

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-039

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Unacceptable Conduct

SPD/RE Code: GNC / RE4

Authority of Discharge: COMDTINST M1000.4 CH. 1.A.2.C

Date of Separation: 2013-05-30

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 Unacceptable Conduct due to Involvement with Drugs. The applicant's complete Personnel Data Record and Separation Package were available for the Board to review. The applicant had a positive urinalysis result during a random testing. The applicant claimed to not have used any illegal drugs prior to the testing date, rather the applicant expressed that the positive result must have occurred in some form of an accidental ingestion. Pursuant to policy, the applicant was recommended for separation due to a drug incident. The applicant's had 19 years of service which prompted an Administrative Investigation and Special Board to consider termination of their appointment. The report of proceedings was routed to the Commandant and DHS Secretary for final approval. Both concurred that the concentration of the positive THC sample exceeded any single innocent ingestion claimed by the applicant. This finding was also endorsed by a military medical center and Coast Guard Legal counsel. PSC-OPM approved the separation and the applicant was officially discharged from the service.

The Board finds no issues with propriety or equity in this case. The applicant provided no new evidence to support an 'accidental ingestion', nor was any error proven in the chain of custody or procedure executed by the urinalysis coordinator or observers.

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.