

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

|  |  |                                     |  |  |     |  |       |
|--|--|-------------------------------------|--|--|-----|--|-------|
| NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)<br><div style="background-color: black; width: 100%; height: 15px;"></div> |  |                                     |  | GRADE<br>AMN   |     | AFSN/SSAN<br><div style="background-color: black; width: 100%; height: 15px;"></div> |       |
| TYPE GEN   |  | PERSONAL APPEARANCE                 |  | X  |     | RECORD REVIEW  |       |
| COUNSEL<br>YES      NO<br><div style="background-color: black; width: 100%; height: 15px;"></div>                              |  | NAME OF COUNSEL AND OR ORGANIZATION |  | ADDRESS AND OR ORGANIZATION OF COUNSEL                       |     |  |       |
| MEMBER SITTING   |  |                                     |  | VOTE OF THE BOARD  |     |  |       |
| <div style="background-color: black; width: 100%; height: 15px;"></div>  |  |                                     |  | HON  | GEN | UOTHC  | OTHER |
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| ISSUES      A93.10      INDEX NUMBER      A67.10<br>A01.02   |  |                                     |  | 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 |     |  |       |
| HEARING DATE      03 Aug 2004  |  |                                     |  | CASE NUMBER      FD-2004-00138                               |     |  |       |
| TAPE RECORDING OF PERSONAL APPEARANCE  |  |                                     |  |  |     |  |       |

APPLICANT' S ISSUE AND THE BOARD' S DECISIONAL RATIONAL 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.

\* Secretarial Authority

|  |  |  |  |
|--|--|--|--|
| SIGNATURE OF RECORDER<br><div style="background-color: black; width: 100%; height: 15px;"></div> |  | SIGNATURE OF BOARD PRESIDENT<br><div style="background-color: black; width: 100%; height: 15px;"></div>  |  |
| INDORSEMENT  |  | DATE: 8/3/2004   |  |
| TO:<br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742                    |  | FROM:<br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7002 |  |

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2004-00138**

**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.

Based upon the record and evidence provided by applicant, the Board finds the applicant's reason and authority for discharge improper.

**ISSUES:**

Issue 1. The applicant contends that her discharge was inequitable because her ability to serve was impaired due to martial/personal and psychiatric problems. Applicant was diagnosed with major depression, moderate and borderline personality disorder, and was placed on Prozac. Additionally, she filed bankruptcy, gained substantial weight and made continual visits to the Medical Group supporting the issue of personal problems.

Issue 2. The board found the applicant should have been afforded the opportunity to meet a dual-action board based on her medical history. The records indicated the applicant received two minor traffic tickets, one Record of Individual Counseling and five Letters of Reprimand, two of which were based on failures in the Weight Management Program. The minor disciplinary infractions may have been a result of her personal problems and because the medical history of the applicant was not addressed to the separation authority, the characterization of the discharge was found to be inappropriate.

**CONCLUSIONS:** The Board concludes because of the above stated impropriety the overall quality of the 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

[REDACTED] (Former AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch from Hurlburt FLD on 22 Apr 96 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 24 Feb 73. Enlmt Age: 20 4/12. Disch Age: 23 1/12. Educ: HS DIPL. AFQT: N/A. A-74, E-40, G-46, M-41. PAFSC: 3A031 - Information Management Apprentice. DAS: 27 May 94.

b. Prior Sv: (1) AFRes 22 Jul 93 - 13 Feb 94 (6 months 23 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 14 Feb 94 for 4 yrs. Svd: 2 Yrs 2 Mo 9 Das, all AMS.

b. Grade Status: AMN - 14 Aug 94

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 13 FEB 96 - Several uniform violations.  
LOR, 13 FEB 96 - Dereliction of duty.  
LOR, 12 FEB 96 - Unsatisfactory on the Weight Management Program.  
LOR, 12 JAN 96 - Unsatisfactory on the Weight Management Program.  
LOR, 29 MAR 96 - Late for work and illegal parking.  
RIC, 21 AUG 95 - Unsatisfactory performance.  
Traffic Ticket, 12 Apr 95 - Illegal parking.  
Traffic Ticket, 28 Feb 95 - Driving with expired tags.

f. CM: None.

g. Record of SV: 14 Feb 94 - 13 Oct 95 Hurlburt Field 3 (Initial)  
14 Oct 95 - 18 Mar 96 Hurlburt Field 1 (Cmdr Dir) REF

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (2) Yrs (9) Mos (1) Das  
TAMS: (2) Yrs (2) Mos (9) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 3 Apr 04.

(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Medical Records.
3. Divorce Decree.
4. Bankrupt Statement.
5. Character Statements and Certificate of Appreciation.
6. Responses to Discharge and Medical Documents to Support 1 Response.
7. Character References that Reference III Treatment.
8. Educational Degrees, Grades, and Awards.
9. Character References Since Discharge.
10. Recent Credit Report.
11. Paid Mortgage Statement.
12. Certificate of Good Standing For Company.

11JUN04/ia

4/7/2004

FROM: [REDACTED]

TO: SAF/MIBR  
550-C Street West, Suite 40  
Randolph AFB, TX 78150-4742

RE: APPLICATION FOR THE REVIEW OF DISCHARGE (RECORDS REVIEW)

This is a request to review the discharge of then [REDACTED] and to change the current General Discharge to an Honorable Discharge. Enclosed you will find supporting documentation that will reflect unstable mental health due to a husband that physically and emotionally battered me to the point of psychiatric medication and help. Compounded by the poor treatment I received by my supervisor at CES, you'll see how my emotional status was sent into a downward spiral of physical and emotional ailments. At time of discharge I was almost 50 pounds overweight, financially bankrupt and on psychiatric medication.

