

**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 <b>A1C</b>	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
---	---------------------	---

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

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					<b>X</b>
					<b>X</b>
					<b>X</b>
					<b>X</b>
					<b>X</b>

ISSUES <b>A92.21</b> <b>A92.03</b> <b>A94.05</b> <b>A93.21</b>	INDEX NUMBER <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>03 May 2006</b>	CASE NUMBER <b>FD-2005-00347</b>	
------------------------------------	-------------------------------------	--

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.

SIGNATURE OF RECORDER <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>	SIGNATURE OF BOARD PRESIDENT <div style="border: 1px dashed black; height: 30px; width: 100%;"></div>
---	--

<b>INDORSEMENT</b>		<b>DATE: 5/15/2006</b>
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 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:**

Issue 1. Applicant contends discharge was inequitable because it was too harsh. She contends most of her time in the service was spent struggling with an undiagnosed medical illness. The records indicated the applicant received an Article 15 for slapping another airman on the face with an open hand and punched the airman in the face with a closed fist, throwing a fire extinguisher through a dormitory window and for being drunk and disorderly. Applicant also received three Letters of Reprimand (LOR) for misconduct. The first LOR was for failure to attend a scheduled appointment resulting in program manager calling her home only to find out she was still asleep. Member reported an hour and a half late for appointment. The second LOR was for lying to the first sergeant. Her third and final LOR was for being late to work, after arriving to work she left for 50 minutes to get something to eat, returned to duty and was found sleeping on duty. The DRB reviewed applicant's medical records and determined there was no correlation between her abdominal pain and misconduct. Applicant had the ability to know right from wrong. 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.

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, awards 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 3. The DRB was impressed with the applicant's post service accomplishments including work and education. 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 A1C) (HGH SRA)

**1. MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Hanscom AFB, MA on 12 Oct 99 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

**2. BACKGROUND:**

a. DOB: 5 Mar 71. Enlmt Age: 23 2/12. Disch Age: 28 7/12. Educ: HS DIPL. AFQT: N/A. A-67, E-29, G-66, M-23. PAFSC: 3M051 - Morale, Welfare, Recreation, and Services Journeyman. DAS: 16 Jun 98.

b. Prior Sv: (1) AFRes 20 May 94 - 14 Sep 94 (3 months 26 days) (Inactive).  
(2) Enlisted as A1C 15 Sep 94 for 4 yrs. Svd: 3 yrs 2 months 25 days, all AMS. SrA - 15 Jan 97. EPRs: 3,3.

**3. SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 10 Dec 97 for 4 yrs. Svd: 1 Yrs 10 Mo 2 Das, all AMS.

b. Grade Status: A1C - 20 Nov 98 (Article 15, 20 Nov 98)

c. Time Lost: None.

d. Art 15's: (1) 20 Nov 98, Spangdahlem AB, Germany - Article 128. You did, on or about 23 Oct 98, unlawfully slap on the face with an open hand, and punch in the face with the closed fist, A1C [REDACTED]. Article 108. You did, on or about 23 Oct 98, without proper authority, willfully destroy by throwing a fire extinguisher through a dormitory window, thus shattering the window, military property of the United States, the amount of said damage being in the sum of \$154.34. Article 134. You were, on or about 23 Oct 98, drunk and disorderly, which conduct was to the prejudice of good order and discipline in the armed forces. Reduction to A1C, 15 days extra duty, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 25 AUG 99 - Late for work, leaving work without authority, and sleeping on duty.  
LOR, 08 SEP 98 - Lying to the 1<sup>st</sup> Sergeant.  
LOR, 03 SEP 98 - Failed to attend a scheduled appointment at the prescribed time.

f. CM: None.

g. Record of SV: 15 Apr 97 - 14 Apr 98 Hickam AFB 3 (Annual)  
15 Apr 98 - 14 Apr 99 Spangdahlem AB 2 (Annual) **REF**

h. Awards & Decs: AFLSAR, AFTR, NDSM, HSM, AFOUA W/1 DEV, JMUA, AFGCM, AFOSLTR.

i. Stmt of Sv: TMS: (05) Yrs (04) Mos (23) Das  
TAMS: (05) Yrs (00) Mos (28) Das

**4. BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 25 Aug 05.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Copy of Military Personnel Record.

4OCT05/ia

Dear Sir or Madam:

I am writing to request a reconsideration of my discharge status based on several extenuating circumstances. I am asking that a consideration of not only my military record, but of this explanation be taken into account.

Most of my time in the service was spent struggling with an undiagnosed medical illness. At that point I only knew that I felt bad all the time. Being alone for the first time in my life and lacking significant social supports I made the very poor choice of beginning to drink socially to make myself feel better. I sought medical attention for my pain but the doctors in the Air Force were unable to figure out what was hurting me.

