

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)	GRADE	AFSN/SSAN
[REDACTED]	[REDACTED]	[REDACTED]

TYPE	X PERSONAL APPEARANCE	RECORD REVIEW
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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	DENY
[REDACTED]	X*				
[REDACTED]	X*				
[REDACTED]					X
[REDACTED]	X*				
[REDACTED]	X*				

ISSUES A42.00 A94.06	INDEX NUMBER A67.00/10	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	
			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 Albany, New York (American Red Cross Regional Offices)

* Change of reason for discharge to Personality Disorder

Advise applicant of the decision of the Board.

INDORSEMENT	DATE: 20 NOV 2003
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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

FD2003-00262-A

GENERAL: The applicant appeals for an Honorable Discharge, a Change in Reason for discharge and Change in RE code.

The applicant appeared and testified before the Discharge Review Board (DRB), without counsel at Albany, New York. The applicant's spouse, [REDACTED] a professor of psychology, was present as a witness on behalf of the applicant.

The following additional exhibits were submitted by the applicant at the hearing:

Exhibit #6: Character letter, dated 23 September 2003, from [REDACTED]

Exhibit #7: Character letter, dated 6 October 2003, from [REDACTED]

Exhibit #8: Character letter, dated 12 October 2003, from [REDACTED]

Exhibit #9: Letter from [REDACTED], dated 2 June 2000

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge to Honorable and Change in Reason for discharge are approved.

The Board finds evidence of record and that provided by the applicant, which substantiates an inequity that justifies an upgrade of discharge to Honorable and a Change in Reason for discharge. Change in RE code is denied.

ISSUES: The applicant was discharged with a service characterization of General, under Honorable conditions, for misconduct and a pattern of minor disciplinary infractions principally related to recurring interpersonal conflicts (disrespect and verbal outbursts) directed towards her peers and individuals within her supervisory chain. Additionally, the member received letters of counseling and reprimand for a variety of minor infractions, such as having an unauthorized pet in her living quarters, conflicts over bus transportation to and from her place of duty, and an Article 15 for making a false official statement regarding her reason for not attending Chemical Warfare Training at the appointed time. The applicant's commander subsequently referred her for a mental health evaluation, whereupon she received a diagnosis of personality disorder. The applicant's principal contention is that she should have been discharged with a "medical discharge" based upon her clinical diagnosis. However, the applicant's commander chose not to discharge the member for her mental disorder. The Board also found reason to believe there were significant additional factors not considered by the discharge authority in its decision to separate the member with a General discharge. These include the applicant's poor work environment and her behavioral response to physical and verbal provocations (both of a sexual and racial nature), reportedly, by her coworkers and supervisors. While the Board does not condone the applicant's maladaptive behavior displayed within her place of duty, the Board opines her behavior bore a significant causal and mitigating relationship with her medical diagnosis. The applicant also provided post-service evidence, as documented in the above additional exhibits, she continues to suffer from significant residual adverse occupational affects of her mental disorder, for which she attributes to her experiences during military service.

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. However, in view of the foregoing findings, the Board also concludes there is substantial evidence to justify an upgrade to Honorable and change in the reason for discharge to Personality Disorder.

**DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD**

FD2003-00262-A

[REDACTED] (Former SRA) (HGH SRA) (REHEARING)
[REDACTED]

1. MATTER UNDER REVIEW: Appl rec'd a Gen Dish fr USAF 6 Mar 92 UP AFR 39-10, 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for HON Discharge.

2. OTHER FACTS:

a. See attached cy of Examiner's Brief dtd 6 Sep 96.

b. The AFDRB reviewed case on 28 Oct 96 (non-appearance w/o counsel) & concluded applicant's discharge should not be changed.

3. BASIS ADVANCED FOR REHEARING: Appl (DD Fm 293) dtd 16 May 03. (Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

Atch

1. Applicant's Issues.
2. DD Form 214.

26JUN03/ai

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: PERSONNEL FILE

b. DOCUMENT 2: MEDICAL FILE

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.

