

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100px; height: 15px;"></div>				GRADE <b>A1C</b>		AFSN/SSAN <div style="background-color: black; width: 100px; height: 15px;"></div>		
<b>TYPE GEN</b>		<b>PERSONAL APPEARANCE</b>		<b>X</b>		<b>RECORD REVIEW</b>		
<b>COUNSEL</b>		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No							
<b>X</b>								
<b>MEMBER SITTING</b>				<b>VOTE OF THE BOARD</b>				
				HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; width: 200px; height: 100px;"></div>								X
								X
								X
								X
								X
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A62.00</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b>				
				<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>10 Dec 2004</b>		CASE NUMBER <b>FD-2004-00354</b>						
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, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR								
<b>INDORSEMENT</b>					<b>DATE: 12/10/2004</b>			
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

FD-2004-00354

**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 Letters of Reprimand, one Letter of Admonishment, and one Record of Individual Counseling for being late for duty and failure to go. In addition, she knowingly made false representations in that she said that she had never experimented with, used, or possessed any illegal drug or narcotic when in fact, she had used LSD prior to her enlistment and failed to identify this at the time of her enlistment. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate.

**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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Fairchild AFB, WA on 10 Oct 02 UP AFI 36-3208, para 5.15 (Fraudulent Entry). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 12 May 82. Enlmt Age: 17 11/12. Disch Age: 20 4/12. Educ: HS DIPL. AFQT: N/A. A-39, E-46, G-42, M-33. PAFSC: 3M031 - Services Apprentice. DAS: 26 Dec 00.

b. Prior Sv: (1) AFRes 27 Apr 00 - 15 Aug 00 (3 months 20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 16 Aug 00 for 4 yrs. Svd: 2 Yrs 5 Mo 14 Das, all AMS.

b. Grade Status: A1C - 16 Dec 01  
AMN - 16 Feb 01

c. Time Lost: None.

d. Art 15's: None.

e. Additional: AF FORM 2030, 20 APR 00 - Knowingly make false representations that she had never experimented with, used, or possessed any illegal drug or narcotic.

LOR, 12 JUL 02 - Late for duty.

LOA, 11 JUN 02 - Late for duty.

LOR, 09 MAY 02 - Failure to go.

RIC, 05 APR 02 - Late to work.

f. CM: None.

g. Record of SV: 16 Aug 00 - 16 Apr 02 Fairchild AFB 4 (Initial)

h. Awards & Decs: AFEM, NDSM, AFTR.

i. Stmt of Sv: TMS: (2) Yrs (5) Mos (14) Das  
TAMS: (2) Yrs (1) Mos (25) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 16 Aug 04.  
(Change Discharge to Honorable)

Issue 1: My discharged (sic) was inequitable because it was based on what kind of person and what I did when I was in high school before I even thought about joining the Air Force. When I was enlisted I dedicated myself and gave 110%.

**ATCH**

1. AF Form 910, Enlisted Performance Report, Page 1.

28OCT04/ia



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 92D AIR REFUELING WING (AMC)  
FAIRCHILD AIR FORCE BASE WASHINGTON

FD 2004-00354

OCT 3 2002

MEMORANDUM FOR A1C [REDACTED] 92 SVS

FROM: 92 SVS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for fraudulent entry into the United States Air Force in accordance with AFPD 36-32 and AFI 36-3208, paragraph 5.15. If my recommendation is approved, your service will be characterized as honorable, general, or under other than honorable conditions. I recommend your service be characterized as general.

2. My reasons for this action are:

You did, at or near Seattle, Washington, on or about 20 April 2000, by means of knowingly false representations that you had never experimented with, used, or possessed any illegal drug or narcotic as declared on your USAF Drug and Alcohol Abuse Certificate, AF Form 2030, when in fact you experimented with lysergic acid diethylamide (LSD), procure yourself to be enlisted as an E-1 in the United States Air Force, and did thereafter, at or near Lackland Air Force Base, Texas, and Fairchild Air Force Base, Washington, receive pay under the enlistment so procured.

3. In addition to the basis forming your discharge, the following actions have been taken against you:

a. On or about 5 Apr 02, you failed to go to your appointed place of duty at the time prescribed. For this action, you received a Record of Individual counseling dated 5 Apr 02.

b. On or about 9 May 02, you failed to go to your appointed place of duty at the time prescribed. For this action, you received a Letter of Reprimand dated 9 May 02.

c. On or about 11 Jun 02, you failed to obey a lawful order and failed to go to your appointed place of duty at the time prescribed. For this action, you received a Letter of Admonishment dated 11 Jun 02.

d. On or about 9 Jul 02, you failed to go to your appointed place of duty at the time prescribed. For this action, you received a Letter of Reprimand dated 12 Jul 02.

4. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising Special Court-Martial 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.

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 Capt [REDACTED] Area Defense Counsel, 7-2918 for an appointment on 04 Oct 02 at 0800. 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 by 08 Oct 02/1300 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 with Family Practice on 7 Oct 02 at 1030 hrs. Report 30 minutes prior to your appointment to Physical Exams to complete a DD form 2697. Ensure that you complete this form prior to your appointment. Complete all follow up appointments.
9. 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 unit orderly room.
10. Execute the attached acknowledgment and return it to me immediately.



Lt Col, USAF  
Commander, 92 SVS

5 Attachments:

1. Report of Investigation dated 12 Aug 02 (55 pages)
2. Record of Individual Counseling dated 5 Apr 02 (2 pages)
3. Letter of Reprimand dated 9 May 02 (1 page)
4. Letter of Admonishment dated 11 Jun 02 (1 page)
5. Letter of Reprimand dated 12 Jul 02 (2 pages)