

# 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>		
TYPE GEN		PERSONAL APPEARANCE			<b>X</b>		RECORD REVIEW		
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION			ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES      No									
<b>X</b>									
<div style="text-align: center; font-weight: bold;">MEMBER SITTING</div> <div style="border: 1px dashed black; height: 100px; width: 100%;"></div>					VOTE OF THE BOARD				
					HON	GEN	UOTHC	OTHER	DENY
									<b>X</b>
									<b>X</b>
									<b>X</b>
									<b>X</b>
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A67.90</b>			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 HEARING				
HEARING DATE <b>08 Mar 2007</b>		CASE NUMBER <b>FD-2006-00361</b>							
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE									
<p>Case heard in Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p> <div style="border: 1px dashed black; height: 40px; width: 100%; margin-top: 20px;"></div>									
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, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002				

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00361**

**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 her discharge was inequitable because it was too harsh and based on one isolated incident in her career. The records indicated the applicant received four Letters of Reprimand and three Records of Individual Counseling for misconduct. The misconduct included lying to supervisor, financial irresponsibility, inappropriate behavior, failure to comply with standards, violation of medical quarters, substandard duty performance, and making a false official statement. 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.

**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

[REDACTED] (Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Randolph AFB, on 21 Apr 99 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: 4 Dec 77. Enlmt Age: 18 8/12. Disch Age: 21 4/12. Educ: HS DIPL.  
AFQT: N/A. A-79, E-76, G-84, M-42. PAFSC: 4Y031 - Dental Assitant Apprentice.  
DAS: 22 May 97.

b. Prior Sv: (1) AFRes 29 Aug 96 - 29 Dec 96 (4 months 1 day) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 30 Dec 96 for 4 yrs. Svd: 02 Yrs 03 Mo 22 Das, all AMS.

b. Grade Status: A1C - 30 Apr 98  
Amn - 30 Jun 97

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR/UIF, 14 DEC 98 - Making a false official statement.  
LOR/UIF, 10 AUG 98 - Substandard duty performance.  
LOR, 06 MAY 98 - Violation of medical quarters.  
RIC, 04 MAY 98 - Failure to comply with standards or follow directions.  
RIC, 27 JAN 98 - Inappropriate behavior.  
RIC, 09 OCT 97 - Financial irresponsibility.  
LOR, 07 OCT 97 - Lying to supervisor.

f. CM: None.

g. Record of SV: 30 Dec 96 - 29 Aug 98 Randolph AFB 2 (Initial) REF

h. Awards & Decs: AFTR, AFOUA.

i. Stmt of Sv: TMS: (02) Yrs (07) Mos (23) Das  
TAMS: (02) Yrs (03) Mos (22) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 31 Aug 06.  
(Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.

20OCT06/ia

27 August 2006

Dear Sir/ Ma'am,

I am Molly M. Monsivais, formerly a proud member of the USAF. I am writing and petitioning before you today for a review and reconsideration of my separation status. I separated from the USAF on 21 April 1999 as an A1C. I come before you today as words on this piece of paper in hopes that you will be able to see through my eyes.

First if I may, I must state that I was raised in the military environment, as my father served proudly for twenty-four years. I have the up most respect and pride in our military. During my service to our country I must be adamant that I never disrespected or would of placed many any wrong decisions that could ever impacted my career. My discharge paperwork states that there was misconduct on my part in reason for my separation. I have always prided myself in truth and will admit that I did misrepresent the truth, once and once only. As I had been serving a short period and had requested a leave extension by one day due to car trouble, the truth that has stayed with me to this day is that the request was due to a relationship problem; one that could have impacted my well being and safety. So I did as requested and called my supervisor stating that I needed an additional day of leave. She of course did reprimand me once I returned, however never did I want to tell her the true reason because of pride. This to you the review board, is the only time that I ever had any misconduct during my service.

As a strong individual, I will never doubt that I am strong minded and strong willed ; this strength it may have at times not sat well with others. I will never deny myself or self-esteem as a person and to be able to contribute to a team. So if misconduct was speaking truth, demanding to be treated as a person, or pushing any team member to succeed then I am guilty of that. I will forever hold the armed forces in my heart and hope to one day contribute back the military as a contracted nurse. It is when I am on any base that I am home. The military will always be a family to me.

