

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b>	<b>GRADE</b>  AB	<b>AFSN/SSAN</b>
--	------------------------	------------------

<b>TYPE GEN</b>	<b>X</b>	<b>PERSONAL APPEARANCE</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
					X

<b>ISSUES</b> A93.07 A93.09	<b>INDEX NUMBER</b> A67.50 A67-90	<b>EXHIBITS SUBMITTED TO THE BOARD</b>
		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

<b>HEARING DATE</b> 13 Feb 2006	<b>CASE NUMBER</b> FD-2005-00289	
------------------------------------	-------------------------------------	--

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL 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.

<b>SIGNATURE OF RECORDER</b>	<b>SIGNATURE OF BOARD PRESIDENT</b>
------------------------------	-------------------------------------

<b>INDORSEMENT</b>	<b>DATE: 2/23/2006</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-2005-00289**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable and to change the reason and authority for the discharge.

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 and change of reason and authority for discharge are 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 states that her discharge did not take into account the good things she did while in the service. Applicant wanted to share her side of the story which led up to her discharge. The records indicated the applicant received one Article 15, Vacation, two Letter of Reprimands, eight Records of Individual Counseling, and three Memorandums for Record and placement on Control Roster within an eighteen month period. The misconduct included improper use of government travel card, repeated occasions of being late for work (over five times), unprofessional behavior, personal issues during duty hours, failure to go (four separate occasions), disrespect towards NCO and derelict in the performance of duties. The DRB noted that prior to discharge, applicant's case was considered as a Dual Action by SAF/MRBP on 16 Sep 03. After finding no causal or mitigating relationship between the member's medical condition and her misconduct, the DRB determined execution of the previously approved AFI 36-3208 action was appropriate. The Board took note of the applicant's duty performance as documented by her performance report 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.

Issue 2. 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 A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Grand Forks AFB, ND on 6 Oct 03 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 19 Jun 79. Enlmt Age: 21 5/12. Disch Age: 24 3/12. Educ: HS DIPL. AFQT: N/A. A-46, E-21, G-41, M-32. PAFSC: 2T051 - Traffic Management Journeyman. DAS: 23 May 01.

b. Prior Sv: None.

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 13 Dec 00 for 6 yrs. Svd: 02 Yrs 09 Mo 24 Das, all AMS.

b. Grade Status: AB - 13 Jun 03 (Vacation of Article 15, 30 Jul 03)  
Amn - 13 Jun 03 (Article 15, 13 Jun 03)  
A1C - 26 Jan 03

c. Time Lost: None.

d. Art 15's: (1) 30 Jul 03, Vacation, Grand Forks AFB, ND - Article 92. You, who knew of your duties, on or about 23 Jul 03, were derelict in the performance of those duties in that you by culpable inefficiency failed to bring your mobility bags with you to your workplace during a recall, as it was your duty to do. You, who knew of your duties, on or about 23 Jul 03, were derelict in the performance of those duties in that you by culpable inefficiency failed to provide your supervisor with your current home telephone number, as it was your duty to do. Article 86. You did, on or about 23 Jul 03, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to AB. (No appeal) (No mitigation)

(2) 13 Jun 03, Grand Forks AFB, ND - Article 86. You, did, on or about 23 May 03, without authority, fail to go at the time prescribed to your appointed place of duty. Article 92. You, who knew of your duties, from on or about 16 May 03 to on or about 19 May 03, were derelict in the performance of those duties in that you negligently failed to carry the LGRDC flight cell phone

on your person while on standby, as it was your duty to do. Article 134. You did, on or about 24 Apr 03, make and utter to Stuart's Towing a certain check for the payment of money in the amount of \$30.00, dated 24 Apr 03, drawn upon the Bank of America, made payable to Stuart's Towing and signed [REDACTED], for the purpose of services, and did thereafter dishonorably fail to maintain sufficient funds in said bank for payment of such check in full upon its presentment. Reduction to AB (below Airman suspended). Forfeiture of \$575.00 pay (suspended). Restriction to Base for 30 days. (Appeal/Denied) (No mitigation)

