

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ████████████████████		GRADE A1C	AFSN/SSAN ██████████
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TYPE GEN	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		

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOHC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES <b>A94.53</b>	INDEX NUMBER <b>A67.10</b>	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 <b>12 Aug 2004</b>	CASE NUMBER <b>FD-2004-00188</b>
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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.

*[Handwritten Signature]*

INDORSEMENT		DATE: 8/12/2004
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-2004-00188

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

The applicant was offered a personal appearance before the Discharge Review Board 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.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any.

**ISSUES.** Applicant was discharged for dishonorable failure to pay just debts. She had a Record of Individual Counseling, a Letter of Reprimand, two Articles 15, and a vacation of suspended punishment. Her misconduct included numerous instances of writing worthless checks and failure to pay the resultant debts to various businesses, including the Army Air Force Exchange Service and Defense Commissary Agency. She also misused her government travel card for personal purposes. These incidents of misconduct occurred during the period February 2000 to March 2002. At the time of the discharge, applicant consulted counsel and submitted a statement in her own behalf, admitting her misconduct but also noting she had made improvements in her financial situation. She also noted several instances of exemplary performance and asked that those be taken into consideration. The Board noted that member was responsible for her actions of misconduct and was held accountable for those. She was counseled repeatedly and given numerous opportunities to improve her behavior but failed to respond to those rehabilitative efforts. No inequity or impropriety was found in this discharge in the course of the records review.

**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

(Former A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Scott AFB, IL on 10 May 02 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 3 Sep 74. Enlmt Age: 21 10/12. Disch Age: 27 8/12. Educ: HS DIPL. AFQT: N/A. A-50, E-27, G-50, M-31. PAFSC: 2S051 - Supply Management Journeyman. DAS: 13 Jan 00.

b. Prior Sv: (1) AFRes 18 Jul 96 - 27 Aug 96 (1 month 10 days) (Inactive).

(2) Enlisted as AB 28 Aug 96 for 4 yrs. Svd: 4 yrs 3 months 19 days, all AMS. AMN - 28 Feb 97. A1C - 28 Dec 97. SrA - 28 Aug 99. EPRs: 5,5,4.

3. **SERVICE UNDER REVIEW:**

a. Enlisted as SrA 18 Dec 00 for 4 yrs. Svd: 1 Yrs 4 Mo 22 Das, all AMS.

b. Grade Status: A1C - 9 Nov 01 (Vacation of Article 15, 22 Feb 02)

c. Time Lost: None.

d. Art 15's: (1) 08 Apr 02, Scott AFB, IL - Article 123a. You, did, from on or about 19 Dec 01 to on or about 10 Mar 02, with intent to defraud and for the procurement of things of value, wrongfully and unlawfully make to the Defense Commissary Agency certain checks upon the Union Planters Bank in words and figures as follows, to wit: 19 Dec 01, Check #318, for \$134.03, 5 Jan 02, Check #319, for \$124.14, 10 Mar 02, Check #328, for \$52.08, then knowing that you, the maker thereof, did not or would not have sufficient funds in or credit with such bank for the payment of the said checks in full upon their presentment. Suspended reduction to Airman. Suspended forfeiture of \$100.00 pay per month for two months, and a reprimand. (No appeal) (No mitigation)

(2) 22 Feb 02, Vacation, Scott AFB, IL - Article 134. You, being indebted to the Child Development Center in the sum of \$164.00, which amount became due and payable on or about 25 Jan 02, did, on or about 25 Jan 02, dishonorably fail to pay said debt. Reduction to A1C. (No appeal) (No mitigation)

(3) 09 Nov 01, Scott AFB, IL - Article 134. You, did, on or about 23 Sep 01, make and utter to the Defense Commissary Agency, a certain check, in words and figures as follows, to wit: one hundred and forty-two dollars and seventy eight cents (\$142.78), in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in the Union Planters Bank for payment of such check in full upon its presentment for payment. Article 123a. You, did, from on or about 14 May 00 to on or about 23 Sep 01, with intent to defraud and for the procurement of things of value, wrongfully and unlawfully make to the Defense Commissary Agency, certain checks upon the Travis Credit Union, Scott Credit Union, and Union Planters Bank in words and figures, 14 checks totaling \$808.28, then knowing that you, the maker thereof, did not or would not have sufficient funds in or credit with such banks for the payment of the said checks in full upon their presentment. Suspended to A1C, 10 days extra duty, and a reprimand. (No appeal) (No mitigation)

e. Additional: RIC, 09 AUG 01 - Financial irresponsibility.  
LOR, 25 SEP 00 - Misuse of government credit card.

f. CM: None.

g. Record of SV: 31 Dec 99 - 30 Dec 00 Scott AFB 4 (Annual)

h. Awards & Decs: AFOUA, AFOEA, AFGCM, AFLSAR, AFTR.

i. Stmt of Sv: TMS: (5) Yrs (9) Mos (23) Das  
TAMS: (5) Yrs (8) Mos (13) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 29 Mar 04.  
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

**ATCH**  
None.

25JUN04/ia

17 APR 2002

MEMORANDUM FOR AIC [REDACTED], AMCRSS, [REDACTED]

FROM: AMCRSS/CC

SUBJECT: Notification Letter

1. I am recommending your discharge from the United States Air Force for Minor Disciplinary Infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation for discharge is approved, your service will be characterized as honorable, general or under other than honorable conditions (UOTHC). I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. You, did, at or near Scott Air Force Base, Illinois, from on or about 19 December 2001 to on or about 10 March 2002, with intent to defraud and for the procurement of things of value, wrongfully and unlawfully make to the Defense Commissary Agency certain checks upon the Union Planters Bank in words and figures as follows, to wit:

