

**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  SRA	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>
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<b>COUNSEL</b>	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">YES</td> <td style="width:50%;">No</td> </tr> <tr> <td></td> <td style="text-align: center;"><b>X</b></td> </tr> </table>	YES	No		<b>X</b>		
YES	No					
	<b>X</b>					

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					X
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ISSUES <b>A92.01</b> <b>A94.05</b>	INDEX NUMBER <b>A67.10</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr> <td style="width:5%; text-align: center;"><b>1</b></td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;"><b>2</b></td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;"><b>3</b></td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>4</b></td> <td>BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td>COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td>TAPE RECORDING OF PERSONAL APPEARANCE HE</td> </tr> </tbody> </table>	EXHIBITS SUBMITTED TO THE BOARD		<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 HE
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HEARING DATE <b>22 Feb 2007</b>	CASE NUMBER <b>FD-2006-00243</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 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.

<b>INDORSEMENT</b>  TO: SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	DATE: 2/23/2007  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**

**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 an Article 15, three Letters of Reprimand, and one Letter of Counseling for misconduct. The misconduct included leaving the local area without approved leave, dereliction of duty, failure to follow verbal and written orders, failure to go, and disrespecting a commissioned officer on two separate occasions. 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, 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 SRA) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Schriever AFB, CO on 24 Oct 02 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 5 Jun 72. Enlmt Age: 24 9/12. Disch Age: 30 4/12. Educ: HS DIPL. AFQT: N/A. A-57, E-57, G-64, M-35. PAFSC: 3A051 - Information Management Journeyman. DAS: 29 Oct 98.

b. Prior Sv: (1) AFRes 15 Mar 97 - 02 Apr 97 (18 days) (Inactive).

(2) Enlisted as AB 3 Apr 97 for 4 years. Svd: 3 yrs 4 mos 18 das, all AMS. Amn - 3 Oct 97. A1C - 3 Aug 98. SrA - 3 Apr 00. EPRS: 5,5.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 21 Aug 00 for 4 years. Svd: 02 Yrs 02 Mo 04 Das, all AMS.

b. Grade Status: SrA - 9 Sep 02 - (Article 15, 9 Sep 02)  
SSgt - 1 Apr 02

c. Time Lost: None.

d. Art 15's: (1) 9 Sep 02, Schriever AFB, CO - Article 86. You did, on or about 21 Aug 02, without authority, go from your appointed place of duty, to wit: Building 300 Auditorium. Article 89. You did, on or about 21 Aug 02, behave yourself with disrespect toward 2Lt [redacted] your superior commissioned officer, then known by you to be your superior commissioned officer, by saying to her "You can go get the key, your're big enough," or words to that effect, when you were asked by 2Lt [redacted] why you couldn't accompany her to retrieve the key to the auditorium in building 300. You did, at or near Peterson AFB, CO, on or about 16 Aug 02, behave yourself with disrespect toward 1Lt [redacted] your superior commissioned officer, then known by you to be your superior commissioned officer, by saying to him "What's up, punk-ass?" or words to that effect. Article 92. You, having knowledge of a lawful order issued by 2Lt [redacted] to assist her with the commander's call briefing bu flipping the slides for her, an order which it was your duty to obey, did, on or about 21 Aug

02, fail to obey the same by wrongfully verbally refusing on several occasions to comply with siad order and did not flip the slides during the commander's call briefing, as you were directed to do. You, having knowledge of a lawful order issued by 2Lt [redacted] to remain at the commander's call and help out, an order which it was your duty to obey, did, on or about 21 Aug 02, fail to obey the same by wrongfully leaving the commander's call. Reduction to SrA and Reprimand.  
(No appeal) (No mitigation)

e. Additional: LOR/UIF, 29 JUL 02 - Failed to follow orders both verbal and written.

LOR/UIF, 12 APR 02 - Dereliction of duty.

LOC, 1 FEB 02 - Dereliction of duty.

