

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2012-037

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

Authority of Discharge: 12.B.18

Date of Separation: 2010-11-04

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / No Change

New Authority: No Change

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Misconduct due to Involvement with Drugs.

The applicant's complete Personnel Data Record and Separation Package were available for the Board to review. The applicant was stopped by the State Patrol. The officer found the applicant in possession of marijuana when conducting a field sobriety test. The applicant was subsequently administered a drug test by the USCG. The sample returned a positive result.

The Board finds no issues with propriety or equity in this case. The applicant was notified of the intent to discharge, and the applicant was advised of the rights to an attorney. No objection or statement was made to the discharge.

The applicant has provided an attorney brief with items to oppose the final verdict from the incident. The applicant also has a separate Board of corrections for Military Records where proper counseling is not documented. Neither of these points refute the positive drug test result, which identified the applicant's involvement with drugs that violates the Coast Guard's drug policy.

Final Adjudication by Assistant Commandant For Human Resources: No relief.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.