

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 A94.05		INDEX NUMBER A67.10 A42.00			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		CASE NUMBER							
08 Sep 2005		FD-2005-00101							
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>									
INDORSEMENT					DATE: 9/9/2005				
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-2005-00101

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.

ISSUE: The applicant was discharged with a general discharge for adjustment and personality disorder and misconduct--minor disciplinary infractions. Applicant contends discharge was (unsatisfying) inequitable because the military is much to blame for her mental instability and mental anguish. The records indicated the applicant received two Article 15s, one Letter of Reprimand, two Letters of Counseling, one Record of Individual Counseling, a verbal counseling, and one Letter of Admonishment for misconduct. Her misconduct included three traffic tickets, leaving dorm room while on 24-hours quarters twice, failure to maintain quarters, financial irresponsibility, failure to go, not returning to and remaining in the dormitory by 2200 hours on the nights before a duty day, and drunk and disorderly. The DRB opined that through the 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.

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]
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Travis AFB, CA on 27 Mar 97 UP AFI 36-3208, paragraphs 5.11.1 & 5.49 (Adjustment and Personality Disorder and Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 14 Feb 75. Enlmt Age: 18 5/12. Disch Age: 22 1/12. Educ: HS DIPL. AFQT: N/A. A-54, E-46, G-50, M-29. PAFSC: 4P031 - Pharmacy Apprentice. DAS: 1 Jun 94.

b. Prior Sv: (1) AFRes 28 Jul 93 - 22 Nov 93 (3 months 26 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 23 Nov 93 for 4 yrs. Svd: 3 Yrs 4 Mo 5 Das, all AMS.

b. Grade Status: A1C - 23 Sep 95
AMN - 23 Nov 94

c. Time Lost: None.

d. Art 15's: (1) 6 Feb 97, Travis AFB, CA - Article 134. You were, on or about 21 Jan 97, drunk and disorderly. Suspended reduction to Airman. Forfeiture of \$50.00 pay per month for two months, and 30 days extra duty. (No appeal) (No mitigation)

(2) 2 May 94, Sheppard AFB, TX - Article 92. You did, on or about 19 Apr 94, violate a lawful general regulation, to wit: 2.13, Sheppard Training Wing Regulation 52-1, dated 1 Oct 93, by not returning to and remaining in the dormitory by 2200 on nights before a duty day. Article 86. You, did, on or about 19 Apr 94, without authority, fail to go at the time prescribed to your appointed place of duty. Seven days restriction, and 7 days extra duty. (No appeal) (No mitigation)

e. Additional: LOC, 12 DEC 95 - Traffic ticket for speeding.
LOC, 30 AUG 95 - Failure to maintain quarters and financial irresponsibility.
RIC, 15 AUG 95 - Financial irresponsibility.
VBC, 07 JUL 95 - Traffic ticket for driving with an expired vehicle registration.
LOR, 02 JUN 95 - Leaving dorm room while on 24 hours

quarters.

LOA, 06 JAN 95 - Traffic ticket for failing to yield the right of way.

f. CM: None.

g. Record of SV: 23 Nov 93 - 23 Jul 95 Travis AFB 3 (Initial)
24 Jul 95 - 23 Jul 96 Travis AFB 3 (Annual)

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

i. Stmt of Sv: TMS: (3) Yrs (7) Mos (28) Das
TAMS: (3) Yrs (4) Mos (5) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 17 Feb 05.
(Change Discharge to Honorable)

Issue 1: My discharge is unsatisfying, and the nature of that title is due to my treatment while on active duty status. I am at 30% disability service connected because the decision was based on my disability and misconduct it was further concluded it was not solely myself to blame for my displeasing titled discharge. I have been treated and hospitalized, due to my flashbacks I suffered while in active duty. I request that before a decision is made it is completely researched the real true reason why I acted out of character and took matters upon myself which lead to my General discharge. I request to have my title of Honorable discharge, being the fact that the military is much to blame for my mental instability and mental anguish.

ATCH

1. Copy of Service Medical Records.

21APR05/ia



DEPARTMENT OF THE AIR FORCE
60TH MEDICAL SUPPORT SQUADRON (AMC)

FD2005-00101

U.S. AIR FORCE



1947 - 1997

04 MAR 1997

MEMORANDUM FOR [REDACTED]

FROM: 60 MDSS/CC
101 Bodin Circle
Travis AFB CA 94535-1800

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Conditions that Interfere with Military Service, Mental Disorders (Adjustment and Personality Disorders) and Misconduct, Minor Disciplinary Infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraphs 5.11.1 and 5.49, respectively. 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 honorable.

