted in a letter of reprimand, dated 27 Dec 94

b. On or about 29 Aug 95, you failed to pay a just debt to the NCO Open Mess. Your account was over 60 days delinquent in the amount of \$67.95. This resulted in a verbal counseling, dated 1 Sep 95.

c. On or about 31 Jul 95, you were derelict in the performance of your duties when you failed to write up and type patient dental records by the end of the duty day, as it was your duty to do. This misconduct resulted in a letter of counseling, dated 30 Aug 95.

d. On or about 29 Nov 95, you wrongfully made a copy of your Enlisted Performance Report without your supervisor's permission. Additionally, you went outside your chain of command in questioning your supervisor's abilities and the integrity of the squadron's review process. This resulted in a letter of reprimand, dated 8 Dec 95.

e. On divers occasions from on or about 1 Nov 95 to on or about 1 Dec 95, you willfully disobeyed a lawful order from a noncommissioned officer to write up and turn in for typing patient dental records at the end of each duty day and to not leave such records in the dental treatment room or lounge. Additionally, on or about 27 Nov 95, you were derelict in the performance of your duties in that you willfully failed to sign in after the completion of your leave. Finally, on or about 7 Feb 96, you made and uttered a worthless check in the amount of \$108.00 to the Army and Air Force Exchange Service. All of this misconduct resulted in Article 15 nonjudicial punishment, dated 3 Apr 96.

3. In addition to the above reasons which serve as the bases for discharge in your case, the file reflects that on or about 5 Mar 93, you failed to pay just debt in the amount of \$18.00 to the NCO Open Mess. This resulted in a verbal counseling, dated 8 Mar 93.

Global Power For America

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 Capt. [REDACTED] Area Defense Counsel, 668-2437, at building 1127, on 15 Apr 96 at 0930 hours. 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 within three duty days after receipt of the notification memorandum, 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 must report to the Shaw AFB Hospital, Physical Examinations Section, on 15 Apr 96 at 1300 hours, for a medical examination.
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 orderly room.
9. In accordance with AFI 36-3001, you must relinquish all identification cards within three duty days of receipt of this notification memorandum.
10. Execute the attached acknowledgment and return it to me immediately.

[REDACTED]
[REDACTED]
[REDACTED] Colonel, USAF, DC
Commander

3 Attachments

1. Documents Supporting Reasons for Discharge
 - a. 20 DS/SGD Memorandum, dtd 27 Dec 94
 - b. [REDACTED] Memorandum, dtd 6 Jan 95
 - c. 20 SVS/SVF Memorandum, dtd 29 Aug 95, w/1 Atch
 - d. AF Form 174, dtd 30 Aug 95
 - e. 20 DS/SGD Memorandum, dtd 1 Sep 95
 - f. 20 DS/SGD Memorandum, dtd 8 Dec 95
 - g. MSgt [REDACTED] Memorandum, dtd 1 Dec 95
 - h. TSgt [REDACTED] Memorandum, dtd 4 Dec 95
 - i. TSgt [REDACTED] Memorandum, dtd 4 Dec 95
 - j. SSgt [REDACTED] Memorandum, dtd 4 Dec 95
 - k. AF Form 3070, dtd 3 Apr 96
 - l. [REDACTED] Written Presentation, dtd 28 Mar 96

- m. ██████████ Memorandum, dtd 27 Mar 96
 - n. DOI 47-113, dtd 14 Feb 96
 - o. ██████████ Memorandum, dtd 27 Mar 96
 - p. ██████████ Memorandum, dtd 13 Dec 95
 - q. ██████████ Memorandum, dtd 13 Dec 95
 - r. SSgt ██████████ Memorandum, dtd 4 Dec 95
 - s. SSgt ██████████ Memorandum, dtd 4 Dec 95
 - t. MSgt ██████████ Memorandum, dtd 29 Nov 95
 - u. TSgt ██████████ Memorandum, dtd 4 Dec 95
 - v. TSgt ██████████ Memorandum, dtd 4 Dec 95
 - w. ██████████ Memorandum, dtd 4 Dec 95
 - x. AF Form 3132, dtd 18 Oct 95
 - y. AF Form 988, dtd 17 Nov 95
 - z. AF Form 988, dtd 20 Nov 95
 - aa. ██████████ check #0927, dtd 7 Mar 96
2. Other Derogatory Data
 - a. 363d Medical Group Memorandum, dtd 5 Mar 93
 3. Airman's Receipt of Notification Memorandum