

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-002

**Discharge Issued**

**Character:** General

**Narrative Reason:** Misconduct

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

**Authority of Discharge:** PERSMAN 12-B-18

**Date of Separation:** 2006-05-11

**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. During a unit urinalysis, the applicant tested positive for cocaine use as documented on an administrative remarks entry. The applicant disputed the findings of the drug testing sample by saying that the chain of custody was done incorrectly and that the specimen could have been altered or tampered with. The applicant's NJP appeal was sent to the regional Approving Authority who concurred that it was a drug incident.

Pursuant to policy, the applicant was recommended for Discharge due to a drug incident. 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. The applicant made a statement and objected to the discharge.

Coast Guard policy prescribes no higher than an Under Honorable Conditions character of service for individuals separated as a result of violating the Coast Guard's drug policy. The Board notes that the applicant received a General Discharge. Per post policy noted in ALCOAST 562/08, a General discharge is no longer considered an official character of service. Therefore, the board recommends a partial upgrade to an Under Honorable Conditions character of service.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: Partial relief is granted to the applicant's Character of Service to Under Honorable Conditions based on post-policy issued by way of ALCOAST 562/08.

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.