

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-013

Discharge Issued

Character: Uncharacterized

Narrative Reason: ENTRY LEVEL PERFORMANCE AND CONDUCT

SPD/RE Code: JGA / RE4

Authority of Discharge: ART12.B.20,COMDTINST M1000.6A

Date of Separation: 2008-10-03

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 Entry Level Performance And Conduct after 1 month and 22 days at initial training.

The applicant claims to be assaulted in boot camp by a company commander among a series of physical altercations that were unprovoked and a direct abuse of power. Thereafter, the applicant had lost faith in the training staff and regimen. The applicant admits to writing a fake suicide letter in order to be separated from the service.

The Board notes that an uncharacterized character of service is not derogatory in nature and is the prescribed character for individuals who were separated while at initial accession training. In the applicant's record, there was no associated conduct to warrant a less desirable character of service. Lastly, the applicant had less than 180 days of Active service which is the minimum time-in-service standard to be considered for a 'Characterized' discharge.

Due to the lack of documentation in the applicant's 52 days of service, the Board recommends that this separation should have been issued just like any other entry level discharge. Moreover, the information and current written testimony offered by the applicant should remain neutral in nature to the requested upgrade. The reentry code of RE-4 is acknowledged in writing prior to the separation, but not supported. Conversely, the RE3L. (which is normally issued) would accurately capture entry level personnel that are unable to adapt to a military training environment.

Given that the applicant was at boot camp for over 7 weeks (more than twice the average of all Entry Level separations) with no other supporting documents to explain the events leading to the discharge, the Board is apprehensive to endorse the rarely used RE-4 with this Entry Level separation.

An RE3 reentry code is not an affirmative recommendation for reenlistment, rather it represents that the applicant is not recommended for reenlistment due to a disqualifying factor. The RE3 code may be waived based upon the policies and needs of the gaining Service.

Propriety: Discharge was proper.

Equity: Discharge was NOT equitable.

Final Adjudication By Deputy Commandant for Mission Support: The Board voted 5-0 to grant partial relief on the applicant's reentry code to RE-3L. All other items 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.