



**DRB DIGEST/EXECUTIVE SUMMARY  
DRB DOCKET 2013-056**

<b>NAME</b>	E1
<b>CURRENT DD-214</b>	Honorable, COMDTINST M1000.6A, ART 12.B.18, JKA, Pattern of Misconduct, RE4
<b>RELIEF REQUESTED</b>	Upgrade RE code
<b>RELIEF GRANTED BY DRB</b>	Partial relief: Amend Sep Auth to COMDTINST M1000.6A,ART12.B.9, SPD code to JHJ, RE code to RE-3Y, Narrative Reason to Unsatisfactory Performance
<b>ADMIN CORRECTIONS</b>	None

<b>TIS</b>	1 yr, 6 months, 16 days
<b>Policy Implications</b>	None

**EXECUTIVE SUMMARY:**

The applicant was discharged for Pattern Of Misconduct due to receiving two Non-Judicial punishments within a 2 year period. The applicant consistently was given opportunities to excel while aboard a vessel from late 2008 to early 2010. In 2010, the command initiated Discharge proceedings which made the discharge final in the Spring of 2010. The applicant failed to complete the basic duties required of a crew member. As noted in 9 separate administrative remarks entries, the applicant shirked on watches, disobeyed orders, made false statements, disrespected superiors, and put others at risk due to professional negligence.

Despite the undesired behavior, the Board recommends a partial upgrade to reflect that the applicant's troubles were performance-laden in a very short period of time. Being a member of a small crew where deficiencies made a greater impact on everyone. At a young age, there had little room for error. The Board does recognize the adverse impacts of the actions, however the consensus among the panel is that the service is best characterized as 'Unsatisfactory Performance' vice what is normally equitable with a 'Pattern of Misconduct'. While the two NJPs in a short period met the criteria of JKA SPD code, the separation was due to inept performance and immaturity. The applicant did receive an Honorable Discharge at the time of separation. 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 objecting to the discharge.

**Propriety:** Discharge was proper.

**Equity:** Discharge was not equitable.

**Final Adjudication by Assistant Commandant For Human Resources:** Partial relief is granted on the following items:

<b>DD-214 Item</b>	<b>Final Adjudication</b>
24. Discharge	No Change
25. Authority	COMDTINST M1000.6A,ART12.B.9
26. Separation Code	JHJ
27. Re-entry Code	RE-3Y
28. Narrative Reason	Unsatisfactory Performance