

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-012

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Misconduct

SPD/RE Code: HKK / RE4

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

Date of Separation: 2014-01-11

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 for Misconduct due to Involvement with Drugs.

During a CGIS investigation, the applicant admitted to use of Depo-Testosterone by receiving a prescription from a civilian doctor on their own volition (not by way of a referral beforehand from a military clinic or Primary Care Manager). The applicant was asked on two occasions to provide the aforementioned prescription to the command. After four months had passed, the command had no option, but to document this as a drug incident. Furthermore, the Base clinic performed blood work on the applicant which showed that the testosterone levels were not deficient in any way. There was no need or basis for a civilian doctor to prescribe a Testosterone booster to the applicant.

In the Board application, the former member claims that the prescription (forwarded after-the-fact in the current application) should absolve any wrong doing. The Board notes the admission of the illegal use of Testosterone along with the inability to provide said prescription meets the equity and propriety standards for the HKK SPD code.

The applicant was notified of the intent to discharge, and the applicant was advised of the rights to an attorney and to make a statement. The applicant spoke with counsel, but declined to make a statement. The applicant was afforded an Administrative Separation Board in which the command's intent to Discharge was endorsed.

The applicant formally waived said Board contingent on receiving a General Discharge and an Under Honorable Conditions character of service. 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.

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.