

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

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| NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div> | GRADE AMN | AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div> |
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|----------|----------------------------|----------|----------------------|
| TYPE GEN | PERSONAL APPEARANCE | X | RECORD REVIEW |
|----------|----------------------------|----------|----------------------|

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| COUNSEL | NAME OF COUNSEL AND OR ORGANIZATION | ADDRESS AND OR ORGANIZATION OF COUNSEL |
| YES | No | |
| | X | |

| MEMBER SITTING | VOTE OF THE BOARD | | | | |
|---|-------------------|-----|-------|-------|------|
| | HON | GEN | UOTHC | OTHER | DENY |
| <div style="border: 1px dashed black; height: 100px; width: 100%;"></div> | | | | | X |
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| ISSUES A93.01 A94.05 | INDEX NUMBER A67.10 | 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 |
| | | TAPE RECORDING OF PERSONAL APPEARANCE HE |

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| HEARING DATE 08 Mar 2007 | CASE NUMBER FD-2006-00182 | |
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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.

SIGNATURE OF RECORDER: *[Signature]* SIGNATURE OF BOARD PRESIDENT: *[Signature]*

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| INDORSEMENT | DATE: 3/9/2007 |
| 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, EF WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002 |

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2006-00182

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. The records indicated the applicant received six Letters of Reprimand and two Records of Individual Counseling for misconduct. The misconduct included failure to follow proper leave procedures, late for duty on numerous occasions, late for training, missed appointment with customer, leave fraud, and using foul and offensive language in the work center. 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 contends that she should not be penalized indefinitely for a mistake she made when young. The DRB recognized the applicant was 19 years of age when the discharge took place. However, there is no evidence she was immature or did not know right from wrong. The Board opined the applicant was the same age as the vast majority of first-term members who properly adhere to the Air Force's standards of conduct. The DRB concluded that the characterization of the applicant's discharge was appropriate due to the misconduct.

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 AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Vance AFB, OK on 7 Oct 98 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 29 May 79. Enlmt Age: 17 11/12. Disch Age: 19 4/12. Educ: HS DIPL. AFQT: N/A. A-48, E-48, G-46, M-44. PAFSC: 3S031 - Personnel Apprentice. DAS: 10 Dec 97.

b. Prior Sv: (1) AFRes 29 Apr 97 - 26 Aug 97 (3 months 28 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 27 Aug 97 for 4 yrs. Svd: 01 Yrs 01 Mo 11 Das, all AMS.

b. Grade Status: Amn - 27 Feb 98

c. Time Lost: None.

d. Art 15's: (1) None.

e. Additional: LOR/UIF, 24 SEP 98 - Using foul and offensive language in the work center.
LOR/UIF, 23 SEP 98 - Late for work.
CR, 23 SEP 98 - For continuing tardiness to work.
LOR/UIF, 14 SEP 98 - Committed leave fraud.
LOR/UIF, 14 SEP 98 - Late for work 8 times.
LOR, 10 JUL 98 - Late for work and missed appointment with customer.
LOR, 07 JUL 98 - Late for training.
RIC, 30 JUN 98 - Late for duty.
RIC, 08 APR 98 - Failure to follow proper leave procedures.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (01) Yrs (05) Mos (09) Das
TAMS: (01) Yrs (01) Mos (11) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 23 Oct 06.

(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.
2. DD Form 149.
3. DD Form 214.
4. Character Reference.

26OCT06/ia

APPLICATION FOR CORRECTION OF MILITARY RECORD UNDER THE PROVISIONS OF TITLE 10, U.S. CODE, SECTION 1552 (Please read instructions on reverse side BEFORE completing application.)

Form Approved OMB No. 0704-0003 Expires Dec 31, 1988

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, U.S. Code 1552, Executive Order 9397, November 22, 1943. PRINCIPAL PURPOSE: To apply for correction of a military record. ROUTINE USES: To docket a case. Reviewed by board members to determine relief sought. To determine qualification to apply to board. To compare facts present with evidence in the record. DISCLOSURE: Voluntary. If information is not furnished, applicant may not secure benefits from the Board.

1. APPLICANT DATA

a. BRANCH OF SERVICE (X one) (1) ARMY (2) NAVY (3) AIR FORCE (4) MARINE CORPS (5) COAST GUARD b. NAME (Last, First, Middle Initial) (Please print) c. PRESENT PAYGRADE d. SERVICE NUMBER (if applicable) e. SOCIAL SECURITY NUMBER 2. TYPE OF DISCHARGE (if by court-martial, state type of court) GENERAL UNDER HONORABLE 3. PRESENT STATUS, IF ANY, WITH RESPECT TO THE ARMED SERVICES (Active duty, Retired, Reserve, etc.) N/A 4. DATE OF DISCHARGE OR RELEASE FROM ACTIVE DUTY Oct 07 1998 5. ORGANIZATION AT TIME OF ALLEGED ERROR IN RECORD. 71 MSS (AETC) 6. I DESIRE TO APPEAR BEFORE THE BOARD IN WASHINGTON, D.C. (No expense to the Government) (X one) a. YES b. NO

