

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

(TIAL)

<b>TYPE GEN</b>		<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>				
<b>COUNSEL</b>		<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>					
<b>YES</b>	<b>No</b>							
	<b>X</b>							
<b>MEMBER SITTING</b>			<b>VOTE OF THE BOARD</b>					
			HON	GEN	UOTHC	OTHER	DENY	
							X	
							X	
							X	
							X	
<b>ISSUES</b> <b>A95.00</b>		<b>INDEX NUMBER</b> <b>A67.10</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				
<b>HEARING DATE</b>		<b>CASE NUMBER</b>						
<b>26 Apr 2005</b>		<b>FD-2004-00433</b>						
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE								
<p>Case heard at Washington, D.C.</p> <p>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</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>								
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">SIGNATURE OF RECORDER</div> <div style="width: 45%;">SIGNATURE OF BOARD PRESIDENT</div> </div>								
<b>INDORSEMENT</b>				<b>DATE: 4/26/2005</b>				
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742				<b>FROM:</b> 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-2004-00433
<p>GENERAL: The applicant appeals for upgrade of discharge to honorable.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p>FINDINGS: Upgrade of discharge is denied.</p> <p>The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.</p> <p>ISSUE: 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 that would justify a change of discharge. The records indicated the applicant received two Article 15s for making a false official statement and for disclosing information about an ongoing OSI investigation. In addition, she received three Letters of Reprimand and five Records of Individual Counseling for various misconduct. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. 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.</p> <p>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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	

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

[REDACTED]  
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Vandenberg AFB, CA on 11 Jul 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 7 Jun 81. Enlmt Age: 18 11/12. Disch Age: 22 1/12. Educ: HS DIPL. AFQT: N/A. A-61, E-47, G-44, M-29. PAFSC: 4Y031 - Dental Assistant Apprentice. DAS: 8 Feb 01.

b. Prior Sv: (1) AFRes 26 May 00 - 19 Sep 00 (3 months 24 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 20 Sep 00 for 4 yrs. Svd: 2 Yrs 9 Mo 22 Das, all AMS.

b. Grade Status: A1C - 20 Jan 02  
AMN - 20 Mar 01

c. Time Lost: None.

d. Art 15's: (1) 3 Jul 02, Vandenberg AFB, CA - Article 107. You did, on or about 3 Jun 02, with intent to deceive, make to [REDACTED] and [REDACTED] an official statement, to wit: that you needed to go to sick call because you had a hangover from drinking alcohol on 2 Jun 02, which statement was totally false and was then known by you to be so false. Suspended reduction to Airman. (No appeal) (No mitigation)

(2) 3 Aug 01, Vandenberg AFB, CA - Article 92. You, having knowledge of a lawful order issued by Special Agent [REDACTED] to not disclose any information that you were provided and/or information that you obtained from the interview with Special Agent [REDACTED] an order which it was your duty to obey, did, on or about 9 Jul 01, fail to obey the same by disclosing to other individuals information relating to the investigation. Suspended reduction to AB. Suspended forfeiture of \$200.00. Thirty days restriction. (No appeal) (No mitigation)

e. Additional: LOR, 29 MAY 03 - Failure to follow order or regulation, dereliction of duty, and AWOL.  
RIC, 05 SEP 02 - Failure to maintain government quarters,

and failure to follow a directive.  
RIC, 13 AUG 02 - Failure to follow a directive.  
LOR, 22 MAY 02 - Late for duty.  
LOR, 08 MAY 02 - Late for duty, and dereliction of duty.  
RIC, 27 MAR 02 - Financial irresponsibility.  
RIC, 22 OCT 01 - Dereliction of duty.  
RIC, 10 JUL 01 - Failure to inform supervisor of quarters  
status prior to leaving duty section.

f. CM: None.

g. Record of SV: 20 Sep 01 - 19 May 02 Vandenberg AFB 2 (Initial)REF

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (3) Yrs (1) Mos (16) Das  
TAMS: (2) Yrs (9) Mos (22) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 21 Oct 04.  
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH

None.

