

**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 AIC	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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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> <th style="width:50%;">COUNSEL</th> <th style="width:50%;">NAME OF COUNSEL AND OR ORGANIZATION</th> </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="text-align: center; padding: 2px;"><b>X</b></td> <td></td> </tr> </table> </td> <td style="padding: 2px;"></td> </tr> </table>		COUNSEL	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="text-align: center; padding: 2px;"><b>X</b></td> <td></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	A01.27 A92.39	INDEX NUMBER	A66.00		<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 HE

HEARING DATE	21 Nov 2006	CASE NUMBER	FD-2006-00149
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APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

Case heard in 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.

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
INDORSEMENT	DATE: 12/12/2006

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00149**

**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:**

Applicant contends she was brought in by the Office of Special Investigations to question her concerning another airman's use of drugs. She was led to make a statement about her involvement in substance abuse that was false and misleading. She states that when the investigation was closed, there was no evidence of her illegal substance abuse. The records indicated the applicant received a Letter of Reprimand for drug abuse, specifically admitted use of Methylenedioxy-Methamphetamine (Ecstasy). The DRB noted the applicant had an opportunity to contest the Letter of Reprimand. 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

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Travis AFB, CA on 24 May 05 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 27 Apr 84. Enlmt Age: 17 10/12. Disch Age: 21 0/12. Educ: HS DIPL. AFQT: N/A. A-76, E-80, G-74, M-62. PAFSC: 3E951 - Readiness Journeyman. DAS: 13 May 03.

b. Prior Sv: (1) AFRes 22 Mar 02 - 2 Sep 02 (5 months 11 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Sep 02 for 6 yrs. Svd: 02 Yrs 08 Mo 22 Das, all AMS.

b. Grade Status: A1C - 18 Oct 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 8 APR 05 - Drug abuse.

f. CM: None.

g. Record of SV: 3 Sep 02 - 3 May 04 Spandahlem AB 5 (Initial)  
4 May 04 - 3 May 05 Spandahlem AB 3 (Annual)REF

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

i. Stmt of Sv: TMS: (03) Yrs (02) Mos (03) Das  
TAMS: (02) Yrs (08) Mos (22) Das

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

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Two Enlisted Performance Reports.
3. AFQTP Documentation Record.
4. Student History Query.
5. Certificate of Recognition.
6. Letter of Appreciation.
7. Certificate of Appreciation.
8. Two Letters of Recommendation.
9. DD Form 214.

18MAY06/ia



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

FD2006-00149

25 Dec 05

MEMORANDUM FOR BOARD FOR CORRECTION OF AIR FORCE RECORDS

FROM:

[Redacted area]

SUBJECT: Letter of Request for Discharge Upgrade

1. I would like to request an upgrade of my General Discharge (Under Honorable Conditions) to an Honorable discharge for reasons, which will be included in the following. On 24 May 2005, I received a general discharge from the United States Air Force for misconduct. In July of 2004 I was brought into the Office of Special Investigation, where I was questioned about my knowledge of another Airman's use of an illegal substance. During this questioning, I was lead to make a statement about my involvement in the substance abuse that was both false, and misleading. Due to the statement that I made to O.S.I. an investigation was opened on my involvement. From this time until February of 2005 the investigation continued. When the investigation finally closed, there was no evidence of my use of an illegal substance. Lack of evidence provided no allowance for a court martial or even an Article 15; therefore my commander issued me a Letter of Reprimand for possible drug use and a recommended discharge from the military. No time during any of these events was I given a chance to fairly state my case, and prove that, in fact, I never took part in any drug use. If I would have had a chance, I feel that I would have been able to provide a substantial explanation and proof that I was indeed innocent.

2. During the months after I was aware of my investigation and possible discharge from the military I continued to withhold the outstanding Airman's image that I had held over my years in the military. I did not give up on the Air Force, as I expected the Air Force not to give up on me. I continued my upgrade training finishing all of my Air Force QTP's, 4 volumes of CDC's and passing my End of Course exam, receiving my 5-level Journeyman status. This was a great accomplishment in the eyes of my supervisors and flight chief. I received 5 for my very first EPR. Even under the circumstances, I received all 5's, with the exception of one category for obvious reasons, which proves that my direct supervisor, superintendent and flight chief all believed that I was, in fact, a valuable asset to both the Readiness flight and the Air Force. I feel that I could have done great things with my military career, had it not been so abruptly ended.

3. I worked just as hard during my off duty time as I did while I was on duty. During this time, I continued with my volunteer work, being a member of the Unit Advisory Counsel and volunteering at other events on base such as the Bazaar. I spent a lot of my time at Spangdahlem volunteering and helping out around base. I received a Letter of Appreciation from the Mission Support Squadron for volunteering for flag detail. Taking down the flag at retreat was one of the most inspiring Air Force ceremonies that I have participated in. I also received a Letter of Appreciation from the Bitburg High School for being a math tutor to students after school.

My volunteer work did not begin when I arrived at Spangdahlem. I spent much of my time during technical school doing volunteer work. I volunteered as a teacher's aid for Kindergarten students as well as volunteered at local theme parks and other various events. Another great accomplishment of mine came when I graduated technical school. I received the Team Spirit Award for my class. This award is given to a student who "promotes teamwork, cooperation, rapport, and spirit throughout the course". I worked very hard at all that I did to begin my Air Force career.

I was also a proud member of the 52<sup>nd</sup> Civil Engineer Squadron and participated in many if not all Squadron events. Being the one of the squadron physical training leaders was among one of the ways that I showed my passion for my fellow civil engineers as well as my dedication to the Air Force. During this time I also continued to hold my position as President of the Dorm Council, where I worked to make living status better for my fellow airmen who lived with me in the dormitory. All of these were a vital part of the airman that I was. I worked hard to uphold an outstanding Air Force image, and help others do the same.

4. With no evidence or proof of my guilt and no chance to state my own case I feel that a General discharge was not deserved. Both my accomplishments and commitment to my Air Force duties, qualify me for an Honorable discharge status. I prove to have been both an outstanding Airman and a valuable asset to the Air Force.

5. If you have any questions please contact me at any time at the commercial number [redacted] or via email at: [redacted]. Your time and consideration are greatly appreciated. Thank you.

[redacted signature box]

Attachments:

1. EPR's
  - a. EPR May 2004
  - b. EPR May 2005
2. Training Reports
  - a. AFQTP Documentation Record
  - b. Student History Query (End of Course Evaluation)
3. Awards and Accomplishments
  - a. Team Spirit Award
  - b. Letter of Appreciation
  - c. Certificate and Letter of Appreciation
4. Recommendations
  - a. MSgt: [redacted] Superintendent
  - b. MSgt: [redacted] Supervisor
5. DD Form 214



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

FD2006-00149

09 MAY 2005

MEMORANDUM FOR A1C:.....

FROM: 52 CES/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Drug Abuse. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.54. 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 reason for this action is: Between on or about February 2004 and on or about May 2004, on divers occasions, you used a substance you believed to be Methylenedioxy-Methamphetamine (Ecstasy), a controlled substance, in violation of Article 112a, UCMJ. On 5 Aug 04, you submitted a signed statement (AF Form 1168) to AFOSI outlining these events and admitted to using Ecstasy.

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 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).

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 Captain Jason R. Lindbloom at Building 151 on 9 MAY 05 at 1400 hours. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 12 MAY 05 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 your Primary Care Manager on 10 MAY 05 at 0815 hours for the examination. (CAPT) .....

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 at the Area Defense Counsel's Office, Building 151.

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



Commander

**Attachments:**

1. Supporting Documents
2. Receipt of Notification Memorandum