- e. Additional: CR, 28 APR03 - Numerous Disciplinary Infractions.  
 LOR, 22 APR 03 - Late for duty on two occasions and making a false statement.  
 RIC, 18 FEB 03 - Disrespect to an NCO.  
 RIC, 18 FEB 03 - Dereliction of duty and insubordination.  
 LOR, 18 FEB 03 - Failure to go.  
 RIC, 06 AUG 02 - Personal issues during work.  
 RIC, 08 APR 02 - Late for work.  
 RIC, 14 MAR 02 - Returning to work late.  
 RIC, 02 MAR 02 - Unprofessional behavior.  
 RIC, 31 JAN 02 - Late for work.  
 RIC, 21 DEC 01 - Improper use of government travel card.  
 MFR, 21 OCT 01 - Late for work.
- f. CM: None.
- g. Record of SV: 13 Dec 00 - 15 Jul 02 Grand Forks AFB 3 (DBH)REF
- h. Awards & Decs: AFOUA, NDSM, AFTR.
- i. Stmt of Sv: TMS: (02) Yrs (09) Mos (24) Das  
 TAMS: (02) Yrs (09) Mos (24) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 12 Jun 05.  
 (Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.

23AUG05/ia

My name is \_\_\_\_\_ . I am an American born and raised in Germany.

My father \_\_\_\_\_ retired when I was very young and he stayed in Germany to continue serving his country as a civilian. When I asked my father why are we \_\_\_\_\_ in Germany? Why are you still working for the Army?" Dad would say that we all need to our part at some point in our lives. I am just going to keep on doing it till they say they don't want me anymore" Of course the Army never said that. And Dad still works for the military to this day. As the days go on and I think of how we are still at war I can't help but think of how I should be enlisted and right there doing my part. I have lived a very unsheltered life. But even though I was taught many things no one ever taught me about Abuse. I knew about it but I never witnessed it first hand until I went to Grand Forks Air Force Base in North Dakota. I was a single mother; I had my son only 2 months after I got there. I was alone and to me in a country I sort of knew nothing about.

One day, just a regular day that I wish I had never gone to the shoppette I would never have met him. But I did and I met \_\_\_\_\_ . Just from seeing me and already knowing who I was and that I was a single mother. \_\_\_\_\_ knew just how to get me. A father, confidant, and friend, this was the first 2 months of our relationship and then he changed.

He began to demand things of me. Ridiculous things like bring him lunch whenever his lunch was no matter what my schedule I had. And he wasn't in the Air Force. He began bringing his clothes for me to wash. He wanted "MY HOUSE" cleaned to a perfect 'T'. Those are just a few examples from the beginning. Later when he forced me to have sex with him even when I didn't want to twice, after the second time I left him for only a week and then I was alone again. So I took him back. About a month later my son got sick and I had to go pick him up at the daycare (it was before Wades lunch). When I didn't bring his lunch and \_\_\_\_\_ learned that I was at home he came and silently pulled me away from my sleeping son. He led me into the bathroom where he beat me with a bar of soap wrapped in a towel. He was always careful not to get my face except for one time and when they asked about it at work I said it was love marks and they believed it.

\_\_\_\_\_ only used this form of cruel punishment 4 times. You may ask yourself why I am telling you this because I want you to have some background into what I was going through that led up to my discharge. I tried to get involved in events on base. I was on the Earth week committee twice, I was the Wing Project officer for Black History month also I was the secretary for the AACA (African American Culture Association).

Unlike most females I didn't break down at first, instead I got angry. But not at \_\_\_\_\_ at the rest of the world, I began to be someone I wasn't. I was late for work, rude to my supervisors and co-workers completely hateful. I cannot remember every incident but I know there were too many and that contributed to my LOCs and LORs. But never did I ever physically hurt someone or anything of that nature in the work place. I have been writing letters to those people to express my thoughts of regret and hope that they can accept my apologies.

