RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2016-00207

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her General (Under Honorable Conditions) discharge be upgraded to Honorable.

APPLICANT CONTENDS THAT:

At the time of her military service, she was “between a rock and a hard place” because her husband did not understand her obligations to the military. She tried to juggle her marriage and her military career, but could not so she asked to be discharged.

The applicant’s complete submission, with attachments, is at Exhibit A.

STATEMENT OF FACTS:

The applicant initially entered the Regular Air Force on 26 May 91.

On 26 May 93, the applicant was referred to the Mental Health Clinic for a psychological evaluation. She was diagnosed with an “Adjustment Disorder with Anxious Mood,” but her condition was not severe enough to warrant administrative separation.

On 11 Aug 93, the applicant’s commander notified her he was recommending her for a General discharge for misconduct. The reasons for making this recommendation were:

a.  On or about 11 Oct 91, the applicant willfully damaged military property by throwing a lamp, which broke a window, and by kicking a table, causing it to break. For this, she was punished under Article 15 of the Uniform Code of Military Justice (UCMJ).

b.  On 3 and 4 Jun 92, the applicant failed to go at the time prescribed to her appointed place of duty. For this, she received verbal counseling.

c.  On 4 Jun 92, the applicant was counseled for being derelict in the performance of her duties. Specifically, she was not accomplishing tasks on time or not at all when directed to do so, she was not accomplishing any tasks without first being told to do so, she was not communicating to the staff what was accomplished prior to leaving the unit, and she was having difficulty documenting patient care.

d  On or about 26 May 93, the applicant went absent without leave (AWOL), and remained AWOL until 28 May 93. For this, she was punished under UCMJ Article 15.

The applicant acknowledged her right to counsel, her right to submit statements on her own behalf, and her case was reviewed and determined to be legally sufficient.

On 19 Aug 93, the discharge authority directed the applicant be discharged with a General discharge without probation or rehabilitation.

On 24 Aug 93, the applicant was furnished a General (Under Honorable Conditions) discharge, with a narrative reason for separation of “Misconduct--Pattern Discreditable Involvement with Military or Civil Authorities,” and was credited with 2 years, 2 months, and 29 days of active service, with lost time during the period 26 May 93 through 28 May 93.

On 1 Mar 96, the Air Force Discharge Review Board (DRB) reviewed the applicant’s case and determined there was no legal or equitable basis for upgrading her discharge.

On 20 Jun 16, a request for post-service information was forwarded to the applicant for review and comment within 30 days. As of this date, no response has been received by this office. (Exhibit C)

THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was timely filed.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we find no evidence of an error or injustice that occurred in the discharge processing. Based on the available evidence of record, it appears the discharge was consistent with the substantive requirements of the discharge regulation and within the commander's discretionary authority. The applicant has provided no evidence which would lead us to believe the characterization of the service was contrary to the provisions of the governing regulation, unduly harsh, or disproportionate to the offenses committed. In the interest of justice, we considered upgrading the discharge based on clemency; however, in the absence of any evidence related to the applicant’s post-service activities, there is no way for us to determine if the applicant’s accomplishments since leaving the service are sufficiently meritorious to overcome the misconduct for which she was discharged. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought.

The following members of the Board considered AFBCMR Docket Number BC-2016-00207 in Executive Session on 25 May 17 under the provisions of AFI 36-2603:

Panel Chair

Member

Member

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 12 Jan 16, w/atchs.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, AFBCMR, dated 20 Jun 16, w/atch.

Pursuant to paragraph 1 of AFI 36-2603 (Title 32 Code of Federal Regulations, Part 865.1), it is certified that a quorum was present at the Board's review and deliberations, and the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.