

# 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  AMN	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>																																				
TYPE	GEN	PERSONAL APPEARANCE		X	RECORD REVIEW																																		
COUNSEL YES      No <div style="text-align: center; margin-top: 5px;">X</div>		NAME OF COUNSEL AND OR ORGANIZATION			ADDRESS AND OR ORGANIZATION OF COUNSEL																																		
<div style="display: flex; justify-content: space-between;"> <div style="width: 55%;">                 MEMBER SITTING             </div> <div style="width: 40%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: center;">VOTE OF THE BOARD</th> </tr> <tr> <th style="width: 15%;">HON</th> <th style="width: 15%;">GEN</th> <th style="width: 15%;">UOTHC</th> <th style="width: 15%;">OTHER</th> <th style="width: 15%;">DENY</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X*</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X*</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X*</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X*</td></tr> <tr><td></td><td></td><td></td><td></td><td style="text-align: center;">X*</td></tr> </tbody> </table> </div> </div>					VOTE OF THE BOARD					HON	GEN	UOTHC	OTHER	DENY					X*					X*					X*					X*					X*
VOTE OF THE BOARD																																							
HON	GEN	UOTHC	OTHER	DENY																																			
				X*																																			
				X*																																			
				X*																																			
				X*																																			
				X*																																			
ISSUES <b>A94.05</b>		INDEX NUMBER <b>A67.90</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;">1</td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align: center;">2</td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align: center;">3</td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align: center;">4</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		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																
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																																						
HEARING DATE  <b>10 May 2007</b>		CASE NUMBER  <b>FD-2006-00481</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> <p>* Reason and Authority</p> <div style="border: 1px dashed black; height: 100px; width: 100%; margin-top: 20px;"></div>																																							
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		DATE: 5/15/2007																																	

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2006-00481**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable and to change the reason and authority for the discharge.

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 and change of reason and authority for discharge are 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:**

Although not explicitly stated, applicant contends her discharge was inequitable because it was too harsh. Applicant stated she was a victim of domestic violence and did not receive the needed support from her leadership. The records indicated the applicant received two Article 15s and a Record of Individual Counseling for misconduct. The applicant received her first Article 15 for disobeying a lawful order to clean up and report to the barracks to get ready for a Base Honor Guard detail. She was punished with a suspended reduction in grade and 30 days of extra duty. Her second Article 15 was for making a false statement during a pre-trial confinement hearing. She was reduced in grade to Airman and had to perform 14 days of extra duty. She was also administratively disciplined for failure to go. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. The Board concluded the applicant's 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 AMN) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Little Rock AFB, AR on 1 Apr 97 UP AFI 36-3208, para 5.50.2 (Pattern of Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge and to Change Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 18 Nov 75. Enlmt Age: 18 6/12. Disch Age: 21 4/12. Educ: HS DIPL. AFQT: N/A. A-76, E-62, G-72, M-42. PAFSC: 2R131 - Maintenance Scheduling Apprentice. DAS: 15 Mar 95.

b. Prior Sv: (1) AFRes 1 Jun 94 - 21 Nov 94 (5 months 21 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 22 Nov 94 for 4 years. Svd: 02 Yrs 04 Mo 10 Das, all AMS.

b. Grade Status: Amn - 18 Mar 97 (Article 15, 18 Mar 97)  
A1C - 22 Jan 97  
Amn - 24 May 96 (Article 15, 24 May 96)  
A1C - 22 Mar 96  
Amn - 22 May 95

c. Time Lost: None.

d. Art 15's: (1) 18 Mar 97, Little Rock AFB, AR - Article 134. You did, on or about 21 Dec 96, in a pre-trial confinement hearing, wrongfully and unlawfully make under lawful oath a false statement in substance as follows: that you did not spend any time with SrA [redacted] between on or about 6 Dec 96 and on or about 19 Dec 96, which statement you did not then believe to be true. Reduction to Amn and 14 days extra duty. (No appeal) (No mitigation)