I didn't know what to do I thought that "this isn't happening to me I cannot be the victim." It took me a year to finally get away however; I had become one of the worst \_\_\_\_\_ airmen. When I got to North Dakota before I even met him I was the star performer then I became a dirt bag airman. My mother taught me to look on the brighter side of things so I will tell you about the evening that ended my career.

I had already left [redacted] and had been so for 3 weeks. He would call everyday saying that he was getting help and he needed me to be by his side. And I was the one who called him on a Friday to go the movies just hoping that there was truth in his words. On the way back I was driving [redacted] home to his mobile home in Larimore, ND. He asked if he could come home with me I said 'No'. [redacted] slammed my head into the driver's windshield while the car was in motion. I am not going lie I had had enough. I pulled the car over and commenced to defending myself. I don't remember everything exactly but I do know that the night ended with both of us in jail. And [redacted] nose was broken, Mom said that was the brighter side and that all charges against me were dropped by the State.

[redacted] little sister emails me all the time because I believe she feels guilty for knowing how her brother was and not warning me. She recently told me [redacted] was in jail for suspicion of molestation and assault and battery.

I was given an Article 15 and sent on my way out of the Air Force and out of my dreams. Since then I have been seeing a chaplain and my life has never been better. Since I got out of the military I have been working at a daycare center with preschoolers. I have only had 2 dreams in life to serve my country and be an elementary school teacher after I retire. And it may be a little harder to finish school but I believe now that nothing can stand in my way. The only thing is no one really knows the truth about what happened to me. I am asking that the narrative reason for discharge be changed from 'misconduct'. And even if I am not given an Honorable discharge or the narrative reason is not changed, by reading this someone knows the truth.  
Thank you.

Since my discharge I have gone through a Program Review Board for the ASG here in Germany. They voted to let me work for the DODDS schools and Child Development Center. I have worked there for the past 2 years.

It took me this long to realize that I am happy and that whoever I was when I was going through that ordeal, she is not coming back.

My family and I our whole now, I made it through an obstacle and now I want to move on completely.

I don't wish that I could go back in time and tell my supervisor what was going on. I can only let time heal my wound.

There is no excuse for a soldier ignoring her core values. I needed help but when I decided to get it, it was too late.

My friends encouraged me to go the clinic and speak with a psychiatrist. I was recommended for a medical discharge it coincided with the General Discharge. I was never given the chance to tell anyone what happened.



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 319TH AIR REFUELING WING (AMC)  
GRAND FORKS AIR FORCE BASE, NORTH DAKOTA

FD 2005-00289

MEMORANDUM FOR AMN

FROM: 319 LRS/CC

17 July 03

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a Pattern of Misconduct, Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFPD 36-32, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, Section 5H, paragraph 5.50.2. If my recommendation is approved, your service will be characterized as honorable or under honorable conditions (General). I am recommending that your service be characterized as under honorable conditions (General).

2. My reasons for this action are based on the following:

a. You did, on or about, 24 April 2003, make and utter a worthless check for the amount of \$30.00 to Stuart's Towing of Grand Forks, North Dakota. In addition, on or about 16 May 2003, you were derelict in the performance of your duties by negligently failing to carry the flight cell phone on your person while on standby duty. Finally, you did, on or about 23 May 2003, without authority, fail to go at the time prescribed to your appointed place of duty. For these acts of misconduct, you received a Record of Nonjudicial Punishment Proceeding (Article 15), dated 13 June 2003, and an Unfavorable Information File (UIF) was established on the same date. The Article 15 was placed in the UIF. (Attachment A.)

b. You did, on or about 9 April 2003 and on or about 10 April 2003, without authority, fail to go at the time prescribed to your appointed place of duty. In addition, you did, on or about 10 April 2003, with intent to deceive, make to your supervisor an official statement, to wit: that you were late for duty because you had gone to the immunization clinic for a shot, which statement was totally false, and was then known by you to be so false. For these acts of misconduct, you received a Letter of Reprimand (LOR), dated 22 April 2003, and you were put on the control roster on 28 April 2003. (Attachment B.)