2. My reasons for this action are:

a. You did, at Sheppard Air Force Base, Texas, on or about 19 Apr 94, violate a lawful general regulation, to wit: paragraph 2.13, Sheppard Training Wing Regulation 52-1, dated 1 Oct 93, by not returning to and remaining in the dormitory by 2200 on nights before a duty day, in violation of Article 92, UCMJ. Further, you did, at Sheppard Air Force Base, Texas, on or about 19 Apr 94, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Bldg 502, Student Assignments Briefing, in violation of Article 86, UCMJ. For this offense, you received an Article 15 dated 2 May 94, with punishment of 7 days extra duty and 7 days restriction to the limits of Sheppard AFB (Atch 1, Tab 1)

b. You did, on or about 30 Nov 94, fail to yield the right of way as evidenced by DD Form 1408 (Armed Forces Traffic Ticket), resulting in a letter of admonishment (LOA) on 6 Jan 95 (Atch 2, Tab 1).

c. You did, on or about 26 May 95, while on 24-hours quarters, leave your dorm room at 0900 and was unaccounted for until 1435. You were given a letter of counseling on 11 May 95 for a similar incident. For this action, you received a letter of reprimand (LOR) dated 2 Jun 95 (Atch 3, Tab 1).

d. You did, on or about 10 Jun 95, drive your privately-owned vehicle (POV) with an expired car registration as evidenced by DD Form 1408, resulting in a verbal counseling on 7 Jul 95 (Atch 4, Tab 1).

e. You did, between on or about 3 Aug 95 and 11 Aug 95, write several dishonored checks against your Travis Federal Credit Union checking account. Further, AAFES garnished your military wages for nonpayment. For this action, a record of individual counseling (RIC) was done on 15 Aug 95 (Atch 5, Tab 1).

f. You did, on or about 27 Aug 95, fail to maintain standards in your living quarters. Further, you displayed financial irresponsibility by allowing the cable television, and telephone services to be disconnected after your roommate, Amn [REDACTED] 60 MDG/SGDD, paid you approximately \$27.00 in advance for the services. For these actions, you received a letter of counseling (LOC) on 30 Aug 95 (Atch 6, Tab 1).

g. You did, on or about 9 Nov 95, drive your POV at 37 mph in a 25 mph speed limit zone, as evidenced by DD Form 1408, resulting in an LOC on 12 Dec 95 (Atch 7, Tab 1).

h. You were, at Travis AFB, CA, on or about 21 Jan 97, drunk and disorderly, in violation of Article 134, UCMJ. For this offense, you received an Article 15 dated 6 Feb 97, which was placed in an unfavorable information file (UIF). Punishment consisted of a suspended reduction to the grade of airman, forfeiture of \$50.00 pay per month for 2 months, and 30 days extra duty (Atch 8, Tab 1),

i. On or about 22 Jan 97, due to the alcohol-related incident in paragraph 2(h), above, and suicidal ideation, you were admitted to the Acute Inpatient Mental Health Unit, DGMC for an evaluation. Upon discharge, you received a diagnosis of (DSM IV) AXIS I - 309.4, Adjustment Disorder with Mixed Disturbance of Emotions, and Conduct and AXIS II - 301.83, Borderline Personality Disorder, as evidenced by Standard Form 502, Narrative Summary, dated 23 Jan 97 (Atch 9, Tab 1).

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.

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 Defense Counsel, Bldg 163, 424-4569, on 12 MAR 97, at 1000 hours. 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 (three workdays from service of this letter) 11 MAR 97, no later than 1400 hours. You may consult civilian counsel at your own expense.

6. If you fail to consult counsel or to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.

7. Your physical examination at David Grant Medical Center was accomplished on 27 Feb 97 at 0830 hours.

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.

FD 2005-00101

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


Colonel, USAF, BSC
Commander

Attachments:

1. Article 15, 2 May 94
2. LOA, 6 Jan 95 w/4 Atchs
3. LOR, 2 Jun 95 w/ w/2 Atchs
4. Memorandum, 5 Jul 95 w/2 Atchs
5. RIC, 15 Aug 95 w/3 Atchs
6. LOC, 30 Aug 95 w/4 Atchs
7. LOC, 12 Dec 95 w/2 Atchs
8. Article 15, 6 Feb 97 w/Atchs
9. SF Form 502, 23 Jan 97
10. Other Derogatory Data:
Memorandum, 13 May 94