(2) 24 May 96, Little Rock AFB, AR - Article 91. You having received a lawful order from MSgt [redacted] a NCO, then known by you to be a NCO, to clean up and report to the barracks to get ready for a Base Honor Guard detail, an order which it was your duty to obey, did, on or about 17 May 96, willfully disobey the same. Reduction to AB and 30 days extra duty. Appeal approved in part. Reduction from Amn to AB suspended effective 13 Sep 96. (No mitigation)

e. Additional: RIC, 23 MAY 96 - Failure to go.

f. CM: None.

g. Record of SV: 22 Nov 94 - 21 Jul 96 Little Rock AFB 3 (Initial)

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

i. Stmt of Sv: TMS: (02) Yrs (10) Mos (01) Das  
TAMS: (02) Yrs (04) Mos (10) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 19 Dec 06.  
(Change Discharge to Honorable and Reason for Discharge.)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

12FEB07/day

# APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

OMB No. 0704-0004  
OMB approval expires  
Oct 31, 2009

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. **PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.**

## PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

## 1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.

a. BRANCH OF SERVICE (X one) ☐ ARMY ☐ MARINE CORPS ☐ NAVY ☒ AIR FORCE ☐ COAST GUARD

b. NAME (Last, First, Middle Initial)

c. GRADE/RANK AT DISCHARGE

d. SOCIAL SECURITY NUMBER

E2

e. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON NAMED IN ITEM 11 (Forward notification of any change in address.)

f. TELEPHONE NUMBER (Include Area Code)

g. E-MAIL

h. FAX NUMBER (Include Area Code)

## 2. DATE OF DISCHARGE OR SEPARATION

(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)

19970401

## 4. DISCHARGE CHARACTERIZATION RECEIVED (X one)

☐ HONORABLE☒ GENERAL/UNDER HONORABLE CONDITIONS☐ UNDER OTHER THAN HONORABLE CONDITIONS

## 5. BOARD ACTION REQUESTED (X one)

☒ CHANGE TO HONORABLE☐ CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS☐ CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)☒ CHANGE NARRATIVE REASON FOR SEPARATION:

## 3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION

314th, Little Rock, AR

☐ BAD CONDUCT (Special court-martial only)☐ UNCHARACTERIZED☐ OTHER (Explain)

## 6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 13. See instructions on Page 3.)

The issue that caused me to want to be separated from the military was domestic violence. The offender was also in the Air Force and I felt that because of all of the incidents that had happened I was not safe there and I was getting no assistance from the Air Force in keeping this individual from breaking into my dorm room-which he did on several occasions or attacking me-which he also did on

7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD) AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

## 8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 14. If military documents or medical records are relevant to your case, please send copies.)

## 9. TYPE OF REVIEW REQUESTED (X one)

☒ CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.

☐ I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.

☐ I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

## 10.a. COUNSEL/REPRESENTATIVE (If any) NAME (Last, First, Middle Initial) AND ADDRESS

(See Item 10 of the Instructions about counsel/representative.)

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL

d. FAX NUMBER (Include Area Code)

## 11. APPLICANT MUST SIGN IN ITEM 12.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name (print) and relationship by marking a box below.

☐ SPOUSE☐ WIDOW☐ WIDOWER☐ NEXT OF KIN☐ LEGAL REPRESENTATIVE☐ OTHER (Specify)

## 12. CERTIFICATION. 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, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)

## CASE NUMBER

(Do not write in this space.)

a. SIGNATURE - REQUIRED (Applicant or person in Item 11 above)

b. DATE SIGNED - REQUIRED (YYYYMMDD)

20061219

FD 2006-00481

**13. CONTINUATION OF ITEM 6, ISSUES (If applicable)**

several occasions-both on and off base. The offender lied and stated that I was still coming to see him and he had a friend in the military who corroborated the lie. The military conducted a line-up of individuals that were supposed to look like me, when in fact only one looked anything close to me and the offenders witness knew the both of us-so the line-up was useless anyway. I chose not to fight the separation in 1997 because I was ready to leave the service because I felt I was being made to blame for bringing to light the huge problem of domestic violence on the military installations. There was no misconduct on my part and I feel that this never should have been placed on my record. The only thing that I did wrong was get involved with an individual who thought beating women should be accepted. I now realize that allowing the military to place the "misconduct" on my record makes it appear that I did something wrong when in fact I was the victim. I feel that I did things to try to prevent him from contacting me, I spoke with Family Advocacy, I moved back on base to the dormitory, his Unit Commander as well as my Unit Commander were informed of the situation-yet nothing was done to protect me-even after losing my child. I know now that the military takes the issue more seriously, but while I was serving the issue was not spoken of publicly and there was not much assistance to the victims even if they were Active Duty personnel.

