

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-077

Discharge Issued

Character: Other Than Honorable Conditions

Narrative Reason: Convicted by a Civil Court During Currently Military Service

SPD/RE Code: JKB / RE4

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

Date of Separation: 2006-10-25

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 due to being found guilty by special courts-martial for assault consummated by a battery.

The applicant was charged with sexual assault. The applicant was found guilty of assault consummated by battery that carried a sentence of 60 days confinement. Thereafter, the applicant was Discharged with an Other Than Honorable character of service.

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 statement was made, or any objection to the discharge.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant for Human Resources: No relief. An administrative change will be made on the Separation code (SPD) and Narrative Reason (NR) for Separation. The SPD code will be amended to JKQ, and is aligned with an (NR) of Misconduct.

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.