

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-075

**Discharge Issued**

**Character:** General

**Narrative Reason:** Misconduct

**SPD/RE Code:** JKK / RE4

**Authority of Discharge:** COMDTINST 1000.6A 12-B-18

**Date of Separation:** 2007-11-07

**DRB Decision**

**Character:** Under Honorable Conditions (General)

**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 admitted to a physician to using marijuana up to twice a week as documented in a medical report. Pursuant to policy, the command began processing for Discharge due to illegal drug use. The applicant claims disclosing this information in an effort for the physician to help with ongoing mental instability. The applicant believes that the physician violated the doctor-patient confidentiality. The applicant offered up the admission freely without being directly questioned by the physician; Thereafter, the comments were simply documented on the medical report.

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, made a statement asking for 'reconsideration', but did NOT object to discharge.

The Board does note that the applicant received 'General' for the character of service listed in Block 24 of the DD-214. In accordance with ALCOAST 562/08, a General discharge is no longer a valid option for the character of service upon separation. Therefore, based on the post-separation policy, the Board recommends that the character of service be amended to Under Honorable Conditions. Coast Guard policy prescribes no higher than a General, Under Honorable Conditions character of service for individuals separated as a result of violating the Coast Guard's drug policy. The Coast Guard has zero tolerance for drug abuse. The General, Under Honorable Conditions discharge is equitable.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: No relief based on the items provided by the applicant. Yet, in accordance with ALCOAST 562/08, the character of service will be amended to Under Honorable Conditions based on the post-separation policy.

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.

