

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-031

Discharge Issued

Character: General

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

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

Date of Separation: 2007-08-08

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 tested positive for marijuana use on a random urinalysis testing. The applicant's command determined this to be a drug incident. Pursuant to policy, the applicant was processed 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, no statement or objection was made to the discharge.

The Board notes that he 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.

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: Partial relief to the applicant's Character of Service to Under Honorable Conditions based on ALCOAST 562/08. 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.