

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ████████████████████		GRADE SRA	AFSN/SSAN ████████████████			
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No	NAME OF COUNSEL AND OR ORGANIZATION				
	X					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
		X*				
						X
						X
		X*				
		X*				
ISSUES A93.10	INDEX NUMBER A67.30	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 15 Jan 2004	CASE NUMBER FD-2003-00418					
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.						
* Change the Reason and Authority to Secretarial Authority.						
INDORSEMENT			DATE: 01/15/2004			
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-2003-00418

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: The Board grants the requested relief.

The Board finds that neither the evidence of record nor that provided by applicant substantiates an impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's reason and authority for discharge inequitable.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15 for assault, disorderly conduct, and destruction of property. The applicant states that she hit the other member out of self-defense. Although the member waived her Administrative Board in return for a General discharge, the majority of the DRB members thought the applicant served satisfactorily during her 12 years 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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge and the reason for the discharge is more accurately described as secretarial authority under the provisions of Title 10, USC 1553.

Attachment:
Examiner's Brief

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

(Former SRA) (HGH SSGT)

1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF 20 Jul 90 UP AFR 39-10, para 5-49d (Misconduct - Commission of a Serious Offense). Appeals for Honorable Discharge.

2. BACKGROUND:

a. DOB: 23 Jan 60. Enlmt Age: 17 8/12. Disch Age: 30 5/12. Educ: HS DIPL. AFQT: N/A. A-69, E-48, G-96, M-22. PAFSC: 55370 - Engineering Assistant Technician. DAS: 14 Dec 89.

b. Prior Sv: (1) AFRes 20 Oct 77 - 20 Nov 77 (1 month 1 day) (Inactive).

(2) Enlisted as AB 21 Nov 77 for 4 yrs. Reenlisted as SRA 28 May 81 for 5 yrs. Svd: 7 yrs 6 months 6 days, all AMS. AMN - Unknown. A1C-(APR Indicates): 21 Nov 77-20 Nov 78. SRA - 1 Aug 80. Sgt-(APR Indicates): 20 Jul 81-19 Jul 82. SSgt - 1 Feb 85. APRs: 9,7,8,9,9,9,9.

3. SERVICE UNDER REVIEW:

a. Reenlisted as SSgt 28 May 85 for 6 yrs. Svd: 5 Yrs 1 Mo 22 Das, all AMS.

b. Grade Status: SRA - 31 May 90 (Vacation of NCO status, AF Form 418).
SGT - 31 May 90 (Article 15, 31 May 90)

c. Time Lost: None.

d. Art 15's: (1) 31 May 90, Plattsburg AFB, NY - You, did, on or about 12 May 90, willfully and wrongfully damage by breaking the rear window and tearing the rear seat with an unknown object, a passenger vehicle, the amount of said damage being in the sum in excess of \$100.00, the property of TSgt [REDACTED] You, did, on or about 12 May 90, unlawfully strike TSgt [REDACTED] on the chest and legs with your hands and feet. You were, on or about 12 May 90, disorderly. Reduction to Sgt, and forfeiture of \$150.00 pay per month for two months. (Appeal/Denied) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV: 08 Apr 84 - 28 Jun 85 Kunsan AB 9 (Annual)

29 Jun 85 - 20 Dec 85	Kunsan AB	9	(CRO)
21 Dec 85 - 20 Dec 86	Anderson AFB	9	(Annual)
21 Dec 86 - 20 Dec 87	Anderson AFB	8	(Annual)
21 Dec 87 - 23 Dec 88	Malmstrom AFB	7	(Annual)
24 Dec 88 - 04 Dec 89	Malmstrom AFB	9	(CRO)
05 Dec 89 - 21 Apr 90	Plattsburg AFB	4	(CRO)

(Discharged from Plattsburg AFB)

h. Awards & Decs: AFCM, AFGCM W/3 OLCS, NCOPMER, AFLSAR W/2 OLCS, AFOSLTR, AFOSSTR, AFTR, AFOUA.

i. Stmt of Sv: TMS: (12) Yrs (9) Mos (1) Das
TAMS: (12) Yrs (8) Mos (0) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 25 Aug 03.
(Change Discharge to Honorable)

Issue 1: I am requesting that my discharge from the USAF be upgraded from a General under Honorable Conditions to an Honorable Discharge.

In the twelve years I served in the Air Force, I was stationed at numerous assignments including a 6 month voluntary TDY to Soto Cano AB, Honduras and a 6 week TDY to provide earthquake assistance at Lajes Field in the Azores. I was awarded the Air Force Commendation Medal for Outstanding Service at Kunsan AB, Korea. I also served as secretary for the Base and Squadron Advisory Councils at every duty station. I also was appointed as the COMSEC/OPSEC NCO and the Squadron Training NCO.

During the twelve years I served I experienced some very personal tragedies that affected me greatly and caused undo stress in my personal and professional life. This included physical abuse, two divorces and the death of one of my children. At the time of my discharge I was attempting to deal with the pregnancy of my teenage daughter.

I am requesting that a through (sic) review be performed on all my personnel and medical records that can substantiate everything I have indicated. I thank you very much for your consideration.

ATCH
None.

22SEP03/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 380TH BOMBARDMENT WING (M) (SAC)
PLATTSBURGH AIR FORCE BASE, NEW YORK 12903-5000



15 JUN 1990

REPLY TO: 380 CES/CC
ATTN. OF:

SUBJECT: Notification Letter- Board Hearing

TO: SrA [REDACTED] 380 CES

1. I am recommending your discharge from the United States Air Force for the commission of a serious offense according to AFR 39-10, under the provisions of paragraph 5-49d. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are:

a. In that you, did, at Plattsburgh Air Force Base, New York, on or about 12 May 90, willfully and wrongfully damage by breaking the rear window and tearing the rear seat with an unknown object, a passenger vehicle, the amount of said damage being in the sum in excess of \$100.00, the property of Technical Sergeant [REDACTED] for which you received an Article 15 and a vacation of your NCO status, both dated 31 May 90.

b. In that you, did, at Plattsburgh Air Force Base, New York, on or about 12 May 1990, unlawfully strike Technical Sergeant [REDACTED] on the chest and legs with your hands and feet, for which you received an Article 15 and a vacation of your NCO status, both dated 31 May 90.

c. In that you, were, at Plattsburgh Air Force Base, New York, on or about 12 May 1990, disorderly, for which you received an Article 15 and a vacation of your NCO status, both dated 31 May 90.

3. This action could result in your separation with an under other than honorable conditions discharge. I am recommending that you receive an under other than honorable conditions discharge. The commander exercising SPCM jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force.

4. You have the right to:

- a. Consult legal counsel.
- b. Present your case to an administrative discharge board.
- c. Be represented by counsel at a board hearing.

d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.

e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

