

# 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%; margin-top: 5px;"></div>		GRADE  AMN	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%; margin-top: 5px;"></div>																																			
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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																																						
<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																																				

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2007-00002**

**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. She admits to minor infractions during her three years of service and attributes this to youth and lack of maturity. The records indicated the applicant received an Article 15, a Vacation, eight Letters of Reprimand, and seven Records of Individual Counseling for misconduct. The applicant received an Article 15 for failure to go to her appointed place of duty. She was punished with a suspended reduction in grade to Airman, forfeiture of pay for two months, and 15 days of extra duty. The Vacation action was also for failure to go to her appointed place of duty. For this misconduct, she was reduced in grade to Airman. The records also indicated the applicant continued her misconduct and was administratively disciplined for being late for duty, forwarding chain letters over the Air Force email, failure to carry out instructions, sleeping in the lounge during duty hours, disrespect towards an NCO, failure to complete CDCs and test failure, dereliction of duty, failure to go, insubordinate conduct towards an NCO on two separate occasions, and failed dorm room inspections. 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 Keesler AFB, MS on 6 Oct 99 UP AFI 36-3208, para 5.50 (Pattern of Misconduct). Appeals for Honorable Discharge, and Change the Reason for Discharge.

2. **BACKGROUND:**

a. DOB: 3 Jul 78. Enlmt Age: 18 0/12. Disch Age: 21 3/12. Educ: HS DIPL. AFQT: N/A. A-79, E-48, G-52, M-26. PAFSC: 4N151 - Surgical Service Journeyman. DAS: 17 Jan 97.

b. Prior Sv: (1) AFRes 19 Jul 96 - 27 Aug 96 (1 month 9 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 28 Aug 96 for 4 yrs. Svd: 03 Yrs 01 Mo 09 Das, all AMS.

b. Grade Status: Amn - 21 May 99 (Vacation of Article 15, 11 Aug 99)  
A1C - 28 Dec 97  
Amn - 28 Feb 97

c. Time Lost: None.

d. Art 15's: (1) 11 Aug 99, Vacation, Keesler AFB, MS - Article 86. You, did, on or about 24 Jul 99, without authority, failure to go at the time prescribed to your appointed place of duty, to wit: Bldg 468, Keesler Medical Center. Reduction to Airman. (No appeal) (No mitigation)

(2) 21 May 99, Keesler AFB, MS - Article 86. You, did, on or about 10 May 99, without authority, fail to go at the time prescribed to your appointed place of duty, to wit Bldg 468, Keesler Medical Center. Suspended reduction to Airman. Forfeiture of \$100.00 pay per month for two months, and 15 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 29 MAR 99 - Forwarding chain letters over Air Force e-mail system.  
RIC, 28 JAN 99 - Late for duty.  
RIC, 17 DEC 98 - Failure to carry out instructions.  
LOR, 14 JUL 98 - Dereliction of duty.  
LOR, 18 JUN 98 - Disrespect towards an NCO, and failure to obey a lawful order.  
LOR, 18 JUN 98 - Repeatedly failed to go to appointed place of duty on time.

RIC, 03 JUN 98 - Failure to complete CDCs and failed CDC test.  
 RIC, 07 APR 98 - Dereliction of duty.  
 LOR, 24 MAR 98 - Failure to go.  
 LOR, 04 NOV 97 - Insubordinate conduct towards an NCO and dereliction of duty.  
 LOR, 18 SEP 97 - Insubordinate conduct towards an NCO and dereliction of duty.  
 LOR, 28 JUL 97 - Failure to go.  
 RIC, 21 JUL 97 - Failure to obey an order or regulation.  
 RIC, 09 JUL 97 - Failed dorm room inspection.  
 RIC, 16 JUN 97 - Failure to obey an order or regulation.

f. CM: None.

g. Record of SV: 28 Aug 96 - 27 Apr 98 Keesler AFB 3 (Initial)  
 28 Apr 98 - 27 Apr 99 Keesler AFB 2 (Annual)REF

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (03) Yrs (02) Mos (18) Das  
 TAMS: (03) Yrs (01) Mos (09) Das

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

Issue 1: I feel thta (sic) my discharge should be upgraded to an Honorable and my reason for seperation (sic) be changed to "Good of the service". I served in the US Air Force from 1996 to 1999 and my record does show some counseling and reprimand letter for minor infractions of the rules [A92.24] over my 3 yrs with the military. I also feel that my ability to serve was impaired by my youth and immaturity [A93.02] which caused me to get in trouble. I did try to serve and I wanted to but just couldn't change some of my habits aswauth (sic) [A94.04].

Issue 2: My discharge was based on many offenses, but they were mostly only minor offenses [A94/10]. I have been a good citizen since discharge [A92.22].

ATCH  
 None.

08MAR07/ia



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

MEMORANDUM FOR Amn:

*9 Sept 99*

FROM: 81 MSGS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Pattern of Misconduct. The authority for this action is AFPD 36-32 and AFI 36-3208, Chapter 5, Section H, Paragraph 5.50. If my recommendation is approved, your discharge will be described as Honorable or General. I am recommending that your service be characterized as General.

