

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>		GRADE AB	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>			
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING <div style="border: 1px dashed black; height: 100px; width: 100%;"></div>		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES A94.11 A92.21 A57.03 A00.29		INDEX NUMBER A72.00 A60.00		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		
TAPING OF PERSONAL APPEARANCE						
HEARING DATE 16 Nov 2006		CASE NUMBER FD-2005-00083				
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.						
<p>Case reviewed in 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="border: 1px dashed black; height: 100px; width: 100%;"></div>						
INDORSEMENT				DATE: 11/16/2006		
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

GENERAL: The applicant appeals for upgrade of discharge to honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but was unable to appear and testify via video teleconference between Andrews AFB, MD and Travis AFB, CA on 16 November 2006 due to an unanticipated knee injury and surgery that took place on 15 November 2006. A non-personal appearance records review board was performed in her absence.

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:

Issue 1. Applicant contends discharge was inequitable because it was too harsh, i.e., was based on a "short period of time" versus taking into consideration her full 61 months of service on active duty. The records indicated the applicant received a General Court-Martial with three charges, to include: 1) failing to refrain from using her government charge card by obtaining approximately \$2,900.00 in cash for personal use; 2) stealing about \$3,600.00 from her unit's booster club fund; and 3) failing to pay a debt of \$3,020.97 within the timeframes required. The Board concluded the misconduct was a significant departure from conduct expected of all military members and, as a result, the characterization of the discharge received by the applicant was found to be appropriate.

Issue 2. Applicant states that her discharge did not take into account the good things she did while in the service. The DRB took note of the applicant's duty performance as documented by her performance reports. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

Issue 3 applies to the applicant's post-service activities. The DRB was pleased to see that the applicant was doing well and has received numerous degrees and accolades for her job and community service. 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.

Issue 4. The applicant cited her desire to receive an upgrade so that she's not limited in her ability to be accepted into a doctorate program in neuropsychology or receive future licensing and employment. The Board was sympathetic to the impact her current discharge may have on the applicant, but this is not a matter of inequity or impropriety which would warrant an upgrade.

If the applicant can provide additional documented information to substantiate an issue, the applicant should consider exercising her right to make a personal appearance before the Board. If she should choose to exercise her right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any additional exemplary post-service accomplishments or contributions to the community she deem 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

(Former AB) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Fairchild AFB, WA on 31 Jul 97 UP AFI 36-3208, para 5.52.3 (Pattern of Misconduct - Commission of Serious Offense). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 22 Sep 73. Enlmt Age: 18 6/12. Disch Age: 23 10/12. Educ: HS DIPL. AFQT: N/A. A-82, E-62, G-62, M-49. PAFSC: 3S051 - Personnel Journeyman. DAS: 15 Jul 92.

b. Prior Sv: (1) AFRes 25 Mar 92 - 11 May 92 (1 Mo 17 Das) (Inactive).

(2) Enlisted as AB 12 May 92 for 4 years. Svd: 3 Yrs 04 Mos 15 Das, all AMS. Amn - 12 Nov 92. A1C - 12 Sep 93. SrA - 12 May 95. EPRs: 5,4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 27 Sep 95 for 6 yrs. Svd: 01 Yrs 10 Mo 05 Das, of which AMS is 1 yr 07 Mos 12 Das (excludes 2 Mos 23 Das lost time).

b. Grade Status: AB - 28 Jun 97 (Court-Martial Order, 29 Jun 97)

c. Time Lost: 22 Apr 97 thru 13 Jul 97 (2 Mos 23 Das).

d. Art 15's: None.

e. Additional: None.

f. CM: General Court-Martial Order - 22 Apr 97.

CHARGE I: Article 92.

Specification: On divers occasions between on or about 25 Mar 96 and on or about 1 July 96, was derelict in the performance of her duties in that she willfully failed to refrain from using her government American Express charge card for other than official purposes, as it was her duty to do. Plea: Guilty. Findings: Guilty.

CHARGE II: Article 121.

Specification: Did, between on or about 1 Sep 95 and on about 1 Dec 96, steal about \$3,600.00 the property of the 92nd

Communications Squadron Booster Club. Plea: Not Guilty, but Guilty of the LIO of wrongful appropriation. Finding: Guilty.

CHARGE III: Article 134.

Specification: Did, between on or about 21 Aug 96 to 28 Sep 96, dishonorably fail to pay a debt of \$3,020.97, and from 29 Sep 96 to 20 Dec 96, dishonorably fail to pay \$1,870.97 of said debt. Plea: Guilty. Finding: Guilty. Sentence adjudged on 22 Apr 97: To be confined for 6 months, to pay a fine of \$2,000.00, and to be further confined until said fine is paid, but not more than 6 months, in addition to the 6 months adjudged, and reduction to AB.

g. Record of SV: 12 Jan 95 - 11 Jan 96 Fairchild AFB 5 (Annual)
12 Jan 96 - 14 Oct 96 Fairchild AFB 5 (Annual)

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

i. Stmt of Sv: TMS: (05) Yrs (01) Mos (14) Das
TAMS: (04) Yrs (11) Mos (27) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 21 Jan 2005.
(Change Discharge to Honorable.)

