

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE <b>AIC</b>	AFSN/SSAN <b>[REDACTED]</b>			
TYPE GEN	PERSONAL APPEARANCE	<b>X</b>	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
NAME OF COUNSEL AND OR ORGANIZATION						
YES	No					
	<b>X</b>					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						<b>X</b>
		<b>X</b>				
						<b>X</b>
		<b>X</b>				
		<b>X</b>				
ISSUES <b>A94.06</b>		INDEX NUMBER <b>A67.10</b>		EXHIBITS SUBMITTED TO THE BOARD		
				<b>1</b>	ORDER APPOINTING THE BOARD	
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
				<b>3</b>	LETTER OF NOTIFICATION	
				<b>4</b>	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>05 Oct 2004</b>		CASE NUMBER <b>FD-2004-00198</b>				
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.						
INDORSEMENT						
TO:		FROM:				
SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742		SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002				

20/6/2004

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2004-00198**

**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.

**ISSUE:** Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received two Article 15s, one for abusing her government travel card and one for leaving her child at home alone. Even though the discharge was determined to have been otherwise equitable and proper at the time of issuance, the DRB determined that relief is warranted based upon consideration of the applicant's service record to include her service history and her efficiency ratings. Although the DRB did not condone the behavior of the applicant, when looking at the entire record and the years of service the applicant had, her discharge is more appropriately characterized as honorable.

**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.

However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected as Honorable 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 A1C) (HGH SRA)

MISSING MEDICAL RECORDS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Columbus AFB, MS on 25 Nov 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 10 Dec 76. Enlmt Age: 19 7/12. Disch Age: 26 11/12. Educ: HS DIPL. AFQT: N/A. A-50, E-32, G-39, M-24. PAFSC: 1C052 - Operations Resource Management Journeyman. DAS: 23 Sep 01.

b. Prior Sv: (1) AFRes 26 Jul 96 - 25 Mar 97 (7 months 28 days) (Inactive).

(2) Enlisted as AB 26 Mar 97 for 4 yrs. Svd: 3 yrs 1 month 22 days, all AMS. AMN - 26 Sep 97. A1C - 26 Jul 98. SrA - 26 Mar 00. EPRs: 3,4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 19 May 00 for 6 yrs. Svd: 3 Yrs 6 Mo 6 Das, all AMS.

b. Grade Status: A1C - 8 Oct 03 (Article 15, 8 Oct 03)

c. Time Lost: None.

d. Art 15's: (1) 8 Oct 03, Columbus AFB, MS - Article 134. You, did, on or about 18 Sep 03, wrongfully and recklessly engage in conduct, to wit: you left your autistic and mentally handicapped four-year old child at home unattended, conduct likely to cause death or serious bodily harm to [REDACTED] Reduction to A1C. (No appeal) (No mitigation)

(2) 5 Sep 02, Columbus AFB, MS - Article 92. You, who knew of your duties, from on or about 14 Dec 01 to on or about 8 Jul 02, were derelict in the performance of those duties in that you willfully used your government travel card for personal use, as it was your duty not to do, by making cash advances for personal use, and making personal purchases at Freds Discount, Kmart, Fillets Inc., Beauty Mark, Applebees, Victoria's Secret, Red Lobster, and Greyhound Lines. Suspended forfeiture of \$840.00 pay per month for 1 month. Forty five days restriction. (No appeal) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV:	21 Jan 00 - 16 Jul 00	Cannon AFB	5	(CRO)
	17 Jul 00 - 16 Jul 01	Cannon AFB	4	(Annual)
	17 Jul 01 - 16 Jul 02	Cannon AFB	4	(Annual)
	17 Jul 02 - 24 Jan 03	Columbus AFB	3	(CRO) REF

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

i. Stmt of Sv: TMS: (7) Yrs (4) Mos (0) Das  
TAMS: (6) Yrs (8) Mos (0) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 26 May 04.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Memo For Record, Report Child Neglect.
3. AF Form 3545, Incident Report.
4. Article 15, Page 1 of 3.
5. AF Form 1168.
6. Response to Notification of Discharge/Board Hearing.
7. Four Enlisted Performance Reports.
8. Certificate of Completion, Custody Education Workship.
9. Two Certificates of Training.
10. Certificate of Recognition.
11. DD Form 214.
12. Verifcation of Military Experience and Training.
13. College Transcript.
14. Letter of Recommendation.