Frustrated and desperate, still feeling awful most of the time, I drank more and sought social comfort in friends and colleagues after hours. My attitude began to sour as my military service progressed, probably due to the combined effects of the illness, drinking and recovering from drinking. Every time I made an effort to clean up my act, I would slide back into poor habits. This cycle seemed to be the worst at the end of my service.

I would like to point out several things in light of this sad history. My drinking and acting out were a very small part of my military service. During my five year service I received several citations, awards and medals including the Air Force Good Conduct Medal, and the Air Force Longevity Service Award. I was a responsible shift leader and earned Cook of the Month. I was deployed to Cuba for Operation Sea Signal and to Guam for Pacific Haven. In addition, my time after business hours, I spent working a second job as a waitress. My last responsibility in the Air Force was to update my unit's computer, which we used to track meals.

Much has changed since my discharge. I sought more medical help at the V.A. in Boston and a Dr. [redacted] diagnosed me correctly with endometriosis: a disorder that causes fallopian tubes to attach to unrelated internal organs causing hormonal disruptions, depression and severe pain. I was prescribed a laparoscopic procedure and placed in pain management treatment. I entered AA for my drinking problems, entered group therapy for support and treatment of my depression and have continued to be counseled by Dr. [redacted] in Rhode Island for my continuing care and management. Dr. [redacted] and I have been structuring my time by helping me get back into work and resuming my education.

I have taken 60 Credit Hours of course work at Community College of Rhode Island and will finish my associate's degree this summer of 2005. I have become a volunteer advocate at the Sexual Assault and Trauma Resource Center in Providence, Rhode Island. I have also been employed for a year as a recreational therapist for Briar Cliff Nursing Home in Johnston, Rhode Island working with the home's Alzheimer's Patients. I am planning to seek higher degrees at the University of Rhode Island in the very near future in the field of Psychology.

I understand the impact my actions while struggling with my illness and subsequent efforts to deal with pain have had on my military colleagues and friends. My actions reflected poorly on the U.S. Air Force, my Squadron and myself as a uniformed member of the U.S. Air Force. I have learned how to deal with issues in my life since maturing and accepting help from others with my problems and I have an excellent group of friends, family to help me in the future.

I want to thank you for reviewing this document and hope that you can see how I have worked to correct deficiencies in my record. I would like to be considered to have my discharge status altered in light of this information. If anyone has any questions, or wants additional corroborating data, feel free to contact me at:

Sincerely,



DEPARTMENT OF THE AIR FORCE  
52d FIGHTER WING (USAF)

MEMORANDUM FOR 52 FW/CC

29 SEP 1999

FROM: 52 FW/JA

SUBJECT: Legal Review of Administrative Discharge – A1C: [REDACTED]  
52d Services Squadron

1. I reviewed the administrative discharge action against A1C: [REDACTED]. This action substantially complies with the provisions of AFPD 36-32 and AFI 36-3208 and is legally sufficient to support discharge.

2. BASIS FOR ACTION:

1. On 2 Sep 98, A1C: [REDACTED] failed to attend a scheduled appointment at the prescribed time. For this infraction, she received a Letter of Reprimand (LOR) on 3 Sep 98.

2. On 3 Sep 98, A1C: [REDACTED] made false official statements to MSgt [REDACTED], 52 SVS/CCF. For this infraction, she received a second LOR on 8 Sep 98.

3. On or about 23 Oct 98, A1C Walsh unlawfully slapped A1C: [REDACTED] on the face with an open hand and punched him in the face with a closed fist. On or about 23 Oct 98, A1C: [REDACTED] destroyed military property in the amount of \$154.34 when she threw a fire extinguisher through a dormitory window. Additionally, on or about 23 Oct 98, A1C: [REDACTED] was drunk and disorderly. Her conduct brought discredit upon the United States Air Force. For these infractions, she received Article 15 Nonjudicial Punishment on 20 Nov 98. She was reduced to the grade of E-3 (Airman First Class), with a new date of rank of 20 Nov 98, received 15 days extra duty, and a reprimand.

4. On 25 Aug 99, A1C: [REDACTED] failed to report to her appointed place of duty at the prescribed time. For this infraction, she received a third LOR on 25 Aug 99.

3. MATTERS FOR RESPONDENT:

a. A1C: [REDACTED] enlisted in the Air Force on 15 Sep 94. She reenlisted on 10 Dec 97. She has five years of total active military service. She has four EPRs, with overall ratings from oldest to most current of 3, 3, 3, and 2 (referral). She is 28 years old and her AQE scores are ADM - 67, ELEC - 29, GEN - 66, and MECH - 23.

b. On 21 Sep 99, A1C: [REDACTED] exercised her right to consult counsel and waived her right to submit matters on her own behalf. (Tab 3)

4. DISCUSSION: On 23 Sep 99, Maj: [REDACTED], 52 SVS/CC, recommended A1C: [REDACTED] be discharged from the Air Force with a general (under honorable conditions) service characterization and without probation and rehabilitation. The discharge is being processed under AFI 36-3208, paragraph 5.49, Minor Disciplinary Infractions.