If placed in a proper environment I would have then excelled in the military. As proof are my successes after discharge, which include home and business ownership, 2 Associate Degrees, 1 Bachelor Degree and many awards of achievement and recognition.

I thank you greatly for your time and effort on this matter.

Much Appreciation,  
[REDACTED]

...Continuation

I must also add, though I have no proof, I firmly believe that I was recommended for discharge because I was on the military weight program for a year and was to be considered for physical disability due to my weight problem when given the recommendation for General Discharge on inflated charges. I can only show entrance into the military weight program, that is all my medical records contain, the records do not contain my regular weigh ins' up until my discharge. *Reference 7.*



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 16th SPECIAL OPERATIONS WING (AFSOC)

FD 2004-00138

MEMORANDUM FOR [REDACTED]

01 APR 1996

FROM: 16 CES/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct, more specifically for minor disciplinary infractions. The authority for this action is AFD 36-32 and AFI 36-3208, section H, paragraph 5.49. If my recommendation for discharge is approved, your service will be characterized as Honorable or General. I am recommending your service be characterized as General.

2. My reasons for this action are based on the following:

a. You were, on 28 Feb 95, driving on base with expired tags in violation of AFR 125-14, for which you received a ticket, as evidenced by DD Form 1408, dated 28 Feb 95.

b. You did, on 12 Apr 95, park in a reserve parking space, which you knew you were not authorized, for which you received a ticket, as evidenced by DD Form 1408, dated 12 Apr 95.

c. You were, on 21 Aug 95, counseled on your failure to meet expectations, standards, and follow orders, for which you received a letter of counseling (LOC), as evidenced by AF Form 174, dated 21 Aug 95.

d. You did, on 12 Feb 96, fail to follow proper procedures by failing to logout of the PCIII computer system as you knew it was your duty to do, for which you received a letter of reprimand (LOR), dated 13 Feb 96.

e. You did, on 12 Feb 96, fail to maintain proper uniform standards, by failing to wear all required items of the uniform and failing to have strips on your uniform, for which you received an LOR, dated 13 Feb 96.

f. You did, on 16 Feb 96, write a check to the Eglin Air Force Base Exchange in the amount of \$15.75 and failed to maintain sufficient funds to cover the check, as evidenced by AAFES Form 7200-75, and memo for record (MFR), dated 4 Mar 96.

g. You did, on 1 Mar 96, fail to go to your appointed place of duty and did lie to a superior NCO about your whereabouts, as evidenced by an MFR, dated 7 Mar 96.

h. You did, on 4 Mar 96, fail to report to your appointed place of duty at the time prescribed, by reporting over one hour late, and failed to follow proper uniform standards by not having a cover when walking from the parking lot to your appointed place of duty, as evidenced by MFR, dated 7 Mar 96.

i. You did, on 7 Mar 96, fail to report to your appointed place of duty at the time prescribed, by reporting for duty 20 minutes late, and wrongfully parking in an unauthorized parking spot, as evidenced by MFR, dated 7 Mar 96, for which you received an LOR, dated 29 Mar 96.

4. 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. If you are discharged, you will be ineligible for reenlistment in the Air Force.

5. 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 [REDACTED] Hurlburt Field, FL, Bldg 90042, on 3 Apr 96 at 0815 hours. You may consult civilian counsel at your own expense.

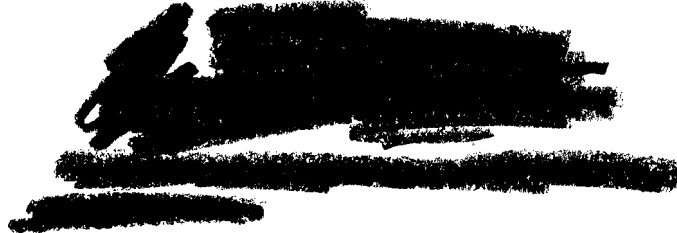
6. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me within 3 work days unless you request and receive an extension for good cause shown. I will send them to the separation authority.

7. 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.



8. You are scheduled for a medical examination and you should report to the Hurlburt Clinic at 1420 hrs on 2 Apr 96 for the examination.

9. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement of 1974. A copy of AFI 36-3208 is available for your use at the unit orderly room.



Attachments:

Supporting documents--for the reason of discharge

1. DD Form 1408, dtd 28 Feb 95
2. DD Form 1408, dtd 12 Apr 95
3. AF Form 174, dtd 21 Aug 95
4. LOR, dtd 13 Feb 96
5. LOR, dtd 13 Feb 96
6. AAFES Form 7200-75, dtd 23 Feb 96
7. MFR, dtd 4 Mar 96
8. MFR, dtd 7 Mar 96
9. MFR, dtd 7 Mar 96
10. MFR, dtd 7 Mar 96
11. LOR, dtd 29 Mar 96

Documents containing derogatory information--which are not listed in the notification memorandum

12. AF Form 393, dtd 20 Apr 95
13. LOR, dtd 12 Jan 96
14. LOR, dtd 12 Feb 96
15. AF Form 1058, dtd 15 Feb 95
16. AF Form 108, dtd 20 Apr 95
17. AF Form 1137, undtd
18. Amn's Receipt of Not. Memo.