

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) _____	GRADE <b>A1C</b>	AFSN/SSAN _____
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<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 2px;"><b>COUNSEL</b></td> <td style="padding: 2px;">NAME OF COUNSEL AND OR ORGANIZATION</td> </tr> <tr> <td style="padding: 2px;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 2px;">YES</td> <td style="width:50%; padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;"><b>X</b></td> </tr> </table> </td> <td style="padding: 2px;">ADDRESS AND OR ORGANIZATION OF COUNSEL</td> </tr> </table>	<b>COUNSEL</b>	NAME OF COUNSEL AND OR ORGANIZATION	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; padding: 2px;">YES</td> <td style="width:50%; padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px; text-align: center;"><b>X</b></td> </tr> </table>	YES	No		<b>X</b>	ADDRESS AND OR ORGANIZATION OF COUNSEL			
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YES	No										
	<b>X</b>										

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

ISSUES	<b>A94.05</b>	INDEX NUMBER	<b>A67.00</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

HEARING DATE	<b>19 Apr 2006</b>	CASE NUMBER	<b>FD-2005-00260</b>
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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.

SIGNATURE OF RECORDER _____	SIGNATURE OF BOARD PRESIDENT _____
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**INDORSEMENT** **DATE: 4/24/2006**

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
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2005-00260**

**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 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.

**ISSUE:**

Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received three Letters of Reprimand, a Letter of Admonishment and four Records of Individual Counseling (RIC's) for misconduct. Applicant received a LOR and placement on the Unfavorable Information File as a result of a civilian arrest for Driving Under the Influence of alcohol. The second LOR was for disorderly conduct while on station resulting in apprehension by security forces; and the third for drunk and disorderly conduct. Further misconduct was documented by receiving four RIC's for missed appointments, failure to prepare for a test, late reporting to work and security violations (leaving dorm room unsecured). 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.

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, letters of recommendation and other accomplishments. 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.

**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 A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Laughlin AFB, TX on 8 Sep 04 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 26 Jul 84. Enlmt Age: 18 0/12. Disch Age: 20 1/12. Educ: HS DIPL. AFQT: N/A. A-67, E-46, G-48, M-32. PAFSC: 4M031 - Aerospace Physiology Apprentice. DAS: 5 Jan 03.

b. Prior Sv: (1) AFRes 01 Aug 02 - 19 Aug 02 (19 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 20 Aug 02 for 4 yrs. Svd: 02 Yrs 00 Mo 19 Das, all AMS.

b. Grade Status: A1C - 23 Mar 04  
Amn - 20 Feb 03

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 09 AUG 04 - Drunk and disorderly.  
RIC, 27 MAY 04 - Failure to attend Mandatory Fitness Training and late for work.  
RIC, 20 MAY 04 - Dorm room window found unsecured.  
LOR, 27 FEB 04 - Disorderly on station.  
RIC, 02 FEB 04 - Failure to prepare the JAPI Physiology test.  
LOA, 30 OCT 03 - Dorm room window and door left unsecured.  
RIC, 23 OCT 03 - Missed medical appointment.  
LOR/UIF/CR, 16 SEP 03 - Civil arrest for DUI.

f. CM: None.

g. Record of SV: 20 Aug 02 - 19 Apr 04 Laughlin AFB 2 (Initial)REF

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (02) Yrs (01) Mos (08) Das  
TAMS: (02) Yrs (00) Mos (19) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 09 Jun 05.

(Change Discharge to Honorable)

Issue 1: I excelled in my proffesion (sic) while with the USAF. I was an avid volunteer. I also overachieved in knowledge of my career field. My records should indicate that I was an excellent asset to the Air Force. I believe I deserved an Honorable discharge because I did my job well. I followed all the rules and exemplified an excellent airmen (sic). I believe my down fall (sic) was being young & inexperienced. However, I learned greatly from my mistakes because of my impeccable leadership.

**ATCH**

None.

24OCT05/ia



DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND

24 August 2004

MEMORANDUM FOR A1C: \_\_\_\_\_, 47 ADS

FROM: 47 ADS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Minor Disciplinary Infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as an Under Honorable Conditions (General) Discharge. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reasons for this action are:

- a. On or about 23 August 2003, you were arrested in Del Rio, Texas and charged with driving while intoxicated. This is evidenced by the Letter of Reprimand dated 16 September 2003, establishment of an Unfavorable Information File and placement on a control roster.
- b. On 20 October 2003, you failed to go to a scheduled dental mobility exam appointment at the 47 MDG dental clinic. This is evidenced by the Record of Individual Counseling dated 23 October 2003 and an entry made in your existing Unfavorable Information File.
- c. On 28 October 2003, the door and window of your dormitory room was left unsecured. This is evidenced by the Letter of Admonishment dated 30 October 2003 and an entry made in your existing Unfavorable Information File.
- d. On 15 January 2004, you failed to prepare the JAPI Physiology test prior to test day. Additionally, on 16 January 2004, the master test and answer key were not properly filed. This is evidenced by the Record of Individual Counseling dated 2 February 2004 and an entry made in your existing Unfavorable Information File.
- e. On 2 February 2004, you were involved in a loud verbal altercation with another Airman. Subsequently, you were apprehended by Security Forces. This is evidenced by the Letter of Reprimand dated 27 February 2004 and an entry made in your existing Unfavorable Information File.
- f. On 18 May 2004, your window was found unlocked during a 47 ADS NCOIC spot inspection. This is evidenced by the Record of Individual Counseling dated 20 May 2004 and an entry made in your existing Unfavorable Information File.
- g. On 21 May 2004, you failed to attend Focus on Resistance and Circuit Exercise (FORCE). This is evidenced by the Record of Individual Counseling dated 27 May 2004 and an entry made in your existing Unfavorable Information File.

- h. On 25 July you were drunk and disorderly. This is evidenced by the Letter of Reprimand dated, 9 August 2004 and an entry made in your existing Unfavorable Information File.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged or retained in the United States 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 and any special pay, bonus, or education assistance funds may be subject to recoupment. The separation authority will make the findings and recommendations required under 10 U.S.C. Section 2005(g).

3. 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] at 2000 Bong Avenue, Suite 2, (DSN 473-2925) on <sup>28</sup>August 2004, at 1500 hours. You may consult civilian counsel at your own expense.
4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 27 Aug 2004 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. 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.
6. You have been scheduled for a medical examination. You must report to 47th Medical Group, 590 Mitchell Blvd on <sup>24</sup>August 2004, at 1400 hours for the examination.
7. 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 at the unit orderly room.
8. Execute the attached acknowledgment and return it to me immediately.

[redacted signature box]

Commander

Attachments:

1. Letter of Reprimand (16 Sep 03)
2. Record of Individual Counseling (23 Oct 03)
3. Letter of Admonishment (30 Oct 03)
4. Record of Individual Counseling (2 Feb 04)
5. Letter of Reprimand (27 Feb 04)
6. Record of Individual Counseling (20 May 04)
7. Record of Individual Counseling (27 May 04)
8. Letter of Reprimand (9 Aug 04)
9. Unfavorable Information File Summary