

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ████████████████████		GRADE AB	AFSN/SSAN ████████████████			
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES A94.05	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			
			COUNSEL'S RELEASE TO THE BOARD			
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
			TAPE RECORDING OF PERSONAL APPEARANCE			
HEARING DATE 13 Jan 2004	CASE NUMBER FD-2003-00399					
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
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						
INDORSEMENT				DATE: 01/12/2004		
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			

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2003-00399

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 available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of Discharge is denied.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received two Article 15s and a Letter of Reprimand. The first Article 15 was for willfully failing to remain alert while posted outside of the Weapons Storage Area. The second one was for DWI, derelict in her duties by drinking underage and driving after her privileges were suspended. The LOR was for driving under the influence of alcohol. Applicant states that she told her commander that she had a drinking problem and that he did nothing about it. The records indicate the applicant completed ADAP on 25 May 01. The applicant also states that she was young and immature at the time of her misconduct. The DRB recognized the applicant was 20 years of age when the discharge took place. However, there is no evidence she was immature or did not know right from wrong. The Board opined the applicant was older than the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. The DRB concluded that the characterization of the applicant's discharge was appropriate due to the misconduct.

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 1 May 02 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 18 Sep 81. Enlmt Age: 18 9/12. Disch Age: 20 7/12. Educ: HS DIPL. AFQT: N/A. A-48, E-22, G-36, M-26. PAFSC: 3P031 - Security Forces Apprentice. DAS: 16 Feb 01.

b. Prior Sv: (1) AFRes 13 Jul 00 - 19 Sep 00 (2 months 7 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 20 Sep 00 for 4 yrs. Svd: 1 Yrs 7 Mo 12 Das, all AMS.

b. Grade Status: AB - 8 Aug 01 (Article 15, 8 Aug 01)
AMN - 20 Mar 01

c. Time Lost: None.

d. Art 15's: (1) 21 Feb 02, F.E. Warren AFB, WY - Article 92. You, who knew of your duties, on or about 20 Jan 02, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic or malt beverages while under the age of twenty-one, as it was your duty to do. You, who knew of your duties, on or about 20 Jan 02, were derelict in the performance of those duties in that you willfully failed to refrain from driving on F.E. Warren AFB after your base driving privileges were revoked, as it was your duty to do. Article 111. You did, on or about 20 Jan 02, in the parking lot of Building 228, operate a vehicle, to wit: a passenger car, while drunk. Forfeiture of \$350.00 pay, and 30 days restriction. (No appeal) (No mitigation)

(2) 8 Aug 01, F.E. Warren AFB, WY - Article 92. You, who knew of your duties, on or about 18 Jul 01, were derelict in the performance of those duties in that you willfully failed to remain alert while posted outside of the Weapons Storage Area, as it was your duty to do. Reduction to AB and 30 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 6 JUN 01 - Driving under the influence of alcohol.

f. CM: None.

g. Record of SV: 20 Sep 00 - 30 Mar 02 F.E. Warren AFB 1 (HAF Dir)REF

(Discharged from F.E. Warren AFB)

h. Awards & Decs: AFTR, SAEMR.

i. Stmt of Sv: TMS: (1) Yrs (9) Mos (19) Das

TAMS: (1) Yrs (7) Mos (12) Das

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

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. Character Reference.
3. Written Presentation in Response to Article 15 Action.
4. Evaluation Record.

30SEP03/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: Character Statement from [redacted]
- b. DOCUMENT 2: Response to Article 15
- c. DOCUMENT 3: my QC scores

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 would like to upgrade my discharge from a general under honorable conditions to an honorable discharge. It has been a year and 4 months since my discharge date and it is hard for me to find a good job because of the characteristics of my discharge. While in the Air Force I had a hard time adjusting to the military way of life. Most of the trouble (aside from sleeping on post) had to do with drinking. I told my Commander that I felt I had a drinking problem. However, he did nothing to help me. Lt Col [redacted] told me to call and make an appointment with mental health to get help. I was young and immature at the time which made it embarrassing to address help for myself. During my military career I visited mental health several times because of depression which I think led to drinking and trouble. Since then I have talked to a women's center representative about my drinking problem and I have improved a great deal. I'm 21 yrs old and I hardly ever go to the bar or drink. I have matured a lot since I left the military and I know that if my mind was in the State it is now I would have had a successful career in the Air Force. I have learned to deal with my problems in other ways besides drinking. When I got in trouble for sleeping on post, I don't feel it was my fault. I was a Security Forces member and at guardmount they ask anyone if they had enough sleep. I reported to my supervisor that I was unable to sleep, he said try to stick it out but if not he will have someone relieve me. I told him I couldn't but he never sent anyone. Please review my records and consider upgrading my discharge so that I may have a successful life.