6JAN05/ia



DEPARTMENT OF THE AIR FORCE  
30TH SPACE WING (AFSPC)

PD 2004-00433

MEMORANDUM FOR A1C [REDACTED] 30 ADOS

16 Jun 03

FROM: 30 ADOS/CC

SUBJECT: Notification of Administrative Discharge Action Under AFI 36-3208

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 is approved, your discharge may be characterized as Under Honorable Conditions (General). I am recommending that your discharge be characterized as General.

2. My reasons for this action are:

a. On 9 May 01, you failed to inform supervisor of quarter status prior to leaving duty section. As a result, you received a record of individual counseling dated 10 Jul 01.

b. On 9 Jul 01 you were given a lawful order not to disclose any information provided and/or obtained from an interview with an OSI agent. You failed this order by disclosing to other individuals information relating to the investigation. As a result, you received nonjudicial punishment under Article 15, UCMJ dated 30 Jul 01. Punishment consisted of reduction to the grade of airman basic, suspended until 2 Feb 02, after which time it will be remitted without further action, unless sooner vacated. Forfeiture of \$200.00 pay per month for 2 months, suspended until 2 Feb 02, after which time will be remitted without further action, unless sooner vacated. Restriction to Vandenberg Air Force Base, CA for 30 days.

c. On 17 Oct 01, you were counseled for dereliction of duty. As a result, you received a record of individual counseling dated 22 Oct 01.

d. On 27 Mar 02 and 1 Apr 02, you were counseled for financial irresponsibility. As a result, you received a record of individual counseling dated 27 Mar 02.

e. On 3 May 02, you failed to report to duty as scheduled. An investigation revealed that you, without authority, failed to report at the prescribed time to the Guardian Challenge Hangar, a duty known to you at the time. As a result, you received a LOR dated 8 May 02.

f. On 22 May 02, you failed to report to duty as scheduled. As a result, you received a LOR dated 22 May 02.

g. On 3 Jun 02 you with intent to deceive, made a false statement. As a result, you received nonjudicial punishment under Article 15, UCMJ dated 13 Jun 02. Punishment consisted of

GUARDIANS OF THE HIGH FRONTIER

reduction to the grade of Airman suspended until 2 Jan 03, after which time it will be remitted without further action, unless sooner vacated.

h. On 12 Aug 02, you failed to follow a verbal directive. As a result, you received a record of individual counseling dated 13 Aug 02.

i. On 27 Aug 02, you failed to maintain her government quarters and follow a directive. As a result, you received a record of individual counseling dated 5 Sep 02.

j. On 22 May 03, you failed to perform Dental Charge of Quarter duties and Absent Without Leave (AWOL). As a result, you received a LOR dated 29 May 03.

3. 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 discharge action is approved, how you discharge will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force. Furthermore, any special pay, bonuses, or education assistance you have received may be subjected to recoupment.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. You are to contact Capt. [REDACTED] at the Area Defense Counsel, Building 8500; ext. 6-3627/28. You may consult civilian counsel at your own expense.

5. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me by 19 Jun 03 (3 duty days) unless you request and receive an extension for good cause shown. I will send them to the separation authority.

6. 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.

7. You have been scheduled for a medical examination. You will report to the Family Practice Clinic 30 MDG at 1245 hours on 16 Jun 03.

8. Any personal information you furnish in rebuttal to this action is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use at the office of the Area Defense Counsel, Building 8500.

9. Execute the attached acknowledgment and return it to me immediately.

[REDACTED]

[REDACTED] Lt Col, USAF  
Commander

Attachments:

1. AF Form 174, dtd 10 Jul 01
2. AF Form 3070, dtd 30 Jul 01
3. AF Form 174, dtd 22 Oct 01
3. AF Form 174, dtd 27 Mar 02
4. LOR, dtd 8 May 02
5. LOR, dtd 22 May 02
5. AF Form 3070, dtd 13 Jun 02
6. AF Form 174, dtd 13 Aug 02
7. AF Form 174, dtd 5 Sep 02
8. AF Form 1058, dtd 29 May 03
9. LOR, dtd 29 May 03