

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-029

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Pattern of Misconduct

SPD/RE Code: JKA / RE4

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

Date of Separation: 2010-12-07

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 Pattern Of Misconduct. The previous year, the applicant punched a civilian twice in the face in a group-like attack when not provoked in any way. The applicant pled 'no contest' in a civilian court to third degree assault consummated by Battery. Thereafter, the applicant received NJP, and then subsequently appealed the severity of the punishment. The applicant had no specific defense for the violent behavior-- just asked for a lesser punishment.

The applicant had shown a history of misconduct, then had a serious of issues appear on a security clearance memo, and Government charge card delinquency. These problems were in addition to the aforementioned assault.

The Board has no issues with the discharge issued. The local command, intermediate level Commander, and EPM all endorsed the punishment rendered and the subsequent separation. No new evidence provided by the applicant mitigates or refutes the actions leading to the separation.

RECOMMENDATION: The Board members thoroughly reviewed the applicant's record of service and all available documentation

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: No relief. Record was received from CGPSC-PSD-mr and includes all documentation that was available after a search of available records in the Coast Guard personnel records system and augmented by Direct Access record data.

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.