

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

(INITIAL)

TYPE GEN		PERSONAL APPEARANCE	X	RECORD REVIEW
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL	
YES	No			
	X			

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

ISSUES A93.17	INDEX NUMBER A67.70	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 10 Aug 2005	CASE NUMBER FD-2004-00506
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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.

Names and votes will be made available to the applicant at the applicant's request.

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INDORSEMENT		DATE: 8/10/2005
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-2004-00506

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.

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.

ISSUES:

Issue 1. The records indicated the applicant received an Article 15, two Letters of Reprimand, and a General court-martial conviction for drug abuse. 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.

Issue 2 applies to the applicant's post-service activities. The DRB was pleased to see that the applicant was doing well and has a good job. However, no inequity or impropriety in her discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized her term of service.

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 AB) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Travis AFB, CA on 23 Apr 96 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 12 Aug 75. Enlmt Age: 17 6/12. Disch Age: 20 8/12. Educ: HS DIPL. AFQT: N/A. A-54, E-52, G-45, M-62. PAFSC: 2A631C - Aerospace Propulsion Apprentice. DAS: 15 Apr 94.

b. Prior Sv: (1) AFRes 20 Feb 93 - 18 Nov 93 (9 months) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 19 Nov 93 for 4 yrs. Svd: 2 Yrs 5 Mo 4 Das, of which AMS is 1 year 6 months 25 days (excludes 10 months 10 days lost time).

b. Grade Status: AB - 6 Jun 96 (Article 15, 6 Jun 96)
Amn - 19 May 94

c. Time Lost: 14 Jun 95 thru 18 Apr 96 (10 months 10 days).

d. Art 15's: (1) 6 Jun 95, Travis AFB, CA - Article 111. You, did, on or about 24 May 95, operate a vehicle, to wit: a passenger car, while impaired by some drug. Reduction to AB. Sixty days restriction. (No appeal) (No mitigation)

e. Additional: LOR, 22 MAY 95 - Failure to go.
LOR, 17 MAR 95 - Unauthorized guest sleeping in dorm room and lying.

f. CM: General Court-Martial No.62 - 7 Aug 95.

CHARGE: Article 112a. Plea: Guilty. Finding: Guilty.

Specification: Did, on divers occasions, between on or about 3 Jan 95 and on or about 4 Jan 95, wrongfully use methamphetamine. Sentence adjudged on 14 Jun 95: Forfeiture of \$200.00 pay per month for twelve months, and confinement for 12 months.

g. Record of SV: None.

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

i. Stmt of Sv: TMS: (2) Yrs (3) Mos (24) Das
TAMS: (1) Yrs (6) Mos (25) Das

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

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

18FEB05/ia

To Whom it May Concern,

My name is [REDACTED] I joined the Air Force in November of 1993, and was discharged for misconduct in 1997. My experience during the time that I had served in the military was definitely enjoyable, however I wish I had treated it as such while I was enlisted. I regret my actions on a daily basis and have done such for 8 years. As a matter of fact, there's not a day that goes by that I don't reflect back on what I did, and I will forever and always feel shame and dishonor for my actions.

To explain the events that took place, in 1996, I had broken up with a boyfriend that I was truly in love with. The break up was really hard for me to deal with and I went into a depression. As a result of being depressed I had attempted suicide. Previous to my suicide attempt I had attended a base wide presentation on the suicide rate in the military hosted by the behavioral health unit. It was stated that most individual that were seen in the behavioral health unit for suicide or issues of depression were usually discharged. As a result, I felt as though I had no one to turn to or talk to of how I was feeling. All I knew at the time was I felt as though my whole world was coming down around me and there was nothing I could do to stop it, so I attempted suicide and failed. I was admitted to David Grant Medical Center at Travis Air Force Base where I was stationed, and released a few days later. Based on the information I received at the presentation, I was sure my career in the military was in ruins. That put me on a path of self-destruction to include numerous more suicide attempts and unfortunately an illegal use of drugs at a weekend party.

"The Air Force Office of Special Investigations" approached me following the weekend of the party and questioned me about another enlisted member on base involved in the illegal use of drugs, and it was at that time that I informed them of my actions the previous weekend. They conducted an investigation of myself and I was charged with illegal use. I underwent a general court martial in which I pled guilty to, and was sentenced to 12 months confinement, reduction in rank, and a \$1500.00 forfeiture. I was released from confinement 10 months later. Following my release I was administratively discharged with a general under honorable conditions discharge. Since my conviction in June of 1996 I have been free of drugs, stayed out of trouble with the law, and have held many job titles, and have been with my current employer for just over two years.

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I am a very patriotic person. Following the 9-11 attacks, I felt even more disgraced with myself and with my actions, because I was unable to go to Iraq and Afghanistan to fight for every value and belief that I hold to be true of this great nation in which so many other before me have sacrificed their life for so that I and everyone else in this country could have the freedom that we do. And for that I am truly sorry.

I have two young sons now, and it is my hope that when they get older they will feel as strongly as I do about this country, and join the military in order to defend the freedoms that we have today. Everyday I try to be a positive role model for my children. I always tell them of the importance of hard work and a good education in order to be successful in life. It is because of my quest of being a good role model for my children that I now come to you to ask for an upgrade in my discharge in hopes that they will never find out of my stupidity. For eight years I have felt disgrace from my father who is a decorated Vietnam Veteran, my mother who all her life struggled to raise me properly, and my country who I let down. I ask you to please not let me feel shame from my children also. As I stated before, I do truly regret what I did and apologize for my actions, and though I have learned, I will forever have to live with my mistakes and am reminded every time I turn on the news and hear an update on the war on terrorism. However I sincerely ask you to please approve my request for an upgrade in discharge.

Thank you for taking the time to read this letter. Your consideration is greatly appreciated.

Sincerely,





DEPARTMENT OF THE AIR FORCE
60TH COMPONENT REPAIR SQUADRON (AMC)

FD 2004-00506

22 SEP 1995

MEMORANDUM FOR AB [REDACTED]

FROM: 60 CRS/CC
360 Ragsdale St
Travis AFB CA 94535-2640

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Drug Abuse. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.54. If my recommendation is approved, your service will be characterized as honorable, general or under other than honorable conditions. I am recommending that your service be characterized as general.
2. The basis on which I am initiating this action is on 14 Jun 95, you received a conviction by general court-martial at Travis Air Force Base, California, for wrongfully using methamphetamine on or about 3 Jan 95 and on or about 4 Jan 95. Sentence adjudged on 14 Jun 95 was 12 months confinement and forfeiture of \$200 pay per month for 12 months.
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.
4. 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 Captain [REDACTED] Area Defense Counsel, McClellan AFB, California, DSN 633-5153 by telephone conference. Report to Bldg 6002, ADC Office, Edwards AFB, California, on 26 Sep 95 at 1000 hours for the appointment. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by (three work days from service of this letter) 217 SEP 1995, no later than 1600 hours

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. Report to 95 AMDS/SGPS, Bldg 3925, Edwards Air Force Base, California, 25 Sep 95 at 0800 for a medical examination.

8. 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 the orderly room.

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



Commander, Major, USAF

Attachments:

1. GCMO No. 62
2. Other Derogatory Data:
 - a. Article 15/UIF, 6 Jun 95 w/4 Atchs
 - b. LOR, 22 May 95; UIF, 26 May 95
 - c. LOR/UIF, 17 Mar 95