5. OTHER MATTERS: There are no errors or irregularities which would prejudice A1C: [redacted] substantive rights.

6. CHARACTERIZATION OF SERVICE: Discharge under AFI 36-3208, paragraph 5.49, may be characterized as honorable or general (under honorable conditions), depending upon the circumstances involved. According to AFI 36-3208, paragraph 1.18, an honorable service characterization is appropriate only when the quality of the airman's service generally has met Air Force standards of acceptable conduct and performance of duty or when an airman's service is otherwise so meritorious that any other characterization would be inappropriate. A general (under honorable conditions) service characterization is warranted when significant negative aspects of the airman's conduct or performance outweigh positive aspects of the airman's military record. Based on A1C: [redacted] repeated misconduct and disregard for military standards, a general (under honorable conditions) service characterization is most appropriate.

7. PROBATION AND REHABILITATION: Probation and rehabilitation is appropriate in special and limited circumstances, primarily when a member has demonstrated a strong potential for reform. A1C: [redacted] actions have not reflected the ability to improve despite being given three LORs and one Article 15 Nonjudicial Punishment. A1C: [redacted] inability to comply with Air Force standards makes her a poor candidate for probation and rehabilitation. Therefore, I do not recommend probation and rehabilitation in this case.

8. ACTIONS WHICH MAY BE TAKEN: As the special court-martial convening authority, you have the following options:

- a. Direct A1C: [redacted] be retained in the Air Force;
- b. Recommend 3 AF/CC discharge A1C: [redacted] with an honorable service characterization, with or without probation and rehabilitation; or
- c. Discharge A1C: [redacted] with a general (under honorable conditions) service characterization, with or without probation and rehabilitation.

9. RECOMMENDATION: Discharge A1C: [redacted] for Minor Disciplinary Infractions under the provisions of AFPD 36-32 and AFI 36-3208, paragraph 5.49, with a general (under honorable conditions) service characterization, without probation and rehabilitation.

[redacted signature box]

Staff Judge Advocate

Attachment:  
Case file



DEPARTMENT OF THE AIR FORCE  
52D FIGHTER WING (USAFE)

SEP 21 1999

MEMORANDUM FOR A1C: [REDACTED]  
52D SERVICES SQUADRON

FROM: 52 SVS/CC

SUBJECT: Notification Letter

1. I am recommending your discharge from the United States Air Force for Minor Disciplinary Infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation for discharge is approved, your service will be characterized as honorable, general (under honorable conditions), or under other than honorable conditions (UOTHC). I am recommending that your service be characterized as general (under honorable conditions).

2. My reasons for this action are:

1. On 2 Sep 98, you failed to attend a scheduled appointment at the prescribed time. For this infraction, you received a Letter of Reprimand (LOR) on 3 Sep 98. (Atch 1)

2. On 3 Sep 98, you made false official statements to MSgt [REDACTED], 52 SVS/CCF. For this infraction, you received a second LOR on 8 Sep 98. (Atch 2)

3. On or about 23 Oct 98, you unlawfully slapped A1C [REDACTED] on the face with an open hand and punched him in the face with a closed fist. On or about 23 Oct 98, you destroyed military property in the amount of \$154.34 when you threw a fire extinguisher through a dormitory window. Additionally, on or about 23 Oct 98, you displayed drunk and disorderly conduct which brought discredit upon the United States Air Force. For these infractions, you received Article 15 Nonjudicial Punishment on 20 Nov 98. You were reduced to the grade of E-3 (Airman First Class), with a new date of rank of 20 Nov 98, received 15 days extra duty, and a reprimand. (Atch 3)

4. On 25 Aug 99, you failed to report to your appointed place of duty at the prescribed time. For this infraction, you received a third LOR on 25 Aug 99. (Atch 4)

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 and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for re-enlistment 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. I have made an appointment for you with Capt. [REDACTED] Area Defense Counsel, Spangdahlem AB, Germany, DSN 452-6607, on 22 SEP 99 at 0815 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 within three duty days, unless you request and receive an extension in writing for good cause shown. I will send them to the separation authority.

6. If you fail to consult counsel or to submit statements on your own behalf within the time period prescribed, it will constitute a waiver of your right to do so.

7. You have been scheduled for a medical examination. You must report to the 52d Medical Group, Physical Exams Element on 22 SEP 99 at 1000 hours. An appointment has also been made at FAMILY PRACTICE SPANG on 22 SEP 99 at 1415 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 your Commander's Support Staff office.

9. Execute the attached acknowledgment at Tab 2 and return it to me immediately.

[Redacted Signature Box]

Commander

5 Attachments:

1. LOR, 3 Sep 98.
2. LOR, 8 Sep 98.
3. AF Form 3070, 20 Nov 98.
4. LOR, 25 Aug 99.
5. Airman's receipt of Notification Letter, located at Tab 2.