

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-056

Discharge Issued

Character: Honorable

Narrative Reason: Pattern of Misconduct

SPD/RE Code: JKA / RE4

Authority of Discharge: COMDTINST M1000.6A, ART 12.B.18

Date of Separation: 2010-03-11

DRB Decision

Character: No Change

Narrative Reason: Unsatisfactory Performance

SPD/RE Code: JHJ / RE4

New Authority: COMDTINST M1000.6 Art 12.B.9

Discharge Review Board Discussion and Decision:

DISCUSSION:

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 their assigned vessel. The command initiated discharge proceedings which made the discharge final. 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 was 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.

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.