**14. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)****15. REMARKS (If applicable)**

While still in the service, I wrote the poem below about the issue of Domestic Violence, not just in the military but in the world, and it was published in a newspaper in Little Rock, AR. This upset my commander even though the poem had no mention of the Air Force or their lack of assistance for victims of domestic violence.

Domestic Violence is a problem that happens every single day  
 It can happen to anyone, not just a certain religion or a certain race  
 Lots of women are in this situation and don't quite know what to do  
 Hiding their shame from their loved ones-hiding bruises black and blue  
 Many people blame the women for not leaving these abusive men  
 Comments like these are easy to make when you're on the outside looking in  
 When are you going to do something about it?  
 When it's your daughter or sister who's hurt-  
 What is it that these women have nowhere to turn, except to a legal system that doesn't work?  
 When are people going to start helping instead of not wanting to pry?  
 Why is it that the only way justice is served is when the woman dies?  
 We can't just keep passing by and turning our heads in silence-  
 When women and children die everyday due to Domestic Violence

**MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.****ARMY**

Army Review Boards Agency  
 Support Division, St. Louis  
 9700 Page Avenue  
 St. Louis, MO 63132-5200  
 (See <http://arba.army.pentagon.mil>)

**NAVY AND MARINE CORPS**

Naval Council of Personnel Boards  
 720 Kennon Street, S.E.  
 Room 309 (NDRB)  
 Washington Navy Yard, DC 20374-5023

**AIR FORCE**

Air Force Review Boards Agency  
 SAF/MRBR  
 550-C Street West, Suite 40  
 Randolph AFB, TX 78150-4742

**COAST GUARD**

U.S. Coast Guard  
 Commandant (CG-122)  
 2100 Second Street, S.W. Room 5500  
 Washington, DC 20593



# DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 314TH AIRLIFT WING (ACC)  
LITTLE ROCK AIR FORCE BASE, ARKANSAS

20 MAR 1997

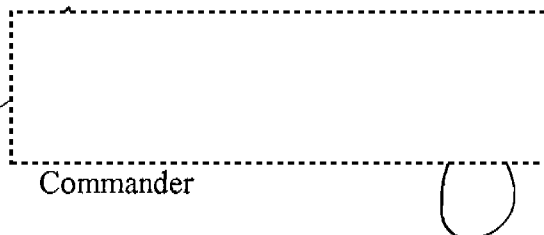
MEMORANDUM FOR: [REDACTED]  
314th LOGISTICS SUPPORT SQUADRON

FROM: 314 LSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for A Pattern of Misconduct, Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFRD 36-32 and AFI 36-3208, paragraph 5.50.2. If my recommendation is approved, your service will be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).
2. My reasons for this action are:
  - a. On or about 21 Decemer 1996, you wrongfully and unlawfully made a false statement under lawful oath, that you did not spend any time with SrA: [REDACTED] on or about 6 December 1996, which statement was not true. You received an Article 15 for your actions. (Atch 1-1)
  - b. On or about 22 May 1996, you failed to go to your appointed place of duty at the time prescribed. You received a Letter of Counseling for your actions. (Atch 1-2)
  - c. On or about 17 May 1996, you disobeyed a lawful order to clean up and report to the barracks for an Honor Guard detail. You received an Article 15 for your actions. (Atch 1-3)
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 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.
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: [REDACTED] Area Defense Counsel, at Whiteman AFB, MO by telephone at Bldg. 1255, Rm 201, Telephone 3260 on 20 March 1997 at 1600 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 3 workdays 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 Little Rock AFB Hospital at 0730 hours on 24 March 1997 for the examination.
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 the Orderly Room.
9. Execute the attached acknowledgment and return it to me immediately.

✓ 

Commander

Attachments:

- 1-1 Art 15, 19 Mar 97
- 1-2 LOC, 23 May 96
- 1-3 Art 15, 13 Jun 96