

SUMMARY: The Applicant was discharged on January 18, 2022 in accordance with Department of the Air Force Instruction 36-3211, Military Separations, with an Under Honorable Conditions (General) Service Characterization for Misconduct (Minor Infractions). The Applicant requested an upgrade of their Service Characterization.

The Applicant requested the Board be completed based on a Record Review. The Board was conducted on May 30, 2025. The Applicant was not represented by counsel.

The attached examiner's brief (provided to Applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the Applicant's military service.

DISCUSSION: The Discharge Review Board (DRB), under its responsibility to examine the propriety and equity of an Applicant's discharge, is authorized to change the Characterization of Service and the Narrative Reason for discharge if such changes are warranted. If applicable, the Board can also change the Applicant's Reentry Code. In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, including evidence submitted by the Applicant. The Board thoroughly reviewed the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.

The DRB provided a notice to inform the service member of resources available to help answer their questions about the application process and/or to help them supplement their application, to include information on the types of evidence that can be submitted to support a claim; information regarding potential eligibility for mental health treatment and evaluation services offered by the Department of Veterans Affairs (VA); general information regarding Veterans Service Organizations that may assist with DRB applications, and their right to retain counsel; a link to a database of legal services organizations that serve members of the military, veterans, and their families; the weblink to the VA's Directory of Veteran's Service Organizations; and information regarding reasonable accommodation requests from the DRB in the application and adjudication process.

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by Applicant and/or counsel; the Applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the Applicant's service information and a summary of the case.

The Applicant contended they were informed that the separation from the military was not due to their Traumatic Brain Injury (TBI). Despite the TBI and severe anxiety from a prior accident, the Applicant was still ordered to drive a government vehicle, reflecting a disregard for medical limitations. The Applicant contended they consistently demonstrated strong work performance but faced bias, favoritism, and lack of recognition from supervisors. The Applicant claims they endured health issues, negligent care, and perceived racial bias in the discharge process, with key leadership ignoring character statements and accomplishments. The Applicant requests a review of supporting documents for a Character upgrade.

The Applicant requested an upgrade to their Character of Service based on TBI. The Applicant asked the board to consider their in-service accomplishments, post-service achievements, liberal consideration, and clemency. After a thorough review of the Applicants record and consideration to the Applicants contentions, evidence and available records the board determined to deny the request to upgrade the Character of Service.

LIBERAL CONSIDERATION: Due to the Applicant's contentions or evidence of a mental health diagnosis and/or experiences of sexual assault or sexual harassment and/or records documenting that one or more symptoms of mental health conditions and/or experiences of sexual assault or sexual harassment existed/occurred during military service found in the Applicant's record, the Board considered the case based on the liberal consideration (LC) standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and 10 USC §1553. The Board included a member who is a physician, clinical psychologist, psychiatrist or social worker with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI) or other trauma. Specifically, the Board reviewed the four questions the Under Secretary of Defense provided that Boards should consider when weighing evidence in requests for modification of discharges due in whole or in part to mental health conditions, including PTSD: TBI, sexual assault, and sexual harassment. The Board considered the following:

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

On their DD293, the Applicant contended, "I have been informed my TBI is not why I am leaving the military at the time of my notification. Despite my Traumatic Brain Injury (TBI), and with my severe anxiety of driving after my car accident, I am still told to drive the GOV, which clearly portrays my workplace's submissiveness of my injury. Additionally, I have consistently worked hard in my unit and yet, the supervisors have been constantly biased with myself and my coworkers. In other words, no matter how hard I'd work, I am told "you are doing your job" despite going above and beyond my peer coworkers. Likewise, there was severe favoritism in the workplace during my time at Eglin AFB, and I have had to suffer severe health conditions, along with negligent health care providers and negligent workplace supervisors at Eglin AFB Hospital. All paperwork issued by the supervisors were used against me, as these events were outside of my control. In fact, this General Discharge was racially targeting, as the Medical Support Squadron CC and the base command CC did not even consider my character statements and my accomplishments while in the military. Conclusively, please consider my documents of evidence for my discharge." Applicant also marked 'TBI' on the form as an issue/condition related to their request.