11AUG04/ia

24 May 04

To Whom It May Concern:

I'm writing because I want you to hear what happened from the source and not just from what is written on paper? Yes, I did leave my son home alone for 5 minutes to go to the gym and sit in the sauna to shed a few inches off before weigh in. But what you don't know is that, I had just been informed that if I failed anymore weigh in that I would be put out of the military. I was living with that stress every day not barley eating because I'm the only one my son has to depend on. I had also been under so much stress, I was trying to get my son some help by applying to go to Kessler AFB, for the Exceptional Family Member Program. My son has Autism and Columbus AFB, just didn't have the facilities there to help him. I had been informed two days before the incident that my package was being put on hold until I get off the Weight Management Program. So now I living in a place where my son can't get any help unless I drive 3 hours away to Jackson, Mississippi, where there is a doctor there that can help him. I can't do that every week especially being an E-4, I don't have that kind of money. I was also in school part-time trying to get my degree in Business Administration. I was just under a lot of stress the day that the incident happened. I never looked at it like I was neglecting my child, I was just knocking the gym out of the way while he was sleeping. Sometimes being a single parent, you have to do the things you need to do while the children are sleeping. I raised my son up by myself with no help from anyone. I love my son more than any thing in this world. I wish I could take that day back every day, but I can't I

have to live with that. But what I can't live with is one person thinking that I am a bad mother or that I neglected my child. I know what I did was wrong and it will never happen again. I just think out of the 6 years and 8 months that I gave the military, I had more good things about me than bad. I was Superior Performer for 2 years in a row. I helped Cannon AFB get Outstanding in our ORI. There was so much that I accomplished being in the military, I just want to be able to accomplish the last thing that I need. I want to be able to finish school. I know that I messed up, but please don't take my dream away. Please upgrade my discharge to Honorable, so I can go to school and graduate like I intended to do when I joined the military. Please don't let one mistake destroy the rest of my life. Thank you for taking the time out to hear what I had to say!!!

Sincerely,





DEPARTMENT OF THE AIR FORCE  
50TH FLYING TRAINING SQUADRON  
COLUMBUS AFB, MISSISSIPPI

FD 2004-00198

MEMORANDUM FOR AIC [REDACTED]

OCT 20 2003

FROM: 50 FTS/CC

SUBJECT: Notification Memorandum --Board Hearing

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions. The authority for this action is AFPD 36-32, *Military Retirements and Separations* and 36-3208, *Administration of Military Justice*, paragraph 5.49. Copies of the documents to be forwarded to the separation authority to support this recommendation.
2. My reasons for this action are:
  - a. You, who knew of your duties at or near Columbus Air Force Base, Mississippi, from on or about 14 December 2001 to on or about 8 July 2002, were derelict in the performance of those duties in that you willfully used your government travel card for personal use, as it was your duty not to do, by making cash advances for personal use, and making personal purchases at Freds Discount, Kmart, Fillets Inc., Beauty Mark, Applebees, Victoria's Secret, Red Lobster, and Greyhound Lines. For your actions, you were given nonjudicial punishment. As a result of the nonjudicial punishment, you received a suspended forfeiture of \$840.00 pay per month for 1 month and restriction to Columbus Air Force Base, Mississippi for 45 days. (Atch 1)
  - b. You, did, at or near Columbus Air Force Base, Mississippi, on or about 18 September 2003, wrongfully and recklessly engage in conduct, to wit: you left your autistic and mentally handicapped four-year old child at home unattended, conduct likely to cause death or serious bodily harm to [REDACTED]. For your behavior, you received nonjudicial punishment. As a result of the nonjudicial punishment, you received a reduction to the grade of Airman First Class. (Atch 1)
3. This action could result in your separation with an Under Other Than Honorable Conditions (UOTHC) Discharge. I am recommending that you receive an Under Honorable Conditions (General) Discharge. The commander exercising special court-martial 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 United States Air Force and will probably be denied enlistment in any component of the armed forces.
4. You have the right to:
  - a. Consult legal counsel.
  - b. Present your case to an administrative discharge board.
  - c. Be represented by legal counsel at a board hearing.
  - d. Submit statements in your 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.
- 5. You have been scheduled for a medical examination. You must report to the Columbus AFB Clinic, Physical Exams Section at **1000** hours on **24 Oct 03** for the examination. **You must fast for the 12 hours preceding this appointment. If you wear glasses or contact lenses, please bring them to your appointment.**
- 6. You have the right to consult counsel. Military legal counsel has been obtained to assist you. Please consult the Area Defense Counsel at Keesler AFB at DSN 597-2429 or (228) 377-2429. Instead of the appointed counsel, you may have another, if the lawyer you request is on active duty and is reasonably available as determined by AFI 51-201, *Administration of Military Justice*. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to retaining civilian counsel. Civilian counsel, if employed, must be readily available.
- 7. Confer with your counsel and reply, in writing, within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.
- 8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of 36-3208 is available for your use at the unit personnel office.
- 9. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.
- 10. If you received advanced educational assistance, special pay, or bonuses, and have not completed the period of active duty you agreed to serve, you may be subject to recoupment.
- 11. Execute the attached acknowledgment and return it to me immediately.



\_\_\_\_\_, Lt Col, USAF  
Commander

- Attachments:
- 1. Supporting Documents
  - 2. Receipt of Notification Memorandum