Date	Check Number	Amount
19 Dec 2001	318	\$134.03
5 Jan 2002	319	\$124.14
10 Mar 2002	328	\$ 52.08

then knowing that you, the maker thereof, did not or would not have sufficient funds in or credit with such bank for the payment of the said checks in full upon their presentment. For this offense, you received non-judicial punishment, dated 8 Apr 02 (Atch 1/A).

b. You, being indebted to the Child Development Center in the sum of \$164.00, which amount became due and payable on or about 25 January 2002, did at or near Scott Air Force Base, Illinois, on or about 25 January 2002, dishonorably fail to pay said debt. For this offense, your suspended punishment from your previous non-judicial punishment was vacated, dated 22 Feb 02 (Atch 1/B).

c. You, did, at or near Scott Air Force Base, Illinois, on or about 23 September 2001, make and utter to the Defense Commissary Agency, a certain check, in words and figures as follows, to wit: one hundred and forty-two dollars and seventy eight cents (\$142.78), in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in the Union Planters Bank for payment of such check in full upon its presentment for payment.

d. You, did, at or near Scott Air Force Base, Illinois, from on or about 14 May 2000 to on or about 23 September 2001, with intent to defraud and for the procurement of things of value, wrongfully and unlawfully make, draw, and deliver, certain checks upon the Travis Credit Union, Scott Credit Union and Union Planters Bank in words and figures as follows, to wit:

Date	Check Number	Amount
14 May 2000	485	\$ 15.83 Travis Credit Union
16 November 2000	126	\$ 71.01 Scott Credit Union

3 February 2001	133	\$ 91.12 Scott Credit Union
3 April 2001	144	\$ 30.67 Scott Credit Union
22 April 2001	177	\$123.64 Scott Credit Union
23 April 2001	178	\$ 34.81 Scott Credit Union
21 May 2001	185	\$ 29.83 Scott Credit Union
21 May 2001	186	\$ 21.64 Scott Credit Union
21 May 2001	187	\$ 21.66 Scott Credit Union
19 July 2001	535	\$143.23 Travis Credit Union
3 July 2001	536	\$ 40.69 Travis Credit Union
5 July 2001	537	\$ 34.32 Travis Credit Union
4 August 2001	303	\$118.47 Union Planters Bank
25 August 2001	306	\$ 31.36 Union Planters Bank

then knowing that you, the maker thereof, did not or would not have sufficient funds in or credit with such banks for the payment of the said checks in full upon their presentment. For the offenses listed in paragraph 2c and 2d, you received non-judicial punishment dated 9 Nov 01 (Atch 1C).

e. You, did, at or near Scott Air Force Base, Illinois, on or about 18 July 2000, fail to maintain sufficient funds in your account to cover a check written to Defense Commissary Agency. For this offense you received a Record of Individual counseling, dated 9 Aug 01 which was inserted into your Unfavorable Information File, dated 30 Aug 01 (Atch 1/D).

f. You, who knew of your duty, at or near Scott Air Force Base, Illinois, from on or about 28 February 2000 to on or about 28 March 2000, were derelict in the performance of your duty in that you willfully misused your government provided credit card for personal reasons.

g. You, being indebted to Bank of America for the sum of about \$1,732.24 for your government credit card payment, did, at or near Scott Air Force Base, Illinois, from on or about 28 February 2000 to on or about 28 March 2000, dishonorably failed to pay said debt. For the offenses listed in 2f and 2g you received a Letter of Reprimand, dated 25 Sep 00 and an Unfavorable Information File was established, dated 25 Sept 00 (Atch 1/E).

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. If you are discharged, you will be ineligible for reenlistment in the Air Force; will probably be denied enlistment in any component of the armed forces and any special pay, bonus, or education assistance funds may be subject to recoupment.

4. You have the right to:

a. Consult Counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult with the Area Defense Counsel, Bldg 7, on 17 APR 2002 at 0900 hrs. Instead of the appointed counsel, you may have another, if the lawyer you requested is in the active duty military service and is reasonably available as determined by to AFI 51-201. You may consult civilian counsel at your own expense.

5. You will report to the Transportation Management Office (TMO), Outbound Assignments, to complete a Scott Air Force Base Form 241/Personal Property Appointment Sheet as soon as you receive your separation orders. That worksheet must be completed and returned to TMO within 5 days.
6. You will report before close of business tomorrow (or the next duty day) to Special Actions at Military Pay, Bldg P-10, room C201, to make arrangements concerning your military pay.
7. You must report to the 375<sup>th</sup> Medical Group, Physical Examinations Section with your medical records, as soon as possible after you receive this notification, for a review of your records. If necessary, they will schedule you for a doctor's appointment. Report to me that you have completed this task by 19 April 2002.
8. You will report immediately to the DEERS Office (Bldg P10) with your discharge package to surrender your Military Identification Card (ID) and the ID Cards of any dependents. You will be issued a temporary ID pending the 375 AW/CC decision on your discharge.
9. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me in seven duty days of your receipt of this memorandum unless you request and receive an extension for good cause shown. I will send them to the separation authority.
10. 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.
11. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFI 36-3208. A copy of AFI 36-3208 is available for your use in the squadron orderly room.
12. Execute the attached receipt of notification and return it to me immediately.



Col, USAF

Commander

Attachments:

1. Supporting Documents
2. Member's Receipt of Notification
3. RIP
4. EPRs