

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-032

**Discharge Issued**

**Character:** Under Honorable Conditions (General)

**Narrative Reason:** Pattern of Misconduct

**SPD/RE Code:** JKA / RE4

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

**Date of Separation:** 2011-06-17

**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 applicant's complete Personnel Data Record and Separation Package were available for the Board to review. After receiving two NJP's in a 10-month period, the applicant was processed for discharge. The applicant had a history of not providing adequate support to dependents prior to the issues of neglecting work and assaulting the spouse. The Board notes that assault and battery in similar scenarios can normally result in Court-Martial proceedings.

The applicant claims that the assault on spouse was in self-defense after being struck, and that the civilian court dismissed the case. The applicant provided no official documents to support this claim. The NJP results specify that the spouse had suffered a fractured nose and received stitches. Additionally in the current petition, a mention of the dependent son being diagnosed with diabetes led to asking for a voluntary discharge with an Honorable character of service. The separation package does show an Honorable recommendation from the Sector, but this is due to the pattern of misconduct vice the voluntary plea on the application and supporting statements. PSC-epm authorized the Discharge with an Under Honorable Conditions character of service.

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 declined to make a statement while not objecting to discharge.

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.