

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 150px; height: 15px;"></div>				GRADE		AFSN/SSAN <div style="background-color: black; width: 80px; height: 15px;"></div>																															
TYPE GEN		PERSONAL APPEARANCE				X RECORD REVIEW																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">No</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;">X</td> </tr> </table>		YES	No		X	NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL																											
YES	No																																				
	X																																				
MEMBER SITTING						<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 16.6%;">HON</td> <td style="width: 16.6%;">GEN</td> <td style="width: 16.6%;">UOTHC</td> <td style="width: 16.6%;">OTHER</td> <td style="width: 16.6%;">DENY</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> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td style="text-align: center;">X</td> </tr> </table>		HON	GEN	UOTHC	OTHER	DENY					X					X					X					X					X
HON	GEN	UOTHC	OTHER	DENY																																	
				X																																	
				X																																	
				X																																	
				X																																	
				X																																	
ISSUES <b>A94.55</b>		INDEX NUMBER <b>A67.30</b>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> <tr> <td style="width: 30px; 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 HEARING</td> </tr> </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 HEARING														
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 May 2012</b>		CASE NUMBER <b>FD-2009-00024</b>																																			
<div style="background-color: black; width: 100%; height: 15px;"></div> <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>																																					
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742				<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7001																																	

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b> <b>FD-2009-00024</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to honorable.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined and requests that the review be completed based on the available service record.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDING:</b> The Board denies the upgrade of the discharge.</p> <p><b>ISSUE:</b> Applicant received a General discharge for Misconduct – Civilian Conviction</p> <p>Applicant contends discharge was inequitable because it was too harsh. She states the statements she made to the Japanese interpreters were translated inaccurately and falsely led to her conviction. The records indicated the applicant was found guilty of use of a stimulant at or near Camp Foster Okinawa, Japan and cultivation of marijuana in her residence on Camp Foster, Okinawa, Japan. The applicant was sentenced to one year and six months imprisonment with hard labor, suspended for three years. Additionally, the applicant met an administrative discharge board at Kadena Air Base, Okinawa Japan on January 29, 2002. The administrative discharge board considered the allegations and found the allegations were supported by the evidence. The DRB found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.</p> <p><b>CONCLUSION:</b> 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 the applicant was provided full administrative due process.</p> <p>In view of the foregoing findings, the Board further concludes that there exists no legal or equitable basis for upgrade of discharge and determines the discharge should remain unchanged.</p> <p>Attachment: Examiner's Brief</p>	