- 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 Aug 13

b. SIGNATURE: [redacted]


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	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

My mom left my brother and I when I was 7 years old. We lived with my grandparents. I started drinking when I was 14 years old. My grandparents kept alcohol in the house all the time. My friends and I would sneak and drink it then fill the bottle with water. Over the years I developed a strong drinking habit. When I went to basic training Sept 19 2000 I was relieved. The little freedom we had made me stop drinking and I felt great!

In February 2001 I was sent to Ft Warren Air Force Base. Things started going downhill from there. My first day at my new post a SMSgt looked me straight in the eye and said your not going to make it. I gave him no reason to say that. I was early, uniform ironed to perfection, and I could see my face in my boots. What came from a senior NCO hurt my spirits. Made me want to prove to him I could be a positive asset to the Air Force. I still apologize for being irresponsible. My mind was not strong enough to oversee the negative and stay focused. I felt sorry for my self and that led to unsatisfactory performance.

I have matured so much that I know I could've made it. I've had verbal counseling for my drinking. I no longer crave a drink. Please consider upgrading my discharge. R.P





DEPARTMENT OF THE AIR FORCE
90TH SPACE WING (AFSPC)

APR 10 2002

MEMORANDUM FOR AB [REDACTED]

FROM: 90 SFS/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 and AFI 36-3208, paragraph 5.50.2. 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 action are:

a. You, who knew of your duties at or near Francis E. Warren Air Force Base, on or about 20 Jan 02, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic or malt beverages while under the age of twenty-one, as it was your duty to do. For the offenses, in paragraphs a-c, you were punished under Article 15, UCMJ, 21 Feb 02. Punishment consisted of forfeiture of \$350.00 pay and restriction to Francis E. Warren Air Force Base, Wyoming, for thirty days. This action was placed in your Unfavorable Information File (UIF).

b. You, who knew of your duties at or near Francis E. Warren Air Force Base, Wyoming, on or about 20 Jan 02, were derelict in the performance of those duties in that you willfully failed to refrain from driving your vehicle on Francis E. Warren Air Force Base after your base driving privileges were revoked, as it was your duty to do. For the offenses, in paragraphs a-c, you were punished under Article 15, UCMJ, 21 Feb 02. Punishment consisted of forfeiture of \$350.00 pay and restriction to Francis E. Warren Air Force Base, Wyoming, for thirty days. This action was placed in your UIF.

c. You did, at or near Francis E. Warren Air Force Base, Wyoming, on or about 20 Jan 02, in the parking lot of Bldg 228, operate a vehicle, to wit: a passenger car, while drunk. For the offenses, in paragraphs a-c, you were punished under Article 15, UCMJ, 21 Feb 02. Punishment consisted of forfeiture of \$350.00 pay and restriction to Francis E. Warren Air Force Base, Wyoming, for thirty days. This action was placed in your UIF.

d. You, who knew of your duties at or near Francis E. Warren Air Force Base, Wyoming, on or about 18 Jul 01, were derelict in the performance of those duties in that you willfully failed to remain alert while posted outside of the Weapons Storage Area, as it was your duty to do. For this offense, you were punished under Article 15, UCMJ, 8 Aug 01. Punishment consisted of reduction to the rank of airman basic and thirty days extra duty. This action was placed in your UIF.

e. You did, at or near I-25 and Vine Street, Ft. Collins, Colorado on or about 10 May 01, operate a motor vehicle while under the influence of alcohol, cited for minor in possession, and driving on a suspended drivers license. For this offense, you received a Letter of Reprimand (LOR), dated 6 Jun 01. This established your UIF.

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 with an attorney at the Area Defense Counsel's Office at Building 292, extension 3248, on 12 APR 02 at 1400. 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 workdays after receipt of the notification memorandum, that date being APR 15 2002, unless you request and receive an extension for good cause shown. I will send any statements you submit to the separation authority for his consideration.

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 Physical Exams at 0730 hours, on APR 11 2002 for the 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 your Command Support Staff office.

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


Lt Col, USAF
Commander, 90th Security Forces Squadron

Attachments:

1. Article 15, dated 21 Feb 02
2. Article 15, dated 8 Aug 01
3. LOR, dated 6 Jun 01