

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2012-048

Discharge Issued

Character: Honorable

Narrative Reason: Miscellaneous / General Reasons

SPD/RE Code: JND / RE4

Authority of Discharge: 12.B.16

Date of Separation: 2011-09-12

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 Separation For Miscellaneous/General Reasons due to alcohol abuse.

The applicant's first alcohol incident occurred for driving under the influence (DUI) on a military base. The applicant was screened and received IMPACT training. The applicant was found guilty again of DUI on the same military facility. The applicant was screened and found to be alcohol abusive and directed to receive Level I outpatient treatment.

The applicant's record shows that due process was afforded and that the request for a second chance waiver was denied. The applicant argues that his incidents were below the Blood Alcohol content (BAC) threshold required for civilian driving offenses; however they violated the local military policies in place which constitute a DUI when driving on the base grounds. The applicant seeks relief to upgrade the RE4 reentry code issued.

In accordance with ALCOAST 125/10, an "RE-3 is prescribed for individuals who are separated as a result of accumulated two alcohol incidents. However, RE-4 is prescribed for cases involving DUI, associated alcohol related misconduct, or member who fail to complete or refuse treatment." In this case, the applicant was involved in two DUI's and the command elected to take the applicant to NJP for the second DUI/incident, which constitutes alcohol related misconduct.

The Board unanimously recommends no relief and the RE4 is in accordance with policy. Final Adjudication by Assistant Commandant For Human Resources: Concur with Board. 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.