2. My reasons for this action are:

a. On 24 Jul 99, you, did, at Keesler Air Force Base, Mississippi, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Bldg 0468, Keesler Medical Center, for which your suspended reduction under Article 15, UCMJ, was vacated on 5 Aug 99. (Atch 1, Appendix A w/atc)

b. On or about 10 May 99, you, did, at Keesler Air Force Base, Mississippi, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Bldg 0468, Keesler Medical Center for which you were punished under Article 15, UCMJ, on 20 May 99. (Atch 1, Appendix B w/atcs)

c. On or about 29 Mar 99, you failed to refrain from sending chain letter over Air Force e-mail system, for which you received a Letter of Reprimand on 29 Mar 99. (Atch 1, Appendix C)

d. On 28 Jan 99, you were late for first patient pick-up which resulted in a patient being late for surgery, for which you received a Letter of Counseling dated 28 Jan 99. (Atch 1, Appendix D)

e. On or about 15 Dec 98, you failed to follow proper procedure for scheduling procedures, for which you received a Letter of Counseling on 17 Dec 98. (Atch 1, Appendix E)

f. On or about 14 Jul 98, you failed to remain awake during duty hours, for which you received a Letter of Reprimand on 14 Jul 98. (Atch 1, Appendix F)

g. On 17 Jun 98, you failed to tuck in your scrub shirt, and displayed a disrespectful attitude towards an NCO, in that you rolled your eyes and responded "whatever" when instructed to tuck in your shirt, for which you received a Letter of Reprimand on 18 Jun 98. (Atch 1, Appendix G)

h. On 8 Jun 98, you were 45 minutes late to work, for which you received a Letter of Reprimand on 18 Jun 98. (Atch 1, Appendix H)

i. On 1 Jun 98, you failed to have Vol II of your CDCs completed, for which you received a Letter of Counseling on 3 Jun 98. (Atch 1, Appendix I)

j. On 29 May 98, you were 45 minutes late to Air Transportable Hospital, for which you received a Letter of Reprimand on 18 Jun 98. (Atch 1, Appendix H)

k. On 6 Apr 98, you failed to pull your cases in accordance with the surgeon's preference card, for which you received a Letter of Counseling on 7 Apr 98. (Atch 1, Appendix J)

l. On 3 Apr 98, you failed to pull your cases in accordance with the surgeon's preference card, for which you received a Letter of Counseling on 7 Apr 98. (Atch 1, Appendix J)

m. On 24 Mar 98, you failed to go at the time prescribed to your appointed place of duty, for which you received a Letter of Reprimand on 24 Mar 98. (Atch 1, Appendix K)

n. On 3 Nov 97, you displayed inappropriate behavior towards an NCO, for which you received a Letter of Reprimand on 4 Nov 97. (Atch 1, Appendix L)

o. On 3 Nov 97, you failed to fulfill your duties as a surgery technician, for which you received a Letter of Reprimand on 4 Nov 97. (Atch 1, Appendix L)

p. On 18 Sep 97, you displayed inappropriate behavior towards a superior officer, for which you received a Letter of Reprimand on 18 Sep 97. (Atch 1, Appendix M)

q. On 18 Sep 97, you failed to fulfill your duties as a surgery technician, for which you received a Letter of Reprimand on 18 Sep 97. (Atch 1, Appendix M)

r. On 28 Jul 97, you failed to report for duty, for which you received a Letter of Reprimand on 28 Jul 97. (Atch 1, Appendix N)

s. On 17 Jul 97, you were late for first patient pick-up, for which you received a Letter of Counseling on 21 Jul 97. (Atch 1, Appendix O)

t. On 8 Jul 97, you failed to maintain your dormitory room in inspection order, for which you received a Letter of Counseling on 9 Jul 97. (Atch 1, Appendix P)

u. On 12 Jun 97, you were late for first patient pick-up, resulting in a patient being late for surgery, for which you received a Letter of Counseling 16 Jun 97. (Atch 1, Appendix Q)

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 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. Any special pay, bonuses, or education assistance funds may be subject to recoupment.

4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult \_\_\_\_\_ at Bldg 0701, Room 102, on 10 Sept 99 at 0900 hours. You may consult civilian 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 14 Sept by 1630 hours 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 81<sup>st</sup> Medical Group, Physical Exams on 10 Sept 99, 1999 at 0700 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 Bldg 046B, CQ.

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

Commander

Attachments:

1. Supporting Documents
  - a. AF Form 366 dated 11 Aug 99 w/atchs
  - b. AF form 3070 dated 21 May 99
  - c. Letter of Reprimand dated 29 Mar 99
  - d. AF Form 174 dated 28 Jan 99
  - e. AF Form 174 dated 17 Dec 98
  - f. Letter of Reprimand dated 14 Jul 98
  - g. Letter of Reprimand dated 18 Jun 98
  - h. Letter of Reprimand dated 18 Jun 98
  - i. AF Form 174 dated 3 Jun 98
  - j. AF Form 174 dated 7 Apr 98
  - k. Letter of Reprimand dated 24 Mar 98
  - l. Letter of Reprimand dated 4 Nov 97
  - m. Letter of Reprimand dated 18 Sep 97
  - n. Letter of Reprimand dated 28 Jul 97
  - o. AF Form 174 dated 21 Jul 97
  - p. AF Form 174 dated 9 Jul 97
  - q. AF Form 174 dated 16 Jun 97
2. Airman's Receipt of Notification Memorandum
3. Airman's Statements

ATCH 1