

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-078

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Pattern of Misconduct

SPD/RE Code: JKA / RE4

Authority of Discharge: COMDTINST M1000.4 Art 1.B.17

Date of Separation: 2012-02-08

DRB Decision

Character: Honorable

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 Pattern Of Misconduct due to two Non-Judicial punishments within a 2-year period.

The applicant's complete Personnel Data Record and Separation Package were available for the Board to review. The Board utilized available information contained in electronic records and documents submitted by the applicant.

In addition to the Non-Judicial punishments (NJPs), the applicant became drunk and disorderly while at "A" School in the Fall by slamming one student doors and attempting to intimidate other shipmates into a physical altercation. All of these infractions that included prior insubordination, professional negligence and disobeying orders resulted in Discipline evaluations that led to his Discharge. 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 discharge.

The Board notes that the applicant's command recommended an Honorable Discharge, but FORCECOM recommended a General, Under Honorable Conditions discharge when a Second Chance waiver for retention was requested and denied. With the final approval, PSC-EPM approved it for an Honorable Discharge. Thereafter, the SPO issued an Under Honorable Conditions character of Service. Based on the final approval made by EPM, the Board recommends an administrative change to Honorable for the applicant.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: Relief to Honorable based on the administrative error made by the Servicing Personnel Office. All other items shall stand as issued.

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.