Issue 1: Issues attached to brief.

ATCH

1. Applicant's Issues.
2. College Transcripts.
3. Training Statement.
4. Resume.
5. Assessments administered and interpreted.
6. Three Character Reference.

28Apr05/DAY

APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

Form Approved
OMB No. 0704-0004
Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. **PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.**

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

1. APPLICANT DATA *(The person whose discharge is to be reviewed).* **PLEASE PRINT OR TYPE INFORMATION.**

a. **BRANCH OF SERVICE** *(X one)* ARMY MARINE CORPS NAVY AIR FORCE COAST GUARD

b. **NAME** *(Last, First, Middle Initial)* c. **GRADE/RANK AT DISCHARGE** d. **SOCIAL SECURITY NUMBER**
 Airman Basic

2. DATE OF DISCHARGE OR SEPARATION *(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)* **4. DISCHARGE CHARACTERIZATION RECEIVED** *(X one)* **5. BOARD ACTION REQUESTED** *(X one)*

19970731

<input type="checkbox"/> HONORABLE	<input checked="" type="checkbox"/> CHANGE TO HONORABLE
<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS
<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS	<input type="checkbox"/> CHANGE TO UNCHARACTERIZED <i>(Not applicable for Air Force)</i>
<input type="checkbox"/> BAD CONDUCT <i>(Special court-martial only)</i>	<input type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION TO:
<input type="checkbox"/> UNCHARACTERIZED	
<input type="checkbox"/> OTHER <i>(Explain)</i>	

6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST *(Continue in Item 14. See instructions on Page 3.)*

I request that my discharge be upgraded to Honorable. My General discharge is based on a short time frame of my 61 months of active duty. Outside of this time frame, my service was exemplary. I received honors, such as 15 AF Airman of the Year and 15 AF Personnel Manager of the Year, as well as, squadron level awards. Since my discharge from the Air Force I have been involved in community services and have completed my education through my Master's Degree in Clinical Psychology. I chose this degree

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON *(YYYYMMDD)* **AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.**

8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: *(Continue in Item 17. If military documents or medical records are relevant to your case, please send copies.)*

College Transcripts, Community Training, Resume, Letters of Recommendation and/or support.

9. TYPE OF REVIEW REQUESTED *(X one)*

CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR *(counsel/representative)* WILL NOT APPEAR BEFORE THE BOARD.

I AND/OR *(counsel/representative)* WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.

I AND/OR *(counsel/representative)* WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO *(enter city and state)* *(NOTE: The Navy Discharge Review Board does not have a traveling panel.)*

10.a. COUNSEL/REPRESENTATIVE *(If any)* **NAME** *(Last, First, Middle Initial)* **AND ADDRESS** *(See Item 10 of the instructions about counsel/representative.)*

b. **TELEPHONE NUMBER** *(Include Area Code)*
 c. **E-MAIL**
 d. **FAX NUMBER** *(Include Area Code)*

11. APPLICANT MUST SIGN IN ITEM 13.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name *(print)* and relationship by marking a box below.

SPOUSE WIDOW WIDOWER NEXT OF KIN LEGAL REPRESENTATIVE OTHER *(Specify)*

12.a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE *(Forward notification of any change in address.)*

b. **TELEPHONE NUMBER** *(Include Area Code)*
 c. **E-MAIL**
 d. **FAX NUMBER** *(Include Area Code)*

13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. *(U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)* **CASE NUMBER** *(Do not write in this space.)*

a. **SIGNATURE - REQUIRED** *(Applicant or person in Item 11 above)* b. **DATE SIGNED - REQUIRED** *(YYYYMMDD)*
 _____ 20050121

FD 2005-00083

14. CONTINUATION OF ITEM 6, ISSUES (If applicable)

to be able to continue my service to the community. Since separating from the Air Force I have not been fired from any job, nor have I been in trouble with any police agency. There is not a day that goes by that my past poor choices do not cross my mind. I regret what I have done and am trying to do the best that I can for myself, my family, and my community. I wish to apply for doctorate programs in the arena of neuropsychology. I feel that having this discharge will inhibit acceptance into a good program, future licensing, and obtaining employment. I know my choices and behaviors that led up to my discharge were disgraceful and of questionable integrity, and I am truly sorry for them. I have learned from these mistakes and think about them often when making choices now. Thank you for your consideration.

15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)

16. REMARKS (If applicable)

MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.

ARMY

Army Review Boards Agency
 Support Division, St. Louis
 9700 Page Avenue
 St. Louis, MO 63132-5200
 (See <http://arba.army.pentagon.mil>)

NAVY AND MARINE CORPS

Naval Council of Personnel Boards
 720 Kennon Street, S.E.
 Room 309 (NDRB)
 Washington Navy Yard, DC 20374-5023

AIR FORCE

Air Force Review Boards Agency
 SAF/MRBR
 550-C Street West, Suite 40
 Randolph AFB, TX 78150-4742

COAST GUARD

U.S. Coast Guard
 Commandant (G-WPM)
 2100 Second Street, S.W. Room 5500
 Washington, DC 20593