7. COUNSEL (if any)

a. NAME (Last, First, Middle Initial) b. ADDRESS (Street, City, State and Zip Code)

8. I REQUEST THE FOLLOWING CORRECTION OF ERROR OR INJUSTICE:

change character of Service from Under Honorable Conditions (General) to Honorable

9. I BELIEVE THE RECORD TO BE IN ERROR OR UNJUST IN THE FOLLOWING PARTICULARS:

I WAS WORKING IN A hostile work environment of which when reported nothing was done to change this of which the problem was compounded each day also my insomnia added to my problems

10. IN SUPPORT OF THIS APPLICATION I SUBMIT AS EVIDENCE THE FOLLOWING: (If Veterans Administration records are pertinent to your case, give Regional Office location and Claim Number.)

11. ALLEGED ERROR OR INJUSTICE DATA

a. DATE OF DISCOVERY b. IF MORE THAN THREE YEARS SINCE THE ALLEGED ERROR OR INJUSTICE WAS DISCOVERED, STATE WHY THE BOARD SHOULD FIND IT IN THE INTEREST OF JUSTICE TO CONSIDER THIS APPLICATION. I AM OLDER WISER AND MORE MATURE AND REALIZE MY MISTAKES AS WELL AS THAT NO ACTION WAS TAKEN AT TIME BY SUPERVISOR TO COLLECT PROBLEMS

12. APPLICANT MUST SIGN IN ITEM 16. IF THE RECORD IN QUESTION IS THAT OF A DECEASED OR INCOMPETENT PERSON, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY APPLICATION. IF APPLICATION IS SIGNED BY OTHER THAN APPLICANT, INDICATE RELATIONSHIP OR STATUS BY MARKING APPROPRIATE BOX.

a. SPOUSE b. WIDOW c. WIDOWER d. NEXT OF KIN e. LEGAL REP f. OTHER (Specify)

13. 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, Sec. 287, 1001, provides a penalty of not more than \$10,000 fine or not more than 5 years imprisonment or both.)

14. COMPLETE CURRENT ADDRESS, INCLUDING ZIP CODE (Applicant should forward notification of all changes of address.)

DOCUMENT NUMBER (Do not write in this space.)

15. DATE SIGNED

16. SIGNATURE (Applicant must sign here.)

MAY-4-06

FD 2506-00182

To Whom It May Concern:

FD2006 00182

My name is [redacted] I graduated high school in June of 1977 and was already part of the DEP program. In August of 97 I was inducted into the Air Force.

In Basic I was an Element Leader. In Tech School (Keesler AFB, Miss.) I volunteered for duties and did well in my classes. Then I was stationed at Vance AFB, Enid, OK.

Once stationed @ Vance I soon found out that my two immediate supervisors were leaving. My SSGT was going TDY to Turkey approx 3 days after my arrival. In approx 2 wks my SRA was transferring from the MPF to the Medical Squadron. That left the Captain as first in my Chain of Command. My Capt. was not very familiar with my exact job duties.

What was supposed to be a seven man shop was a 3 man shop, which in no time at all, became a 1 man shop. In the space of approx 2 wks I was responsible for all permanent party PCSing, Separating, Retiring, those being discharged. This was unexpected but not entirely difficult. While dealing w/ my current caseload and picking up the pieces I began taking the AF's home for homework. They were a daily read for a period of time.

In time, they assigned a SSGT to be my supervisor and take the Retiring / Separating / Discharging cases off my shoulders. It had been 5 yrs since working that specific job and after a few days of my retraining my boss we were on track and I finally had an immediate supervisor in my chain of command.

Unfortunately, if work was the only thing I dealt with I would be a career aviator, my goal in joining the AF. However, my inexperience in diplomacy and being 18 at the time I didn't handle certain situations as I should have.

Process 80182

I place the blame entirely on myself for being ^{Gravely} Honorably Discharged from USAF when I had wanted a long career there. I had certain interference from an elderly GS worker and in my path I had no diplomacy or way of effectively dealing with what I consider a trouble maker ~~identifying out to get me.~~

There was immediate animosity coming from this GS worker. For the simple fact that she wasn't fond of the SRA over me. During the first week there would be snide remarks from the GS worker concerning my inability to assemble a proper PSC folder. She would then belittle me and make these comments in front of my permanent party clientele. Following that she would basically throw the folder I made in the trash and assemble a new one herself, all in front of my clients. In short time, through trial and error and taking the AFI's home, I learned that the GS workers "help" was nothing but egotistic interference that gave me more work.

After daily interference and constantly breaking out the AFI's to prove myself correct to this worker I decided to go to my Chain of Command. (Perhaps I should mention that the GS worker w/ students going TDY. She was in no way connected to my Chain yet acted as if she headed it.) I spoke w/ my SSgt, ~~who was retained by that time.~~ He stated he knew my problem but could do nothing so speak to the Captain. I then spoke w/ the Captain. The Captain (basically) stated that despite the numerous problems the GS worker was causing for me, her clients and other AF personnel in the MPF that she could be "retiring soon" and we "should all do our best in dealing w/ her til that time."