LOR, 2 JAN 02 - Left area without approved Leave.

f. CM: None.

g. Record of SV: 09 Apr 00 - 08 Apr 01 Schriever AFB 5 (Annual)

09 Apr 01 - 22 Mar 02 Schriever AFB 3 (CRO)

h. Awards & Decs: AFAM, AFOUA W/2 OLC, AFGCM, NDSM, AFOSSTR, AFLSAR, NCOPMER, AFTR.

i. Stmt of Sv: TMS: (05) Yrs (07) Mos (10) Das

TAMS: (05) Yrs (06) Mos (22) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 2 Jun 06.  
(Change Discharge to Honorable.)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's issues.
2. Copy of Discharge package.

26JUL06/day



## DEPARTMENT OF THE AIR FORCE

50TH SPACE WING (AFSPC)

8 Oct 02

MEMORANDUM FOR SRA: [REDACTED]

FROM: 1 SOPS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct, specifically for minor disciplinary infractions. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your current term of service may be characterized as honorable, general under honorable conditions, or under other than honorable conditions (UOTHC). I am recommending that your current term of service be characterized as general under honorable conditions.

2. My reasons for this action are:

a. On or about 21 through 28 Dec 01, you failed to obey a regulation by leaving the local area without an approved AF Form 988. As a result, you received a Letter of Reprimand (LOR), dated 2 Jan 02 (atch 1a).

b. On or about 31 Jan 02, you failed to carry out your duties by failing to forward a decoration to the recipient's gaining base. As a result, you received an LOC, dated 1 Feb 02 (atch 1b).

c. On or about 12 Apr 02, you failed to obey a direct order by not updating the newcomers' briefing slides. This was not your first incident of failing to update the slides. As a result, you received an LOR dated 12 Apr 02, which established an Unfavorable Information File (UIF), dated 12 Apr 02 (atch 1c).

d. On or about 9 through 11 Jul 02, you failed to obey a direct order from Capt: [REDACTED], 1 SOPS Resource Advisor, and 1Lt: [REDACTED], 1 SOPS Government Purchase Card (GPC) Monitor. Specifically, you ordered printers that you were directed by Capt: [REDACTED] not to order. In addition, 1Lt: [REDACTED] directed you to order awards as needed, however you made a purchase with T & T Engraving for squadron awards for the whole year. You also made a purchase with Lovern's Inc. for the amount of \$3,109.92 before clearing it with 1Lt: [REDACTED]. This was in violation of AFI 64-117. As a result you received an LOR dated 29 Jul 02 which was placed in your existing UIF (atch 1d).

e. On or about 16 Aug 02, you behaved yourself with disrespect toward 1Lt: [REDACTED] by saying to him "What's up punk ass?" or words to that effect. On or about 21 Aug 02, you left

Oct-08-02 09:30A

without authority your appointed place of duty, Building 300 Auditorium. You also again behaved yourself with disrespect toward 2Lt: \_\_\_\_\_, by saying to her "You can go get the key yourself, you're big enough." or words to that effect. In addition you failed to obey lawful orders given to you by 2Lt: \_\_\_\_\_ to flip slides during the commander's call briefing and to remain at commander's call to help out. As a result, you received an Article 15, dated 28 Aug 02, which was placed in your existing UIF (atch 1e).

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 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. I have made an appointment for you to consult Capt: \_\_\_\_\_ at the Area Defense Counsel (ADC), 135 Dover Street, Suite 1055, Peterson AFB on 8 Oct 02 at 1430 hrs. 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 within 3 duty days from the date you receive this memorandum of notification 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 complete the attached DD Form 2697 (atch 5) and report to Lt: \_\_\_\_\_ at the Peterson AFB Primary Care Clinic on 10 Oct 02 at 1040 hrs for the examination. You must arrive 15 minutes prior to the scheduled appointment time.

8. You must report to MPF Separations on 11 Oct 02 at 1100 hrs to receive a briefing.

9. 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 unit orderly room.

\_\_\_\_\_

Commander

Attachments:

- 1. Derogatory Data

- a. LOR, 2 Jan 02
  - b. LOC, 1 Feb 02
  - c. LOR, 12 Apr 02, UIF, 12 Apr 02
  - d. LOR, 29 Jul 02, UIF 29 Jul 02
  - e. Art 15, 28 Aug 02
2. Airmen's Receipt of Notification
  3. Airmen's Statement
  4. Recoupment Statement
  5. DD Form 2697