2. Did that condition exist/experience occur during military service?

A review of the available records revealed evidence the Applicant's was involved in a motor vehicle accident and transported to a civilian hospital emergency department for assessment during their time in service. The Applicant was diagnosed with a concussion at the emergency department and admitted overnight for observation. When the Applicant followed up with primary care at the military treatment facility, based on the Applicant's presentation and information obtained from the emergency room, they were diagnosed with mild Traumatic Brain Injury.

In their contention, the Applicant mentioned 'severe anxiety of driving after my car accident' as related to their TBI. However, a review of available records revealed the Applicant presented to mental health providers while in service with concerns about having PTSD. At least part of the Applicant's concern about PTSD related to driving after the accident that resulted in the Applicant's TBI. A review of the relevant medical records revealed the Applicant met no criteria for PTSD. The provider noted the Applicant explained they avoided driving on highways, which is where the accident reportedly occurred. But the Applicant noted to the provider that they had no problem driving anywhere else and that they denied any impairment or decreased functionality.

3. Does that condition, or experience actually excuse or mitigate the discharge?

A review of the Applicant's DD214 revealed the Applicant was discharged with an Under Honorable Conditions (General) characterization for Misconduct (Minor Infractions) with 2 years, 2 months, 16 days of service. A review of the available portions of the Applicant's discharge package revealed that the minor infractions that were listed in the discharge notification memorandum occurred between February and December 2023, with the final LOR issued on 18 December 2023, five days before the car accident. Therefore, the Applicant had not experienced the accident or received a TBI/concussion until after all misconduct incidents that led to the Applicant's discharge had occurred.

A review of the Applicant's contention from the DD293 application revealed the Applicant also made allegations about severe favoritism in the workplace and that the General discharge the Applicant received was 'racially targeting'. The Board is not an investigative body and presumes regularity in the conduct of governmental affairs. This means that, absent evidence to the contrary, the Board presumes that military and civilian personnel involved in a member's discharge carried out their duties correctly, lawfully, and in good faith. The applicant bears the burden of providing evidence to overcome this presumption, and the Board will only grant relief if it determines there is sufficient evidence to conclude the applicant's discharge was not proper or equitable in accordance with Enclosure 4 of DoDI 1332.28.

Overall, a review of the available records revealed no evidence to support that the Applicant's condition or experience mitigated or substantially contributed to their discharge, or to the misconducts that led to their discharge.

4. Does that condition, or experience outweigh the discharge?

There was no evidence a TBI or a mental health condition mitigated or excused the Applicant's discharge. Therefore, it does not outweigh the discharge.

Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, *Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations*, dated 25 June 2018, known as the "Wilkie Memo." The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum and found no evidence of inequity or impropriety.

FINDING AND CONCLUSION: After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. The DRB voted unanimously to *deny* the Applicant's request. Therefore, the awarded Service Characterization shall remain "Under Honorable Conditions (General)," the Narrative Reason for separation shall remain Misconduct (Minor Infractions), and the Reentry Code shall remain 2B. The DRB results were approved by the Presiding Officer on August 1, 2025.

Should the Applicant wish to appeal this decision, they must request a personal appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*, all Applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the AFBCMR otherwise their AFBCMR case will be administratively closed until such time that the Applicant avails themselves of the available avenue of relief. Therefore, should the Applicant wish to appeal this decision, they must first exercise their right to make a personal appearance before the AFDRB.

Instructions on how to appeal an AFDRB decision can be found at <https://afrbaportal.azurewebsites.us>

If desired, the Applicant can request a list of the Board members and their votes by writing to:

Air Force Review Boards Agency
Attn: Discharge Review Board
3351 Celmers Lane
Joint Base Andrews, MD 20762-6435

Attachment:
Examiner's Brief (Applicant Only)