I will be married soon to a proud member of the armed services, so I might not have had the opportunity to continue to serve in my own name. I shall serve through him and supporting him through his career and deployments as a military wife. My strength, my determined will, my passion for everything in life is what has me writing to you even almost seven years later.

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So as far as my question or request, is that you review this and my record and upgrade my status as Honorable, that would be so much more worth to me than to be listed as General- Under honorable conditions. I thank you for your time and hope to hear back with favorable news.

Sincerely,



**DEPARTMENT OF THE AIR FORCE**  
**AIR EDUCATION AND TRAINING COMMAND**

FD7006-00361

12 Jan 99

MEMORANDUM FOR A1C: [REDACTED]

FROM: 12 ADS/CC

SUBJECT: Notification Memorandum—Administrative Discharge

1. I am recommending your discharge from the United States Air Force for Misconduct - A Pattern of Misconduct (Conduct Prejudicial to Good Order and Discipline). The authority for this action is Air Force Policy Directive 36-32 and Air Force Instruction 36-3208, Chapter 5, Section H, Paragraph 5.50. If my recommendation is approved, your service will be characterized as Honorable or General. I am recommending your service be characterized as General.

2. My reasons for this action are as follows:

a. On or about 5 Oct 97, you uttered false statements stating your vehicle broke down in Lubbock, Texas, when in fact you were in Clovis, New Mexico. For this offense, you received a Letter of Reprimand (LOR), dated 7 Oct 97.

b. Between 1 Jul 97 and 31 Jul 97, you borrowed \$500.00 from Mrs. [REDACTED] and did not pay the full amount back in the given time. For this offense you received a Letter of Counseling (LOC, AF Form 174), dated 9 Oct 97.

c. On or about 14 Jan 98, you went to a hair salon while on quarters. This is evidenced by a Memorandum for Record (MFR) that was accomplished on 15 Jan 98.

d. On or about 23 Jan 98, you failed to report for duty on time and provided a false official statement. You returned late from lunch and stated you were authorized by Dr. [REDACTED] to do so. Upon investigation, it was determined Dr. [REDACTED] gave you no such authorization. For this offense you received an LOC, dated 27 Jan 98.

e. On diverse occasions between 17 Apr 98 and 29 Apr 98, you were derelict in the performance of your duties in that you failed to comply with standards and guidelines required by Dr. [REDACTED]. For this offense you received an LOC, dated 4 May 98.

f. On or about 5 May 98, after being placed on quarters, you were seen at a softball game. For this offense you received an LOR, dated 6 May 98.

g. On diverse occasions between 29 Jul 98 and 31 Jul 98, you were derelict in the performance of your duties in that you continually failed to comply with standards and guidelines required by your superiors. For this offense, you received an LOR, dated 10 Aug 98. An Unfavorable Information File (UIF) was created.

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h. On or about 7 Aug 98, you made a false official statement, to wit: you wrote two checks from the account of A1C: [redacted] totaling \$675.00 to pay rent. For this offense you received an LOR, dated 14 Dec 98. This action was added to your UIF.

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. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces.

4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. An appointment has been made for you to consult Capt: [redacted], Area Defense Counsel, Bldg. 399, Room B-40 (7-2274) at 1300 hours on 14 Jan 99. You may consult civilian legal 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 by 25 JAN 99 unless you request and receive an extension, in writing, for showing good cause. I will send them to the separation authority.

6. If you fail to consult counsel or 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 Primary Care section at 0945 hours on 14 Jan 99 with a DD Form 2697. You must fast for 12 hours prior and consume no alcohol for 72 hours prior to this examination.

8. You must report to 12 MSS/DPMARS (Separations) within 24 hours of this notification.

9. Any personal information you furnish in rebuttal is covered by the Privacy Act. A copy of AFI 36-3208 is available for your use in the unit personnel office.

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

[redacted signature box]

Commander, 12 ADS

Attachments:

1. Supporting Documents
  - a. LOR, dated 7 Oct 97
  - b. LOC, dated 9 Oct 97
  - c. MFR, dated 15 Jan 98
  - d. LOC, dated 27 Jan 98
  - e. LOC, dated 4 May 98 w/ attachments
  - f. LOR, dated 6 May 98 w/ attachments
  - g. LOR, dated 10 Aug 98 w/ attachments
  - h. LOR, dated 14 Dec 98 w/ attachments
2. Airman's Receipt of Notification Memorandum