

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE A1C	AFSN/SSAN [REDACTED]
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TYPE GEN	X	PERSONAL APPEARANCE	RECORD REVIEW
CODES		NAME OF COUNSEL AND OR ORGANIZATION [REDACTED]	ADDRESS AND OR ORGANIZATION OF COUNSEL Texas Veterans Commission
YES	No		
	X		

MEMBER 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
				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 DATE	07 Dec 2003	CASE NUMBER	FD-2003-00472
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Case heard at Randolph AFB, Texas.

Advise applicant of the decision of the Board and the right to submit an application to the AFBCMR.

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
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TO: SAF/MRBR 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, 3RD FLOOR ANDREWS AFB, MD 20762-7002
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2003-00472

GENERAL: The applicant appeals for upgrade of discharge to honorable and to change the reenlistment code.

The applicant appeared before the DRB at Randolph AFB, Texas, and was represented by Mr. [REDACTED] from the Texas Veterans Commission.

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

FINDINGS: Upgrade of Discharge and change of reenlistment code is denied.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15 and a Letter of Reprimand for significant financial irresponsibility. She wrote approximately \$10,000 worth of bad checks in less than one year. 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. Applicant states that her discharge did not take into account the good things she did while in the service. The DRB took note of the applicant's duty performance as documented by her performance reports, letters of recommendation and other accomplishments. They found the seriousness of the misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case. The DRB was pleased to see that the applicant was doing well and has a good job. However, no inequity or impropriety in her discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized her term of 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.

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 A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 13 Jan 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge and to Change the RE Code.

2. **BACKGROUND:**

a. DOB: 14 Mar 78. Enlmt Age: 18 9/12. Disch Age: 24 9/12. Educ: HS DIPL. AFQT: N/A. A-77, E-32, G-36, M-24. PAFSC: 3A051 - Information Management Specialist. DAS: 6 Jun 01.

b. Prior Sv: (1) AFRes 17 Dec 96 - 22 Apr 97 (4 months 6 days) (Inactive).

(2) Enlisted as AB 23 Apr 97 for 4 yrs. Svd: 3 yrs 1 month 20 days, all AMS. AMN - 23 Oct 97. A1C - 23 Aug 98. SrA - 23 Apr 00. EPRs: 4,5.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 13 Jun 00 for 4 yrs. Svd: 2 Yrs 7 Mo 0 Das, all AMS.

b. Grade Status: A1C - 18 Oct 02 (Article 15, 18 Oct 02)

c. Time Lost: None.

d. Art 15's: (1) 18 Oct 02, Geilenkirchen AB, Germany - Article 134. You did, at or near Geilenkirchen AB, Germany and Schinnen, The Netherlands, between on or about 26 Feb 02, and 17 Jun 02, make and utter to Army and Air Force Exchange Service, nine checks, totaling \$2,751.97 for the purchase of goods and services, and/or cash, and did thereafter dishonorably fail to maintain sufficient funds in the [REDACTED] Bank for payment of such checks in full upon their presentment for payment. You did, at or near Geilenkirchen AB, Germany and Schinnen, The Netherlands, between on or about 18 May 02 and 20 May 02, make and utter to Army and Air Force Exchange Service three checks, totaling \$604.29 for the purchase of goods and services, and/or cash, and did thereafter dishonorably fail to maintain sufficient funds in the [REDACTED] Credit Union Bank for payment of such checks in full upon their presentment for payment. Reduction to AB, reduction below A1C suspended. Suspended forfeiture of \$552.00 pay per month for 2 months. (Appeal/Denied) (No mitigation)

e. Additional: LOR, 20 DEC 01 - Financial irresponsibility.

f. CM: None.

g. Record of SV: 20 Oct 99 - 19 Oct 00 Tyndall AFB 5 (Annual)
 20 Oct 00 - 18 Apr 01 Tyndall AFB 5 (CRO)
 19 Apr 01 - 18 Apr 02 Geilenkirchen AB 5 (Annual)

(Discharged from Randolph AFB)

h. Awards & Decs: AFAM, AFLSAR, AFTR, NDSM, NCOPMER, AFOUA, JMUA, AFGCM.

i. Stmt of Sv: TMS: (6) Yrs (0) Mos (28) Das
 TAMS: (5) Yrs (8) Mos (22) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 8 Oct 03.
 (Change Discharge to Honorable and Change the RE Code.)

Issue 1: Discharge was unfair and unjust. Discharge was inequitable because it was based on one isolated incident in 5 yrs and 8 months of service with no other adverse action.

ATCH

1. Memorandum For Air Force Discharge Review Board.
2. Discharge Correspondence.
3. Certificates of Training.
4. Certificates of Appreciation.
5. Certificate of Training.
6. Certificates and Letters of Appreciation.
7. Character Statements.

14NOV03/ia



DEPARTMENT OF THE AIR FORCE
GEILENKIRCHEN NATO AIR BASE, GERMANY

25 NOV 02

MEMORANDUM FOR A1C [REDACTED] NAEW&CF, NATO E-3A

FROM: TW, SFP/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for 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 or as under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).

2. My reasons for this action are as follows:

- a. Between on or about 26 Feb 02 and 17 Jun 02, you dishonorably failed to maintain sufficient funds in the [REDACTED] Bank for payment in full of 9 checks totaling \$3,058.96 upon their presentment for payment, as evidenced by the Article 15 punishment you received on 18 Oct 02.
- b. Between on or about 18 May 02 and 20 May 02, you failed to maintain sufficient funds in the [REDACTED] Credit Union Bank for payment in full of 3 checks totaling \$604.29 upon their presentment for payment, as evidenced by the Article 15 punishment you received on 18 Oct 02.
- c. Between on or about 6 Sep 01 and 15 Oct 01, you dishonorably failed to maintain sufficient funds in your account for payment in full for 4 checks totaling \$6,975.00 upon their presentment for payment, as evidenced by the Letter of Reprimand you received on 20 Dec 01.

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. I have made an appointment for you to consult Capt [REDACTED] Spangdahlem AB, GE on 26 Nov 02 at 0830. This has been scheduled as a phone consultation. The phone number is DSN 452-6607 or commercial 06565 61 6607. 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 1200 hours on 28 NOV 2002, 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 two medical examinations. You must report to 470 ABS/SGOAF (Physical Exams) on 26 Nov 02 at 1300 hours. Your second appointment is on 27 Nov 02 at 0745 hours.

8. Any personal information that 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 NSU Customer Service as well as in the Area Defense Counsel's office.


Lt Colonel, USAF
Commander/Aircrew Training Squadron and
US Senior Focal Point, Training Wing

7 Attachments:

1. Article 15, 18 Oct 02
2. Evidence (18 pages)
3. LOR, 20 Dec 01
4. Thirty Day Suspension of check cashing privileges, 20 Aug 01
5. AAFES account history (7 pages)
6. Member's Acknowledgment of Receipt
of Notification Memorandum
7. EPRs
8. Member's Response