



**DRB DIGEST/EXECUTIVE SUMMARY
DRB DOCKET 2013-051**

NAME	E5
CURRENT DD-214	Honorable, COMDT M1000.6A, 12.B.18, JKN, Misconduct, RE4
RELIEF REQUESTED	Upgrade to RE code, Separation code, and Narrative Reason
RELIEF GRANTED BY DRB	Partial relief: Amend Sep Authority to 12.B.16, SPD code to JND, and Narrative Reason to: Separation for Miscellaneous/General Reasons
ADMIN CORRECTIONS	None

TIS	4 yrs, 4 months, 9 days
Policy Implications	None

EXECUTIVE SUMMARY:

The applicant was discharged for Misconduct due to an established pattern showing a failure to pay debts. The applicant's complete Personnel Data Record and Separation Package were available for the Board to review. The Board utilized available information contained in electronic records and documents submitted by the applicant.

The applicant first received a letter of caution from the USCG Security Center (SECCEN) in late 2004 on the status of their security clearance. This notice was due to the excessive amount of debt owed to a laundry list of creditors. SECCEN followed up in late 2006 to indicate that no improvement had been made to eliminate the sizable debt that the applicant had created over a significant amount of time. In early 2008, SECCEN forwarded their intent to revoke the security clearance as 8 more creditors surfaced totaling over 13 thousand dollars. Over those past three years, the applicant was given an opportunity to improve their financial well-being and respond with any information showing an effort to consolidate and eliminate said debt. In the Spring of 2008, the security clearance was officially revoked and the applicant did not appeal the decision.

As a result of losing the clearance, the applicant could no longer perform the duties as a Petty Officer in their rate. At this time, an Unsatisfactory conduct evaluation and formal financial counseling was received from the command. The applicant was not punished adversely at anytime from the initial SECCEN notice to the 4 years thereafter. The applicant was given an extended period of time to reduce the overall debt, however the debt increased in the 42 months after the first notification. The applicant's direct chain of command (in Spring 2008) worked directly with applicant on a financial spending/accounting plan in which dishonest actions on numerous cash withdrawals were discovered. A four part written update was provided to the command on the unwillingness to properly account for nearly \$900 dollars spent in cash. This was after agreements to show payment receipts for all of the basic month-to-month necessities were not met. Additionally, the command formally counseled applicant on the need to change their rating for retention in the service. The member refused that option at that time which is illustrated in emails between the command and epm-1.

The applicant was notified of the intent to discharge, and the applicant was advised of the rights to an attorney. A statement was made while objected to discharge.

Despite the pattern of indebtedness, the Board finds that the applicant's Narrative Reason for Separation of Misconduct is not equitable with separations stemming from financial irresponsibility. The legacy Personnel Manual COMDTINST M1000.6A, Art 12.B.16.b(6) separated enlisted personnel for Unsuitability for a patterned failure to pay debts.

Propriety: Discharge was proper.
Equity: Discharge was NOT equitable.

Final Adjudication by Assistant Commandant For Human Resources: Partial relief is granted as follows:

24. Discharge: No change
25. Authority: COMDTINST M1000.6A, Art 12.B.16
26. Separation Code: JND
27. Re-entry Code: No change
28. Narrative Reason: Separation for Miscellaneous/General Reasons