c. You were, on or about 12 February 2003, disrespectful to a noncommissioned officer. For this misconduct, you received a Record of Counseling (RIC), dated 18 February 2003. (Attachment C.)

d. You were, on or about 12 February 2003, derelict in the performance of your duties in that you failed to complete the directed task of shoveling snow from the sidewalk and putting salt down by the building entrance. For this misconduct, you received a RIC, dated 18 February 2003. (Attachment D.)



e. You did, on or about 11 February 2003 and on or about 12 February 2003, without authority, fail to go at the time prescribed to your appointed place of duty. For this misconduct, you received an LOR, dated 18 February 2003. (Attachment E.)

f. You were, on or about 6 August 2002, derelict in the performance of your duties in that you willfully failed to refrain from using a government phone excessively to conduct personal business despite having been verbally counseled on a number of occasions about the unreasonable time spent on personal phone calls and e-mails. For this misconduct, you received a RIC, dated 6 August 2002. (Attachment F.)

g. You did, on or about 8 April 2002, without authority, fail to go at the time prescribed to your appointed place of duty. For this misconduct, you received a RIC, dated 8 April 2002. (Attachment G.)

h. You did, on or about 14 March 2002, without authority, fail to go at the time prescribed to your appointed place of duty. For this misconduct, you received a RIC, dated 14 March 2002. (Attachment H.)

i. You did, on or about 7 March 2002, display unprofessional behavior in that you engaged in a heated argument with a fellow airman, yelling and cursing at him in a customer service area. For this misconduct, you received a RIC, dated 2 March 2008 (should be 8 March 2002). (Attachment I.)

j. You did, on or about 31 January 2002, without authority, fail to go at the time prescribed to your appointed place of duty. For this misconduct, you received a RIC, dated 31 January 2002. (Attachment J.)

k. You were, on or about 21 December 2001, derelict in the performance of your duties in that you willfully made an unauthorized purchase (Domino's Pizza) on a fellow airman's government travel card. For this misconduct, you received a RIC, dated 21 December 2001. (Attachment K.)

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 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.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. You have been scheduled an appointment at the Office of the Area Defense Counsel at Building 255 on 17 Jul 02 at 1300 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statement you want the separation authority to consider must reach me by 23 July 03 at 0900 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. You must report to the 319th Medical Group on 28 July 03 at 0800 hours for the examination.
8. Deliver to me immediately your military identification card. I have requested that temporary identification card(s) be issued IAW AFI 36-3026(I), paragraph 4.2. You will report to me by COB 23 July 03, to verify that issuance of temporary identification cards has been accomplished.
9. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A Privacy Act statement is attached. A copy of AFI 36-3208 is available for your use in the squadron orderly room.
10. Execute the attached acknowledgment and return it to me immediately.

Commander, 319 LRS

Attachments:

1. Supporting Documents
  - a. AF Form 3070, dated 13 Jun 03, w/ atchs (18 pgs)
  - b. LOR, dated 22 Apr 03, w/ atchs (5 pgs)
  - c. RIC, dated 18 Feb 03 (1 pg)
  - d. RIC, dated 18 Feb 03 (1 pg)
  - e. LOR, dated 18 Feb 03, w/ atch (3 pgs)
  - f. RIC, dated 6 Aug 02 (1 pg)
  - g. RIC, dated 8 Apr 02 (1 pg)
  - h. RIC, dated 14 Mar 02 (1 pg)
  - i. RIC, dated 2 Mar 08 (should be 8 Mar 02) (1 pg)
  - j. RIC, dated 31 Jan 02, w/ atch (2 pgs)
  - k. RIC, dated 21 Dec 01, w/ atch (2 pgs)
2. Privacy Act Statement
3. Acknowledgement of Receipt of Notification Memorandum
4. Discharge Under AFI 36-3208 Memorandum
5. Personnel Information