~~I will say I was disappointed that a Captain in the AF would so easily make excuses for a GS worker not doing her job & disrupting his customer's jobs. As disappointed as I felt I still turned to my Capt. It didn't work. Her self-appointed vendetta so big and ability an overrated thing. Once the GS worker learned I spoke to the Capt regarding her, the harassment expanded in earnest.~~

FD-302a - 00182

This is ~~around the time~~ ~~when~~ ~~my~~ ~~time~~ disciplinary actions began. Not knowing how to cope w/ someone doing wrong who the Chain refuses to punish or reprimand I decided I needed to go see some friends. I needed to be w/ people who knew and loved me to get rid of some anger I could feel building, a mental release, so to speak. It just so happened my friends were out of my leave area, I was stupid and went anyway. I got caught & reprimanded w/ a LOC. I left again and again reprimanded. I can't recall how many LOC's: DR's I received for going out of area. At the time, I felt it ignoring the regulations were better than letting the frustration and anger build.

That's the first time I ever felt angry, absolutely angry. ~~As a teen there was some angst of course, but that never concerned or scared me.~~ I was stuck in a job where the Chain was broken or unconcerned and a worker constantly trying, and failing, to make me look the fool. For the first time in my life I had insomnia I would wake late to work on occasion not able to wake once I had finally dozed off. I was in the process of seeing a psychiatrist when I ~~was discharged~~ ^{as discharged} mention the tardiness and leaving the area because I received disciplinary actions for them. I deserved them. Those ~~are the only actions I received and despite all the volunteer work & help I gave I was deemed a "problem child".~~ I was an auxiliary Security Forces for the Air Show week. I assisted the First Shirt's wife w/ Student Graduations by looking sharp and crisp delivering the medals/diplomas/awards. I volunteered & clean areas around the dorm. Whenever the First Shirt asked for someone I was there. Even house sitting for my 1Sgt when he went on leave.

Once I realized that things wouldn't improve until the S worker left and that the feelings of anger, rage, frustration, and betrayal probably would keep building I decided something had to be done.

FD 2006-00 182

Not to mention there were also family concerns. My father was in Ohio, I was in OK. Not only were there work stresses I was also worried about my dad's health and mental stability for lack of a better word. A retired Vet and recently widowed my father was a main concern. After finally describing the stories of work to my father and seeing how he could really use my help in some cases at home I decided to apply for a humanitarian relocation. Since that was literally my department I did some research. I had the necessary requirements to request relocation. Being near my father for weekend visits would have relieved a great amount of stress for my veteran father and myself.

I sent my request through the chain. My SSgt Ok'd to the Captain. I'm not certain if it went anywhere after that. I was denied a humanitarian relocation due to my "problem child" status. Once again, my disciplinary infractions were a handful of leaving the area and a couple tardies. I do not dismiss those actions, however, I do take offense at being named a problem child. Especially how conveniently my volunteer work was forgotten and the ability to know how to run a seven man shop. Due to this "problem child" status I knew there was no chance of getting out of Vance until my turn was up. That being about 3 yrs away was a disturbing thought. Should something happen to my Dad, Ohio was a long way away.

Once again, I talked w/ my father. He suggested a route that would lead me out of the AF. It was not a route I wanted to take. It was one I had to. My dad called the Ohio Senator. He got in touch w/ me. I filled out some paper work, faxed something by the end of the workday my name was on the Discharge list.

The next day I assembled my own Discharge folder, was reviewed by my boss and out-processed the next day. I was in Ohio 10 days in Ohio. That's it.

Being young @ the time ~~perhaps~~ I didn't see any other avenues to turn to when my work environment became too hostile. Nine years later I consider myself wiser. Now I know there is no excuse for leaving the area w/o authorized leave. I should have sought prof. help for my insomnia before it led to any tardiness. I realize that it's easy to make stupid mistakes and then to justify them. At almost 27, w/ a 2yr old son & a 4mos old daughter I no longer have the luxury of stupidity.

1/22/2006-2018

FD 2006-00182

h. On 2 Apr 98, you failed to follow proper leave procedures by submitting an AF Form 988, Leave Request/Authorization, that did not have an accurate leave address or phone number. While your leave form indicated you would be in Garden City, Kansas, you went to Colorado Springs, Colorado. Further, while you extended your leave by two days, without proper authority, you failed to reflect this change on Part III of your leave form. For this, you received a Letter of Counseling dated 8 Apr 98.

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 reenlistment in the Air Force and any special pay, bonus, or education funds may be subject to recoupment.

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 Captain [redacted] at DSN 743-4375 on 6 Oct 98 at 1430. 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 0900, 8 Oct 98 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 the base hospital, physical exams, at WALK-IN on 5 Oct 98.

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 in the unit orderly room.

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

[Redacted Signature Box]

Commander, 71st Mission Support Squadron

Attachment:
Supporting Documents