MY ~~DISCHARGE~~ DISCHARGE WAS IMPROPER. THE DOCUMENTATION SUBMITTED WAS NOT CONSIDERED AS I FEEL IT SHOULD HAVE. I BEGAN WELL AS A GOOD TEAM MEMBER, LEARNED MY JOB QUICKLY, HELPED TRAIN OTHER TEAM MEMBERS, ATTENTION TO DETAIL, PROFESSIONAL, AND HONEST. AFTER FILING A COMPLAINT FOR SEXUAL HARASSMENT WITH SOCIAL ACTIONS SECTION, I BECAME AN EYE-SORE TO MANAGEMENT. THE COMPLAINT WAS INVESTIGATED BY THE ~~ADDRESSOR~~ ADDRESSOR AND HIS PEERS EACH TIME AND NOTHING IN THE WAY OF INTERVENTION OR COUNSELING WAS DONE. IT RECOMMENDED TO ME TO CONSIDER IGNORING THE ACT. I HAD DIFFICULTY PERFORMING THAT ACT TWO OR MORE TIMES PER WEEK. I SAW OTHERS THAT WERE ABLE TO MANAGE THE ASSULTS SILENTLY. I EXPERIENCED DAILY STRESSES OF HARASSMENT BY SUPERVISORS TO THE FEW FEMALE MEMBERS. NO MALE WOULD SPEAK ON YOUR BEHALF. I WAS SEEN BY THREE MENTAL HEALTH PROFESSIONALS. THE FIRST TWO WERE AFTER REFERRAL FOR MENTAL EVALUATION, ORDERED BY THE COMMANDER IN SAUDI ARABIA AFTER REVIEW OF MY STATEMENT SUBMITTED BECAUSE OF THREAT OF PHYSICAL VIOLENCE AND SEXUAL HARASSMENT. THE TWO DOCTORS WERE ~~AND~~ AND ~~AND~~ BOTH ARMY. I SAW THEM ON 6 OR 7 VISITS. RECORDS OF THE COUNSELING SESSION VANISHED, ONLY THE REFERRAL SURVIVES. THE THIRD MENTAL HEALTH REP. WAS AFTER MY RETURN FROM SAUDI ARABIA AND I WAS TOLD I WAS TO BE DISCHARGED AFTER THE "BLANKS WERE FILLED IN". I WAS SENT WITH A DOCUMENT STATING WHAT THE COUNSELOR SHOULD FIND WRONG. CO-WORKERS WERE TOLD TO WATCH ME.

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)
2003 05 16

b. SIGNATURE 

UPON COMPLETION, MAIL THIS APPLICATION TO APPLICABLE ADDRESS BELOW

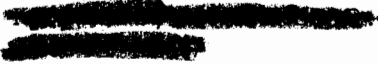
ARMY	NAVY & MARINE CORPS	AIR FORCE	COAST GUARD
Review Boards Agency Support Division, St. Louis ATTN: SFMR-RBR-SL 9700 Page Avenue St. Louis, MO 63132-5200	Naval Council of Personnel Boards Bldg. 36 - Washington Navy Yard 901 M Street, S.E. Washington, DC 20374-5023	SAF/MIBR 550-C Street West, Suite 40 Randolph AFB, TX 78150-4742	Commandant (WPM-60) U.S. Coast Guard Headquarters Washington, DC 20593-0001

CONTINUED DD FORM 293

8. I FEEL THAT MY DISCHARGE SHOULD HAVE BEEN A COMPLETE MEDICAL DISCHARGE. I HAD NO DISORDERS IN MY PAST. AFTER THE MENTAL AND PHYSICAL TORTURE I ENDURED BY SUPERVISORS AND OTHER MALES IN MY SECTION, FORCED TO WORK ADDITIONAL DUTY IN AN ALL MALE DORMITORY FROM 0700 TO 1900 WHICH CREATED FINANCIAL AND MENTAL ANGUISH TO ME AND MY SON, WHAT EXISTS NOW IS A WOMAN TORMENTED BY NIGHTMARES, MIGRANES, STRESSED, AND MERE SHELL OF WHO I ONCE WAS BEFORE MY ASSULTS AND LATER BEING DISCARDED

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
WASHINGTON, D.C.

(Former SRA)



1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF 92/03/06 UP AFR 39-10, Para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for HON Disch.

2. BACKGROUND:

a. DOB: 62/03/18. Enlmt Age: 25 2/12. Disch Age: 30. Educ: (RIP reflects) 12-29 S/H. AFQT: Unk. AQE: M-64, A-65, G-82, E-77. PAFSC: 46150 - Munitions Sys Specialist. DAS: 89/01/06.

b. Prior Sv: AFRes 87/04/24 - 87/06/02 (1 Mo 8 Das) (Inactive)

3. SERVICE UNDER REVIEW:

a. Enld as AB 87/06/03 for 4 Yrs (7 Mos ext). Svd: 4 Yrs 9 Mos 4 Das, all AMS.

b. Grade Status: Amn - 87/12/03
A1C - 88/10/03
SrA - 90/06/03

c. Time Lost: None.

