

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 150px; height: 15px; margin-top: 5px;"></div>	GRADE AMN	AFSN/SSAN <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>
--	--------------	--

TYPE GEN	X	PERSONAL APPEARANCE	RECORD REVIEW
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION AMERICAN LEGION	ADDRESS AND OR ORGANIZATION OF COUNSEL ATTN: QUEEN BAKER 1608 K STREET NW WASHINGTON DC 20006
YES	No		
X			

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES 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 HEARING	

HEARING DATE 18 Mar 2010	CASE NUMBER FD-2008-00474	
------------------------------------	-------------------------------------	--

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 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.

X – Upgrade, Reason for Discharge, and Reenlistment Code

--	--

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 20762-7001
---	--

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2008-00474

GENERAL: The applicant appeals for upgrade of discharge to honorable, change the reason and change the reenlistment code. The attached brief contains available pertinent data on the applicant and factors leading to the discharge.

The applicant appeared and testified before the Discharge Review Board (DRB) with counsel at Andrews AFB on 18 Mar 2010. The following witness also testified on the applicant's behalf: Ms. Andrea C. Hines (Sister).

The following additional exhibits were submitted at the hearing:

Exhibit 6: American Legion Statement

FINDINGS: Upgrade of discharge, change of reason and change of reenlistment code 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: Applicant contends her discharge was inequitable because she was treated unfairly and too harsh by her command and supervisor while assigned to the 32IS. She also contends there was an abuse of power by her command and she received no support from leadership in regards to domestic abuse and sexual assault by her spouse. The records indicated the applicant received a special court martial for being derelict in the performance of her duties on two occasions, failing to present an AF Form 988 (Leave Request/ Authorization) signed by her supervisor, attempting to access the controlled campus area with a temporary security access badge assigned to another Air Force member, wrongfully and falsely altering the actual number of days she was to be on quarters, and without authority fail to go at the time prescribed to her appointed place of duty. She was discharged with a general discharge under honorable conditions after serving 3 years and 5 months of her 6 year enlistment. The Discharge Review Board opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. The Board found applicant's contention to be without merit and concluded the misconduct was a significant departure from conduct expected of all military members and the characterization of the discharge received by the applicant 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.