

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE AB	AFSN/SSAN [REDACTED]
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TYPE	PERSONAL APPEARANCE	X RECORD REVIEW						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">COUNSEL</td> </tr> <tr> <td style="padding: 2px;">YES</td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table>	COUNSEL		YES	NO		X	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
COUNSEL								
YES	NO							
	X							

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

ISSUES A94.05	INDEX NUMBER A67.10	EXHIBITS SUBMITTED TO THE BOARD		
		1	ORDER APPOINTING THE BOARD	
		2	APPLICATION FOR REVIEW OF DISCHARGE	
		3	LETTER OF NOTIFICATION	
HEARING DATE 7 AUG 03	CASE NUMBER FD2003-0237	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 RATIONAL 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 [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
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INDORSEMENT	DATE: 7 AUG 03
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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
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD03-0237

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 would just like it upgraded, as it would be of great help and opportunity for her family. The record indicates the applicant received an Article 15 for using a government telephone Personal Identification Number to make unofficial calls and for signing an official statement indicating that those phone calls were official. She also received a Letter of Reprimand and two Letters of Counseling for drinking underage, missing her appointment and failing her room inspection. 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. If she can provide additional documented information to substantiate an issue, the applicant should consider exercising her right to make a personal appearance before the Board. If she should choose to exercise this right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.

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 AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 13 Jul 00 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 1 Jan 81. Enlmt Age: 18 1/12. Disch Age: 19 6/12. Educ: HS DIPL. AFQT: N/A. A-94, E-61, G-59, M-40. PAFSC: 2R031 - Maintenance Data Systems Analyst Apprentice. DAS: 7 Sep 99.

b. Prior Sv: (1) AFRes 22 Feb 99 - 30 Mar 99 (1 month 9 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 31 Mar 99 for 4 yrs. Svd: 1 Yrs 3 Mo 13 Das, all AMS.

b. Grade Status: AB - 19 Jun 00 (Article 15, 19 Jun 00)
AMN - 30 Sep 99

c. Time Lost: None.

d. Art 15's: (1) 19 Jun 00, Elmendorf AFB, AK - Article 107. You did, on or about 19 May 00, with intent to deceive, sign an official statement, to wit: a Validation of Federal Telecommunications System 2000 Telephone Calls statement, indicating that all calls placed on your PIN number were official, which was false in that you knowingly placed phone calls that were unofficial, and was then known by you to be false. Article 92. You, who knew of your duties, on divers occasions between on or about 2 Nov 99 and on or about 30 Mar 00, were derelict in the performance of those duties in that you willfully failed to refrain from using a government telephone Personal Identification Number under the pretense of making official telephone calls of a value of about \$119.56, as it was your duty to do. Reduction to AB. (No appeal) (No mitigation)

e. Additional: LOC, 19 JAN 00 - Failed room inspection.
LOC, 18 NOV 99 - Missed appointment.
LOR, 02 NOV 99 - Drinking alcohol underage.

f. CM: None.

g. Record of SV: None.

(Discharged from Elmendorf AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (4) Mos (22) Das
TAMS: (1) Yrs (3) Mos (13) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 13 May 03.
(Change Discharge to Honorable)

Issue 1: I, [REDACTED] respectfully request a review of records to upgrade my discharge from under honorable conditions to an Honorable discharge.

Issue 2: I am a single Parent and an upgrade would be of great help & opportunity (sic) for my family. Please let me know if there is enough information to proceed with this request. Your assessment of my records is appreciated. Thank you.

ATCH
None.

18JUN03/ia

DEPARTMENT OF THE AIR FORCE
PACIFIC AIR FORCES

MEMORANDUM FOR 611 ASUS/LGQA (AB [REDACTED])

FROM: 611 ASUS/CC

JUN 26 2000

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct based on 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, general, or under other than honorable conditions. I am recommending your service be characterized as general.

2. My reasons for this action are:

a. On or about 19 May 00, you made a false official statement. Between on or about 2 Nov 99 and on or about 30 Mar 00, you were derelict in the performance of your duties in that you willfully failed to refrain from using a government telephone Personal Identification Number for unofficial phone calls. For these offenses you received an Article 15, dated 19 Jun 00, reduction to the grade of airman basic, and an entry in your Unfavorable Information File (UIF).

b. On or about 18 Jan 00, you failed to maintain your dormitory room within standards. For this offense you received a Letter of Counseling (LOC), dated 19 Jan 00.

c. On or about 9 Nov 99, you failed to go at the time prescribed to your appointed place of duty. For this offense you received an LOC, dated 18 Nov 99.

d. On or about 23 Oct 99, you drank while underage. For this offense you received a Letter of Reprimand, dated 2 Nov 99, an UIF was established, and your club privileges were suspended.

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 are 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 legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [REDACTED] 552-3887, at Bldg 10480, Rm 330 on 0900 at 27 June 00. 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 the date of this letter

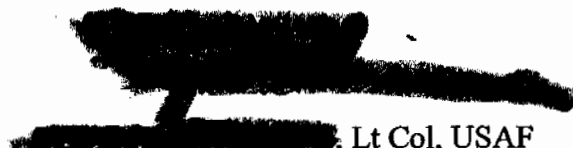
unless you request and receive an extension for good cause shown. I will forward any statements you provide to the separation authority.

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 medical examinations. You must report, with your medical records, to the 3rd Aerospace Medicine Squadron, Bldg 5595, at 0700 on 28 June 00 for your first exam, at which time you will be notified of the time for your second exam. You are to refrain from alcohol for 72 hours, and refrain from the use of tobacco products for 6 hours, prior to examination. Bring eyeglasses (and contact solution if using contacts) if applicable. You must be in uniform for these examinations.

8. You have been scheduled for a Transition Assistance Program briefing. You must report to the Family Support Center at 1000 on 28 June 00. You have also been scheduled for a TMO Household Goods Shipment preprocessing briefing. You must report to Bldg 8517 (People Center), Rm 247 at 0730 on 29 June 00. You must be in uniform for all appointments.

9. 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 your Squadron Orderly Room.


Lt Col, USAF
Commander

Attachments:

1. Article 15, 19 Jun 00
2. LOC, 19 Jan 00
3. LOC, 18 Nov 99
4. AF Form 1058, 9 Nov 99
5. LOR, 2 Nov 99
6. 3 SPTG/CC Memo, 23 Oct 99