d. Art 15's: (1) 92/01/07, Royal AF Bentwaters, S---, E--- - In viol of Art 107, UCMJ, you did, o/a 91/11/14, w/intent to deceive, make to TSgt H--- L. B---, an official stmt, to wit: "I am the only person in my shop at this time & even if someone comes in I would be more than 5 minutes late for Chemical Warfare Trng" or words to that effect, which stmt, was totally false, & was then known by you to be so false.. (Oral/written mitigation). 30 das extra dy & reprimand. (appealed; denied).

e. CM: None.

f. Record of Sv:	87/06/03	88/06/02	Eaker AFB	9 (Annual)
	88/06/03	88/11/02	Eaker AFB	8A (CRO)
	88/11/03	89/11/02	RAF Bentwaters	4B (Annual)
	89/11/03	90/11/02	RAF Bentwaters	3 (IO) (Annual)
				4 (RO)
	90/11/03	91/11/02	RAF Bentwaters	3 (Annual)
	(Ret'd fr England for disch fr McGuire AFB)			

g. Awards & Decs: NCO PME Grad Rbn, AFGCM, NDSM, SW Asia Sv Medal w/1 Dev, AFTR, AFLSA, AFOUA w/1 OLC.

h. Stmt of Sv: TMS: 4 Yrs 10 Mos 12 Das
TAMS: 4 Yrs 9 Mos 4 Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 96/04/29

(Change Discharge to Honorable)

(No issues submitted).

Atch

DD Fm 214

Char Reference ltrs (4)

96/09/06/cay



DEPARTMENT OF THE AIR FORCE
81ST EQUIPMENT MAINTENANCE SQUADRON (USAF)
APO NEW YORK 09755-5000



REPLY TO
ATTN OF: CC

7 Jan 92

SUBJECT: Notification Letter

TO: [REDACTED], 81 EMS

1. I am recommending your discharge from the United States Air Force for Conditions That Interfere With Military Service and Minor Disciplinary Infractions. The authority for this action is AFR 39-10, under the provisions of section B, paragraph 5-11i; and section H, paragraph 5-46. 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. Under paragraph 5-11i:

As stated in a diagnosis reported in a Mental Health evaluation, USAF Form 781 dated 7 Oct 91, you have a personality disorder which significantly interferes with your duty performance and conduct. The Chief of Mental Health Services comments that your personality disorder renders you unsuitable for continued military service.

b. Under paragraph 5-46:

1. During the week of 25 - 29 Nov 91 you failed to follow a senior NCO's order in violation of Art 91, UCMJ. For this offense you received written counseling, dated 3 Dec 91.

2. On 14 Nov 91 you made a false official statement in violation of Art 107, UCMJ. For this offense you received an Article 15 dated 22 Nov 91.

3. From 2 Jul 91 - 1 Aug 91 you were disrespectful to NCOs in violation of Art 91, UCMJ. For this offense you received a LOR, dated 25 Aug 91, which was placed in your unit personal information file.

4. On 22 Jan 91 you made provoking speeches or gestures to another military member in violation of Art 117, UCMJ. For this offense you received a LOR dated 21 Feb 91.

5. On 17 Aug 90 you displayed financial irresponsibility and poor judgement. For this offense you received a LOR dated 29 Aug 90.

Copies of the documents to be forwarded to the separation authority to support 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 counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [redacted] at RAF Bentwaters, Bldg 520, at 0900 on 9 Jan 92. 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 10 Jan 92 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 RAF Bentwaters Clinic at 0715 on 8 Jan 92 for the examination.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement explained in AFR 39-10, attachment 2. A copy of AFR 39-10 is available for your use in the unit orderly room.

[redacted]
[redacted]
Commander

22 Atchs

1. Mental Health Evaluation, dtd 7 Oct 91
2. Record of Counseling, dtd 3 Dec 91
3. Art 15, dtd 22 Nov 91
4. AF FM 1058, dtd 25 Aug 91
w/atchs
5. Letter of Reprimand, dtd 21 Feb 91
6. Rebuttal to Letter of Reprimand, undated.
7. Letter of Reprimand, dtd 29 Aug 90
8. Rebuttal to Letter of Reprimand, dtd 31 Aug 90
9. Statement, dtd 24 Sep 90
10. Statement, undated
11. Memo for Record, dtd 18 Nov 91
12. Memo for Record, dtd 15 Aug 89
13. Rebuttal for Memo for Record, dtd 12 Mar 90
14. Memo for Record, dtd 12 Aug 89
15. Memo for Record, dtd 12 Aug 89
16. Statement, undated
17. Statement, dtd 13 Aug 89
18. Statement, dtd 13 Aug 89
19. Dishonored Check Notification, dtd 3 May 89